



950 Keynote Circle, Suite 10
Cleveland, OH 44131-1802
P 216.398.9860
F 216.398.9801
www.ceacisp.org

March 8, 2023

Re: Opponent Testimony / SB 23 (Lang) Expand political subdivision joint purchasing

Chair Roegner, Vice Chair Antani, Ranking Minority Member Hicks-Hudson and Senators on the Senate Government Oversight Committee:

The Construction Employers Association (CEA) is a nonprofit trade association that has served members for over one hundred years. CEA provides a variety of programs for 175 contractor members and represents employers of approximately 8,000 skilled trades and construction management personnel in Ohio. Our members range from large general contractors to small subcontractors. **Thank you for the opportunity to submit written opposition testimony on SB 23.**

Openness, competitiveness, and transparency in Ohio's commercial construction and public procurement laws are guidelines our industry supports. Ohio taxpayers deserve a system that encourages these traits. SB 23 does NOT provide for these important guidelines above. It, in fact, undermines the openness, competitiveness, and transparency Ohio law currently has. That is why the Construction Employers Association (CEA) oppose this bill. SB 23:

- Makes the award of construction contracts less transparent.
- Allows a route for political subdivisions to avoid competitive bidding for construction.
- Circumvents the competitive processes and protections of standard construction contained in Ohio law, negatively impacting bonding, advertising, subcontractor protections to mention a few areas.
- Creates confusion and inconsistency within the construction industry.
- Limits the ability of local businesses, CEA individual members, (who understand there is a time to work together and a time to compete) to fairly compete for public projects.

CEA would also respectfully state there currently is no ambiguity in the Revised Code, and that SB 23 is not a technical correction. Attorney General Yost issued an opinion in 2019 that identifies the narrow parameters where construction can be cooperatively purchased.

We oppose SB 23 and other similar legislation that would alter the law and expand the use of cooperative purchasing agreements for construction services. Thank you for your time and review.

Tim Linville
Chief Executive Officer