

**As Receded From by the Senate**

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**H. B. No. 330**

**Representative Patten**

**Cosponsors: Representatives Chandler, DeGeeter, Domenick, Evans, Fende, Foley, Garland, Harris, Letson, Okey, Phillips, Pryor, Skindell, Weddington, Williams, B., Yuko, Hagan, Mallory, Bolon, Combs, Balderson, McClain, Ruhl, Adams, R., Bacon, Baker, Batchelder, Belcher, Boose, Brown, Bubp, Burke, Carney, Celeste, Coley, Daniels, DeBose, Derickson, Dodd, Driehaus, Dyer, Gardner, Garrison, Gerberry, Goodwin, Goyal, Grossman, Hackett, Hall, Harwood, Hite, Hottinger, Huffman, Jordan, Koziura, Luckie, Lundy, Maag, Mandel, Martin, McGregor, Mecklenborg, Moran, Morgan, Murray, Newcomb, Pillich, Sayre, Slesnick, Snitchler, Stewart, Szollosi, Uecker, Ujvagi, Wagner, Winburn, Zehringer**

**Senators Gillmor, Schuring, Wagoner, Harris, Gibbs, Strahorn, Fedor, Jones**

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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