



Dave Yost • Auditor of State

Bulletin 2015-003

Auditor of State Bulletin

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TO: City Engineers and Finance Directors
County Engineers, Auditors, and Fiscal Officers
Village Fiscal Officers
Township Fiscal Officers
Ohio Department of Transportation
Independent Public Accountants

FROM: Dave Yost
Ohio Auditor of State

SUBJECT: Legislative Changes and Clarifications Regarding Force Account Projects (Sections 5517.02, 5517.021, 117.16, R.C.)

SUMMARY

This bulletin explains force account changes implemented by House Bill 51 (130th General Assembly) effective July 1, 2013, and clarifies certain requirements for force account projects constructed by or in conjunction with the Ohio Department of Transportation (ODOT). In addition to this Bulletin, the Auditor of State issued three previous bulletins regarding force account projects: 2008-004, 2007-001, and 2003-003. Public offices should review these bulletins when initiating force account projects.

Force Account Limits (5517.02, R.C.)

House Bill 51 increased the statutory limit for ODOT force-account projects to \$30,000 per centerline mile of highway and to \$60,000 for any traffic control signal or any other single project. The Bill also requires the ODOT Director to increase these limits on the first day of July of every odd-numbered year beginning in 2015 by the lesser of three per cent or the percentage increase in ODOT's construction cost index, as annualized and totaled for the two prior calendar years. The Director shall publish the applicable amounts on ODOT's website.

Work Exempt from Competitive Bidding/Force Account Requirements (5517.021, R.C.)

Section 5517.021, R.C. allows ODOT to do the following without competitive bidding:

- Replace any single-span bridge in its substantial entirety or widen any single-span bridge, including necessary modifications to accommodate widening the existing substructure and wing walls. The deck area of the new or widened bridge may not exceed 700 square feet as measured around the outside perimeter of the deck.
- Replace the bearing, beams, and deck of any bridge on that bridge's existing foundation if the deck area of the rehabilitated structure does not exceed 800 square feet.
- Construct or replace any single-cell or multi-cell culvert whose total waterway opening does not exceed 52 square feet.
- Pave or patch an asphalt surface if the operation does not exceed 120 tons of asphalt per lane-mile of roadway length. The Department may not perform a continuous resurfacing operation under this section if the cost of work exceeds the amounts established in R.C. Section 5517.02.
- Approach roadway work, extending not more than 150 feet as measured from the back side of the bridge abutment wall or outside the edge of the culvert, as applicable. The length of the approach guardrail shall be in accordance with ODOT's design requirements and shall not be included in the approach work size limitation.

These projects are not subject to the force account requirements of 117.16, R.C., do not require an estimate, and are exempt from audit for force account purposes except to determine compliance with applicable size or tonnage restrictions.

Force Account Assessment Forms (117.16, R.C.)

Effective June 16, 2014, ODOT replaced the Transportation Management System with the Enterprise Information Management System (EIMS).

Regardless of cost, Section 117.16, R.C. requires public entities to estimate a project's cost using a form approved by the Auditor of State. However, for projects constructed by or in conjunction with ODOT, estimates may be prepared using the Department's EIMS. Estimates prepared with EIMS are acceptable in lieu of the Auditor of State's force account project assessment form if they include all the necessary elements of an estimate required by 117.16, R.C.

Whether prepared using the AOS form, EIMS, or another standard ODOT form, an estimate is required and documentation supporting it should be retained for **ALL** projects, unless specifically exempted by R.C. If the total estimated cost exceeds the statutory limits defined in R.C., the project must be competitively bid.

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Questions concerning this bulletin shall be addressed to the Auditor of State's Center for Audit Excellence at (800) 282-0370.

A handwritten signature in black ink that reads "Dave Yost". The signature is written in a cursive, flowing style.

Dave Yost
Ohio Auditor of State