

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	5 - 0 - 2
Yeas:	Berger, Edwards C., Esquivel, Holvey, Schaufler
Nays:	0
Exc.:	Rosenbaum, Smith P.
Prepared By:	Theresa Van Winkle, Administrator
Meeting Dates:	1/19, 4/20

WHAT THE MEASURE DOES: Makes technical changes to the Public Contracting Code.

ISSUES DISCUSSED:

- Background of revising public contracting statutes
- Provisions of the measure

EFFECT OF COMMITTEE AMENDMENT: Makes further technical changes to the Public Contracting Code. Clarifies what projects and contracts of Department of Fish and Wildlife, the Department of Aviation, the Department of Housing and Community Services, the Department of Corrections, and the Military Department are subject to under the Public Contracting Code. Clarifies that the Director of the Department of Administrative Services has the exclusive authority to procure or supervise the procurement of all state agency information technology contracts and all price agreements on behalf of state agencies under which more than one agency may order goods, services, or personal services, unless the director delegates this authority. Clarifies that “cooperative procurement” does not include an agreement formed under ORS chapter 190 for establishing intergovernmental agreements between governments, agencies, or tribes.

BACKGROUND: Oregon’s Public Contracting Code (ORS chapters 279 A, B, and C) is a complete revision of outdated public contracting laws which took effect on March 1, 2005. The Department of Administrative Services has collaborated with the Department of Justice to collect suggested technical amendments and other law improvement proposals for the code. The first group of technical amendments was enacted through the passage of HB 2215 (2005).

HB 2140 A offers further technical amendments and improvements to make the code operate more efficiently and streamline the public contracting process. The measure supplies additional definitions and clarifies application of the Public Contracting Code in ORS chapter 279A (general provisions); improves the criteria for special procurements and clarifies provisions relating to “debarment” (removing a prospective bidder or proposer from consideration) and “protest” (legal remedies) in ORS chapter 279B (public procurements); and improving the criteria for exemptions from competitive bidding, clarifying the use of findings for competitive bidding exemptions, and providing the Department of Transportation the authority for brand name exemptions in ORS chapter 279C (public improvements and related contracts).

5/8/2007 5:12:00 PM

This summary has not been adopted or officially endorsed by action of the committee.