

OHIO TURNPIKE COMMISSION

Resolution Authorizing Modifications to the Ohio Turnpike Commission's System of Preferences For the Purchase of Equipment, Materials or Supplies

WHEREAS, pursuant to Resolution No. 26-2008, the Commission adopted a policy establishing a preference for the purchase of equipment, materials or supplies produced or mined in the United States, the State of Ohio or a border state; and

WHEREAS, the Commission is authorized pursuant to Ohio Revised Code Section 5537.04(A)(10) to enter into contracts or agreements necessary or incidental to the performance of its duties and the execution of its powers; and

WHEREAS, the initial policy substantially mirrored the Model System of Preferences administered by the Ohio Department of Administrative Services pursuant to the provisions of Ohio Revised Code Sections 125.09 and 125.11 and as set forth by rule in Ohio Administrative Code Section 123:5-1-11; and

WHEREAS, the General Counsel has advised the Commission that the policy has generally proven to be very effective in encouraging the purchase of equipment, materials or supplies produced or mined in Ohio and the United States, however, there have been several occasions when the equipment, materials or supplies are not domestically produced or mined or, if they are available domestically, they are excessive in price; and

WHEREAS, the General Counsel recommends revisions to the current policy (attached hereto as Exhibit "A") in order to clarify that Commission staff are authorized to proceed with the purchase of equipment, materials or supplies that are not domestically produced or mined if they are not otherwise available, or if the price for the domestically produced or mined item is excessive; and

WHEREAS, the General Counsel has advised the Commission that it is authorized, pursuant to Ohio Revised Code Section 5537.04(A)(10) to modify the previously adopted policy; and

WHEREAS, the Commission has duly considered the General Counsel's recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the Executive Director and General Counsel shall be authorized to proceed with the recommended modifications to the previously adopted System of Preferences For the Purchase of Equipment, Materials or Supplies; and

FURTHER RESOLVED that the revised policy shall be published on the Commission's website and copies provided to potential bidders with all appropriate procurement solicitations.

(Resolution No. 30-2012 adopted June 18, 2012)