

As Introduced

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Representative Patten

**Cosponsors: Representatives Chandler, DeGeeter, Domenick, Evans, Fende,
Foley, Garland, Harris, Letson, Okey, Phillips, Pryor, Skindell, Weddington,
Williams, B., Yuko**

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A B I L L

To amend section 5513.01 of the Revised Code to 1
authorize the director of transportation to 2
include school districts in purchase contracts for 3
machinery, materials, supplies, and other 4
articles. 5

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 5513.01 of the Revised Code be 6
amended to read as follows: 7

Sec. 5513.01. (A) All purchases of machinery, materials, 8
supplies, or other articles that the director of transportation 9
makes shall be in the manner provided in this section. In all 10
cases except those in which the director provides written 11
authorization for purchases by district deputy directors of 12
transportation, all such purchases shall be made at the central 13
office of the department of transportation in Columbus. Before 14
making any purchase at that office, the director, as provided in 15
this section, shall give notice to bidders of the director's 16
intention to purchase. Where the expenditure does not exceed the 17

amount applicable to the purchase of supplies specified in 18
division (B) of section 125.05 of the Revised Code, as adjusted 19
pursuant to division (D) of that section, the director shall give 20
such notice as the director considers proper, or the director may 21
make the purchase without notice. Where the expenditure exceeds 22
the amount applicable to the purchase of supplies specified in 23
division (B) of section 125.05 of the Revised Code, as adjusted 24
pursuant to division (D) of that section, the director shall give 25
notice by posting for not less than ten days a written, typed, or 26
printed invitation to bidders on a bulletin board, which shall be 27
located in a place in the offices assigned to the department and 28
open to the public during business hours. Producers or 29
distributors of any product may notify the director, in writing, 30
of the class of articles for the furnishing of which they desire 31
to bid and their post-office addresses, in which case copies of 32
all invitations to bidders relating to the purchase of such 33
articles shall be mailed to such persons by the director by 34
regular first class mail at least ten days prior to the time fixed 35
for taking bids. The director also may mail copies of all 36
invitations to bidders to news agencies or other agencies or 37
organizations distributing information of this character. Requests 38
for invitations shall not be valid nor require action by the 39
director unless renewed, either annually or after such shorter 40
period as the director may prescribe by a general rule. The 41
invitation to bidders shall contain a brief statement of the 42
general character of the article that it is intended to purchase, 43
the approximate quantity desired, and a statement of the time and 44
place where bids will be received, and may relate to and describe 45
as many different articles as the director thinks proper, it being 46
the intent and purpose of this section to authorize the inclusion 47
in a single invitation of as many different articles as the 48
director desires to invite bids upon at any given time. 49
Invitations issued during each calendar year shall be given 50

consecutive numbers, and the number assigned to each invitation 51
shall appear on all copies thereof. In all cases where notice is 52
required by this section, sealed bids shall be taken, on forms 53
prescribed and furnished by the director, and modification of bids 54
after they have been opened shall not be permitted. 55

(B) The director may permit the Ohio turnpike commission, any 56
political subdivision, and any state university or college to 57
participate in contracts into which the director has entered for 58
the purchase of machinery, materials, supplies, or other articles. 59
The turnpike commission and any political subdivision or state 60
university or college desiring to participate in such purchase 61
contracts shall file with the director a certified copy of the 62
bylaws or rules of the turnpike commission or the ordinance or 63
resolution of the legislative authority, board of trustees, or 64
other governing board requesting authorization to participate in 65
such contracts and agreeing to be bound by such terms and 66
conditions as the director prescribes. Purchases made by the 67
turnpike commission, political subdivisions, or state universities 68
or colleges under this division are exempt from any competitive 69
bidding required by law for the purchase of machinery, materials, 70
supplies, or other articles. 71

(C) As used in this section: 72

(1) "Political subdivision" means any county, township, 73
municipal corporation, conservancy district, township park 74
district, park district created under Chapter 1545. of the Revised 75
Code, port authority, regional transit authority, regional airport 76
authority, regional water and sewer district, ~~or~~ county transit 77
board, or school district as defined in section 5513.04 of the 78
Revised Code. 79

(2) "State university or college" has the same meaning as in 80
division (A)(1) of section 3345.32 of the Revised Code. 81

(3) "Ohio turnpike commission" means the commission created 82
by section 5537.02 of the Revised Code. 83

Section 2. That existing section 5513.01 of the Revised Code 84
is hereby repealed. 85