



H.B. 661

126th General Assembly
(As Introduced)

Reps. Harwood, Law, Barrett, Healy

BILL SUMMARY

- Eliminates the exemption from competitive bidding requirements for contracts for fiscal and management consultant services for counties or townships.
- Requires counties to competitively bid for the services of accountants, architects, attorneys, physicians, professional engineers, construction project managers, consultants, surveyors, or appraisers, unless the board of county commissioners declares an emergency under specified conditions.

CONTENT AND OPERATION

County and township fiscal and management consultant contracts

Current law permits boards of county commissioners and boards of township trustees to contract for fiscal and management consultant services without complying with any existing requirements for competitive bidding. The bill repeals that provision, in part because of the changes it otherwise proposes in the County Competitive Bidding Law (see below). (R.C. 9.36--repealed by Section 2 of the bill.)

County professional services contracts

Under current law, competitive bidding is generally required for county contracts in excess of \$25,000, subject to numerous exceptions. One exception is for professional services from an accountant, architect, attorney, physician, professional engineer, construction project manager, consultant, surveyor, or appraiser. Another exception is for emergencies, when (1) the board of county commissioners unanimously (all three members or only two members if only two are present) determines that a real and present emergency exists, (2) the

determination of and reasons for the emergency are entered in the board's minutes, and (3) either (a) the estimated cost is less than \$50,000 or (b) there is actual physical disaster to structures, radio communications equipment, or computers. (R.C. 307.86--not in the bill.)

If a contract is exempt under current law from competitive bidding due to an emergency and the ground is that the estimated cost is less than \$50,000, *but that estimated cost is \$25,000 or more*, informal estimates must be solicited by the county or county contracting authority from no fewer than three persons before the contract is awarded. The county or county contracting authority must maintain records of the informal estimates, including the name of each person solicited, for at least one year after the contract is awarded or the time required by the federal government, whichever is longer. (R.C. 307.86--not in the bill.)

The bill eliminates the exception for professional services by enacting a new section that focuses specifically on and *expressly requires* competitive bidding for the above-listed types of professional services for counties, subject to emergency exception and solicitation of informal estimates provisions similar to those of current law for other county contracts as described above (R.C. 307.862).

HISTORY

ACTION	DATE
Introduced	09-18-06

H0661-I-126.doc/jc