



Ohio Administrative Code

Rule 123:2-11-02 Certificates of compliance procedures for emergency contracts.

Effective: July 6, 1998

Where an owner referred to section 153.01 of the Revised Code is authorized to dispense with normal competitive bidding procedures due to an emergency situation requiring immediate redress, the owner shall notify the state equal employment opportunity coordinator of the contractor chosen to complete the emergency work. The owner shall also notify the contractor of its obligation to submit an application for a certificate of compliance with affirmative action programs to the state equal employment opportunity coordinator as soon as possible.

Where the nature of the emergency requires the contractor to begin work before the state equal employment opportunity coordinator has completed review of the contractor's application, the contractor must contact the state equal employment opportunity coordinator and provide adequate assurance that it has not committed any violation of any affirmative action program with which the contractor was required to comply during the previous five years. The state equal employment opportunity coordinator may determine the contractor to be in compliance with affirmative action programs based upon the contractor's assurances.

Where after completing review of the contractor's application, the state equal employment opportunity coordinator determines that the contractor knowingly falsified or omitted information requested by the coordinator for adequate assurance of compliance during an emergency, the coordinator may modify his or her determination of compliance with affirmative action programs. The state equal employment opportunity coordinator may determine a bidder to have violated an affirmative action program it was required to comply with, if the coordinator determines the bidder knowingly falsified its application for a certificate of compliance or knowingly omitted information requested by the application for certificate of compliance.
