



Ohio Administrative Code Rule 123:5-1-01 Definitions.

Effective: February 23, 2026

As used in this division of the Administrative Code:

- (A) "Agency" means a department created under section 121.02 of the Revised Code.
- (B) "Auction event" means a competitive process conducted in which prequalified responsive and responsible bidders compete to submit the lowest price.
- (C) "Bid response" means all documents, whether attached or incorporated by reference, supplied by the bidder in response to an invitation to bid. In a reverse auction, this also includes a qualifications summary and the lowest price submitted by the bidder during the auction event.
- (D) "Bidder" means the person or firm that submits a bid response to an invitation to bid.
- (E) "Border state" means any state that is contiguous to Ohio and that does not impose a restriction greater than Ohio imposes pursuant to sections 125.09 and 125.11 of the Revised Code on persons located in Ohio selling goods or services to agencies of that state.
- (F) "Buy Ohio supplier" means a supplier submitting a bid or proposal offering Buy Ohio products or demonstrating significant economic presence in Ohio or a border state.
- (G) "Community rehabilitation program" has the same meaning as defined in section 125.60 of the Revised Code.
- (H) "Domestic source end product" means:
 - (1) An unmanufactured end product mined or produced in the United States, or
 - (2) An end product manufactured in the United States, provided:



- (a) The cost of its components mined, produced, or manufactured in the United States exceeds fifty per cent of the cost of all its components of foreign origin; and
- (b) Its components of foreign origin are of the same class or kind as those that the department of administrative services ("the department") determines are not mined, produced, or manufactured in the United States in neither sufficient and reasonably available commercial quantities nor of a satisfactory quality.
- (3) Scrap that is generated, collected, and prepared for processing in the United States.
- (I) "Electronic procurement system" means the department of administrative services' electronic procurement system used to purchase supplies or services in a manner prescribed by the department.
- (J) "Emergency" has the same meaning as defined in section 5502.21 of the Revised Code.
- (K) "First requisite procurement program" has the same meaning as defined in section 125.035 of the Revised Code.
- (L) "Government ordering office" has the same meaning as defined in section 125.60 of the Revised Code.
- (M) "Invitation to bid" or "ITB" means the process for soliciting competitive sealed bids and all documents, whether attached or incorporated by reference, utilized for soliciting competitive sealed bids.
- (N) "Offeror" means the person or firm which submits a proposal in response to a request for proposal.
- (O) "Personal protective equipment" has the same meaning as section 125.05 of the Revised Code.
- (P) "Produced" has the same meaning as defined in section 125.01 of the Revised Code.



- (Q) "Products" has the same meaning as defined in section 125.01 of the Revised Code.
- (R) "Proposal" means all documents, whether attached or incorporated by reference, supplied by the offeror in response to a request for proposal.
- (S) "Purchase" has the same meaning as defined in section 125.01 of the Revised Code.
- (T) "Qualifications summary" means information submitted by a bidder or offeror as part of a solicitation that is used to determine the bidder's or offeror's responsibility and responsiveness.
- (U) "Qualified nonprofit agency" means any community rehabilitation program that has been certified pursuant to section 125.604 of the Revised Code.
- (V) "Recycled products" means products that are substantially equivalent to a non-recycled product, are economically feasible, and are commercially available in quantities sufficient to meet the purchasing need.
- (W) "Request for proposal" or "RFP" means all documents, whether attached or incorporated by reference, utilized for soliciting competitive sealed proposals.
- (X) "Second requisite program" has the same meaning as section 125.035 of the Revised Code.
- (Y) "Services" has the same meaning as defined in section 125.01 of the Revised Code.
- (Z) "Significant Ohio economic presence" means business organizations that:
- (1) Pay required taxes to the state of Ohio or applicable border state; and
 - (2) Are registered and licensed to do business in the state of Ohio with the office of the secretary of state or as required by applicable border state; and
 - (3) Have ten or more employees based in Ohio or the applicable border state, or seventy-five per cent or more of their employees based in Ohio or the applicable border state.



(AA) "Specification" means any description of the physical or functional characteristics or of the goods or service to be purchased. It may include a description of any requirements for inspecting, testing, or preparing goods or services for delivery.

(BB) "Supplies" has the same meaning as defined in section 125.01 of the Revised Code.