



## Ohio Revised Code

### Section 723.52 Estimate of cost of construction by force account - competitive bidding - rejection of bids.

Effective: June 30, 2023

Legislation: House Bill 23

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Before letting or making any contract for the construction, reconstruction, widening, resurfacing, or repair of a street or other public way, the director of public service in a city, or the legislative authority in a village, shall make an estimate of the cost of such work using the force account project assessment form developed by the auditor of state under section 117.16 of the Revised Code. In municipal corporations having an engineer, or an officer having a different title but the duties and functions of an engineer, the estimate shall be made by the engineer or other officer. Where the total estimated cost of any such work is seventy thousand dollars or less, the proper officers may proceed by force account.

Where the total estimated cost of any such work exceeds seventy thousand dollars, the proper officers of the municipal corporation shall be required to invite and receive competitive bids for furnishing all the labor, materials, and equipment and doing the work, after newspaper advertisement as provided by law. The officers shall consider and may reject such bids. If the bids are rejected, the officers may order the work done by force account or direct labor. When such bids are received, considered, and rejected, and the work done by force account or direct labor, such work shall be performed in compliance with the plans and specifications upon which the bids were based. It shall be unlawful to divide a street or connecting streets into separate sections for the purpose of defeating this section and section 723.53 of the Revised Code.

On the first day of July of every year beginning in 2024, the threshold amount established in this section shall increase by an amount not to exceed the lesser of five per cent, or the percentage amount of any increase in the department of transportation's construction cost index as annualized and totaled for the prior calendar year. The director of transportation shall notify each appropriate engineer or other officer of the increased amount.

"Street," as used in such sections, includes portions of connecting streets on which the same or similar construction, reconstruction, widening, resurfacing, or repair is planned or projected.