



TESTIMONY
Concerning Senate Bill 150
Prepared by Darryl C. Lutz, P.E., Butler County Engineer

March 7, 2013

Mr. Chairman and Members of the Senate Ethics, Elections and Local Government Committee:

I am Darryl Lutz, Butler County Director of Public Works and County Engineer. I appreciate the opportunity today to submit written testimony on behalf of Butler County. I regret not being able to present in-person today. Butler County is opposed to the proposed Senate Bill 150. The bill is very broad in interpretation and interferes with the County's ability to make purchase decisions based upon best value that meets local needs.

The legislation as proposed seemingly presumes that purchases should be made solely based upon purchase price and not necessarily best value. The legislation also contains very broad language with such words as "unreasonable requirements" and "competent authorities". These are vague terms and presume that Counties are unable to determine the reasonableness of their own bid requirements or to be able act competently in choosing products. The County purchases many equipment items, products and materials for which price is only one of several factors in the purchase decision process. The County evaluates delivery costs, warranties, quality of material in comparison to long term serviceability and recurring maintenance or operating costs and also service and support offered by a vendor or manufacturer for their product.

County Commissioners are invested with the responsibility to be able to make decisions locally that are in the best interest of its citizens. They should not be subjected to an outside authority to determine whether or not a specification is reasonable or unreasonable. By our own experience, Butler County has made purchase decisions based upon a low priced equivalent that ultimately did not have an established history of performance and have now paid the price dearly in recurring maintenance cost for a product whose manufacturer no longer exists. Some products need to be purchased based upon long term costs and not simply the initial upfront cost.

In closing, Butler County has a very good process in place for specifying, scoping and evaluating materials, products, services and projects based upon long term costs. Butler County is opposed to SB 150 and respectfully asks this committee to vote unfavorably on this legislation.

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