



Ohio Administrative Code

Rule 173-3-05 Older Americans Act: procurement standards.

Effective: June 1, 2018

(A) Federal requirements: When an AAA procures goods or services paid, in whole or in part, with Older Americans Act funds, the AAA shall comply with the requirements in 45 C.F.R. 75.327 to 75.335.

(1) 48 C.F.R. Subpart 2.1 establishes the federal micro-purchase threshold. 45 C.F.R. 75.329 prohibits an AAA from using micro-purchase procurement for AAA-provider agreements (agreements) worth more than the federal micro-purchase threshold.

(2) 2 C.F.R. Part 300 establishes the federal simplified acquisition threshold. 45 C.F.R. 75.329 prohibits an AAA from using small-purchase procurement for agreements worth more than the federal simplified acquisition threshold.

(B) Additional state requirements: If an AAA submits a written request to ODA seeking permission to use a non-competitive procurement process, the AAA shall comply with paragraph (A) of this rule and the following:

(1) The AAA shall submit its written request to ODA no fewer than thirty days before the AAA needs a decision from ODA.

(2) The AAA's written request shall not consider a public exigency or emergency to be a basis for non-competitive procurement if the AAA created the exigency or emergency.

(3) The AAA's request shall provide ODA with evidence to verify that the circumstances in 45 C.F.R. 75.329(f) exist.

(4) If the AAA wants to procure goods or services from a single source, the AAA's request shall verify that the circumstances in 45 C.F.R. 75.329(f)(1) exist by including the names of all known providers of the goods or services located in, or willing to do business in, the planning and service



area. The AAA's request shall also include emails or letters from each of those providers to document their inability to provide the goods or services the AAA wants to procure. If the providers are unwilling to submit emails or letters to the AAA, the AAA shall document its efforts to obtain information from the providers.