

TO: Chairman Kunze, VC Reineke, Ranking Minority Member Antonio
Transportation Committee Members
FROM: Brian J. Wise, P.E., P.S.
DATE: March 19, 2021
RE: Sub HB 74, Transportation Budget
FORCE ACCOUNT limits increase – SUPPORT

County: CARROLL
Budget: \$5.8 million per year
Infrastructure: ROADS: 307 miles
BRIDGES: 144
CULVERTS: 2,182

I am writing to express my support for Sub. House Bill 74, the Transportation Budget, particularly the addition of the language increasing county, township, and other local government force account limits.

I represent a rural Appalachian county located over 25 miles from the nearest city. Three factors play a significant role in the work we perform by contract. Our location, our smaller size, and the lack of local contractors large enough to perform highway and bridge work.

Our location puts us on the fringe of the service area for most larger contractors. Our contract work therefore tends to get scheduled later in the season as we are located further away from the contractors' primary base of operations.

Due to our small size, our contracted work tends to be smaller dollar value projects. This generates less interest in our projects from larger contractors. The result is that contractors typically bid our projects as fill in work, so they do not tend to bid as competitively.

Our local contractors tend to be smaller and more general in nature as there is not enough demand in our area for specialized work such as highway paving, bridge construction, pavement marking, landslide repair, or guardrail construction. This limited competition for bids results in higher-than-average pricing compared to larger counties which are more centrally located and generate most of the contractors' workload.

The force account law as currently enacted is a fixed dollar limit, set in the past, and subject to the persistent impact of inflation. County Engineers are required by the force account law, to first create an estimate for any anticipated construction work to be performed by our own employees. If this estimate indicates that the work will cost more than the current force account limit, which was set at a fixed dollar amount way back in 2003, we must bid the work by contract. Because the estimate is higher than our force account limit, if we do not have the cash allocated in the budget to contract the work at that time, the work just doesn't get done. The public is then forced to wait longer for the work to be funded later or worse, these much-needed repairs to

public infrastructure go unperformed thereby worsening the problem and increasing repair costs. Force account limits are a severe set of constraints that essentially degrade any highway maintenance agency into ineffectiveness as public resources are concerned. For instance, even though we have the equipment in our garage necessary to do the work, the employees already on the payroll to operate that equipment, and all the materials we need on hand to complete the work, according to the current law, we must proceed by contract if we are over the force account estimate. Imagine if the County Sheriff was forced by law into a box such that he was only permitted to execute a drug raid with his deputies after he first estimated the street value of the narcotics he anticipates confiscating as part of the raid. If the estimated value to be recovered is over some fixed limit set by the legislature twenty years ago, he must hire out the work to a for-profit contractor to execute the raid instead. Of course, the public would not stand for such an absurd requirement of our law enforcement, why should the needs of our public infrastructure be any different?

Our minimum staffing level is set by one thing, our ability to perform snow and ice control services reliably during the winter months. Making sure we can cover all our snow routes with enough drivers is what sets the number of employees we need to have on staff throughout the year. Believe it or not there just are not that many people out there who only want a job plowing snow five months out of the year, they all tend to want a paycheck the other seven months too. We keep those employees busy the rest of the year doing many things like patching potholes, cleaning ditches, mowing, and performing other routine maintenance tasks. These activities represent however, only a small fraction of the total work that needs done. This is where force account operations fit in. Those same employees can provide additional, highly beneficial services to the public, such as replacing culverts, rehabilitating bridges, and repairing landslides. It is crucial that these Ohio jobs are not limited in their usefulness by force account limits that do not keep pace with inflation. Force account operations are proven to significantly improve the condition of the public infrastructure. This is the epitome of the efficient use of tax dollars that the public expects from their elected officials.

I respectfully encourage you to keep the proposed force account increase for **all** local governments in the transportation budget at the limits proposed and index them to inflation so that this issue does not need to be addressed in the future. Thank you for your time and consideration.