



Ohio Administrative Code

Rule 3769-2-33 Unrestricted competitive bidding procedure.

Effective: [March 21, 2024](#)

(A) For purposes of section 3769.20 and division (G) of section 3769.08 of the Revised Code, unrestricted competitive bidding procedures, will include the following:

(1) Notice will be given to the public that bids are being accepted on the project.

Notice will be given in at least two daily newspapers of general circulation for a minimum period of seven days, and generally describe the type of work to be performed. Proof of publication will be provided to the commission with the application for tax abatement.

(2) Identical definite specifications and plans describing the work to be done has to be presented to all interested bidders. The notice will give the location and person from whom the specifications can be obtained.

(3) The notice and specifications will set a deadline before which bids will be submitted and the date as to when the bids will be opened. The bids will be submitted sealed and not opened until after the deadline.

(4) No contract will be awarded to a bidder unless a minimum of three bids have been received before the deadline. If three bids have not been received, notice will again be given in accordance with paragraph (A) of this rule, the deadline will be extended, and the bids that have been submitted will remain sealed until the new deadline has passed and a total of at least three bids have been submitted.

(5) The bids will be submitted on such forms as the commission shall prescribe.

(6) The commission may approve the application and find that the contract was let under unrestricted competitive bidding even though the contract was not granted to the lowest responsive and responsible bidder, if the applicant presents sufficient reasons to the commission which justify their



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choice. Reasons may include but are not limited to the reputation and reliability of the bidder, the bidder's experience in the type of work involved, and the comparative quality of the different materials offered for the cost, as well as their adaptability.