



H.B. 436

127th General Assembly
(As Introduced)

Rep. J. Stewart

BILL SUMMARY

- Authorizes counties, municipal corporations, conservancy districts, sanitary districts, and regional water and sewer districts to award contracts for maintenance and repair of water storage tanks without competitive bidding.

CONTENT AND OPERATION

Maintenance and repair contracts for water storage tanks

Generally, current law requires political subdivisions to use competitive bidding when awarding contracts that exceed \$25,000 (\$10,000 for sanitary districts). The bill creates an exception to this requirement by authorizing various political subdivisions to award contracts for maintenance and repair of water storage tanks without competitive bidding.

Counties

(R.C. 307.86, 6103.02 (not in the bill), and 6103.10)

Under existing law, a county contracting authority must use competitive sealed bidding for any purchase, lease, or construction project¹ that costs more than \$25,000 unless the purchase, lease, or construction project falls into one of several exceptions. The bill creates a new exception to the requirement that a county contracting authority use competitive bidding. Under the bill, when the

¹ The types of purchases, leases, or construction projects to which this requirement applies includes, but is not limited to, any product, structure, construction, reconstruction, improvement, maintenance, repair, or service, except for the services of an accountant, architect, attorney, physician, professional engineer, construction project manager, consultant, surveyor, or appraiser.

purchase is for the repair and maintenance of a water storage tank and appurtenant facilities that are owned, controlled, or operated by the county, competitive bidding is not required.

Additionally, current law allows a board of county commissioners to acquire, construct, maintain, and operate public water supply facilities within its county. Under the bill, in connection with these facilities, the board can enter into a service contract for the repair and maintenance of a water storage tank and appurtenant facilities that are owned, controlled, or operated by the county without bidding or advertising.

Municipal corporations

(R.C. 735.05 (not in the bill) and 735.054)

Currently, although subject to exceptions, when authorized and directed by ordinance of the legislative authority, a municipality's director of public service must use competitive bidding to make any contract, to purchase supplies or material, or to provide labor for any work involving more than \$25,000. The bill creates an exception to the competitive bidding requirements applying to municipalities. Under the bill, a municipality's legislative authority can authorize, by ordinance, the director of public service, mayor, city manager, board of trustees of public affairs, village administrator, or other duly authorized contracting officer, commission, board, or authority to enter into a service contract for the repair and maintenance of a water storage tank and appurtenant facilities that are owned, controlled, or operated by the municipality without bidding or advertising.

Conservancy districts

(R.C. 6101.16)

Current law requires a board of directors of a conservancy district, for contracts exceeding \$25,000, to use competitive bidding. The bill allows an exception to the competitive bidding requirement applying to conservancy districts. Under the bill, the board may enter into a service contract for the repair and maintenance of a water storage tank and appurtenant facilities that are owned, controlled, or operated by the district without bidding or advertising.

Sanitary districts

(R.C. 6115.20)

Existing law requires the board of directors of a sanitary district, for contracts exceeding \$10,000, to use competitive bidding. The bill creates an exception to the competitive bidding requirement applying to the board of a

sanitary district. Under the bill, the board may enter into a service contract for the repair and maintenance of a water storage tank and appurtenant facilities that are owned, controlled, or operated by the district without bidding or advertising.

Regional water and sewer districts

(R.C. 6119.10)

Under existing law, generally for contracts exceeding \$25,000, the board of trustees of a regional water and sewer district or any officer or employee designated by the board must make contracts for the purchase of supplies or material or for labor for any work by competitive bidding. The bill allows the board to enter into a service contract for the repair and maintenance of a water storage tank and appurtenant facilities that are owned, controlled, or operated by the district without bidding or advertising.

HISTORY

ACTION	DATE
Introduced	01-17-08

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