



Ohio Administrative Code

Rule 123:5-3-07 Release of a government ordering office from purchasing requirements.

Effective: April 26, 2024

(A) A government ordering office may apply for a waiver from the requirement to procure particular goods or services or a category of goods or services on a form provided by and in the manner prescribed by the department of administrative services ("the department").

(B) The department may grant a government ordering office a waiver from the requirement to procure particular goods or services or a category of goods or services if the department determines:

(1) There is no qualified nonprofit agency available or willing to provide the requested goods or services; or

(2) There is a qualified nonprofit agency that is willing to provide the requested goods or services, but is not qualified or capable of providing the goods or services; or

(3) The government ordering office is or has been dissatisfied with substantially similar or same goods or services provided by the willing qualified nonprofit agency and has reported its dissatisfaction to the department or the department possesses specific information indicating such dissatisfaction; or

(4) The government ordering office made a good faith effort to reach agreement with the willing qualified nonprofit agency regarding price, terms and specifications but could not reach such agreement.

(C) The department may deny the request for waiver. If denied, the government ordering office may submit its request to the department director . The director's determination will be final.
