

## HOUSE AMENDMENTS TO HOUSE BILL 2264

By COMMITTEE ON WORKFORCE AND ECONOMIC DEVELOPMENT

April 19

1 On page 1 of the printed bill, line 2, delete “and”.

2 In line 3, delete “279A.025” and insert “279A.050; and declaring an emergency”.

3 Delete lines 5 through 31 and delete pages 2 and 3 and insert:

4 “**SECTION 1.** ORS 279A.050 is amended to read:

5 “279A.050. (1) Except as otherwise provided in the Public Contracting Code, a contracting  
6 agency shall exercise all rights, powers and authority in accordance with the provisions of the  
7 Public Contracting Code.

8 “(2) Except as otherwise provided in the Public Contracting Code, for state agencies the Direc-  
9 tor of the Oregon Department of Administrative Services has all of the rights, powers and authority  
10 necessary to carry out the provisions of the Public Contracting Code.

11 “(3) Except as otherwise provided in the Public Contracting Code, the Director of Transporta-  
12 tion has all of the rights, powers and authority to:

13 “(a) Procure or supervise the procurement of all services and personal services to construct,  
14 acquire, plan, design, maintain and operate passenger terminal facilities and motor vehicle parking  
15 facilities in connection with any public transportation system in accordance with ORS 184.689 (5);

16 “(b) Procure or supervise the procurement of all goods, services, public improvements and per-  
17 sonal services relating to the operation, maintenance or construction of highways, bridges and other  
18 transportation facilities that are subject to the authority of the Department of Transportation; and

19 “(c) Establish standards for, prescribe forms for and conduct the prequalification of prospective  
20 bidders on public improvement contracts related to the operation, maintenance or construction of  
21 highways, bridges and other transportation facilities that are subject to the authority of the De-  
22 partment of Transportation.

23 “(4) Except as otherwise provided in the Public Contracting Code, the Secretary of State has  
24 all of the rights, powers and authority to procure or supervise the procurement of goods, services  
25 and personal services related to programs under the direct authority of the Secretary of State.

26 “(5) Except as otherwise provided in the Public Contracting Code, the State Treasurer has all  
27 of the rights, powers and authority to procure or supervise the procurement of goods, services and  
28 personal services related to programs under the authority of the State Treasurer.

29 “(6) The following specific limited authorities are subject to the provisions of the Public Con-  
30 tracting Code:

31 “(a) The Department of Human Services to procure or supervise the procurement of goods, ser-  
32 vices and personal services for the construction, demolition, exchange, maintenance, operation and  
33 equipping of housing:

34 “(A) For the chronically mentally ill, subject to applicable provisions of ORS 426.504; and

35 “(B) For the purpose of providing care to individuals with mental retardation or other develop-

1 mental disabilities, subject to applicable provisions of ORS 427.335;

2 “(b) The State Department of Fish and Wildlife to procure or supervise the procurement of all  
3 goods, services, public improvements and personal services relating to dams, fishways, ponds and  
4 related fish and game propagation facilities;

5 “(c) The State Parks and Recreation Department to procure or supervise the procurement of all  
6 goods, services, public improvements and personal services relating to state parks;

7 “(d) The Oregon Department of Aviation to procure or supervise the procurement of all goods,  
8 services, public improvements and personal services related to airports owned or operated by the  
9 state;

10 “(e) The Economic and Community Development Department to procure or supervise the pro-  
11 curement of all goods, services, personal services and public improvements related to its foreign  
12 trade offices operating outside the state;

13 “(f) The Attorney General to enter into contracts as necessary to exercise the authority granted  
14 in ORS chapter 180;

15 “(g) The Housing and Community Services Department to procure or supervise the procurement  
16 of goods, services and personal services;

17 “(h) The Department of Corrections to procure or supervise the procurement of goods, services  
18 and personal services for the construction of all new buildings or additions for its institutions;

19 “(i) The Department of Corrections, subject to any applicable provisions of ORS 279A.120,  
20 279A.125, 279A.145 and 283.110 to 283.395, to procure or supervise the procurement of goods for its  
21 institutions;

22 “(j) The Department of Veterans’ Affairs to procure or supervise the procurement of real estate  
23 broker and principal real estate broker services related to programs under the department’s au-  
24 thority; *[and]*

25 “(k) **The Department of Education, subject to any applicable provisions of ORS 329.075,**  
26 **329.085 and 329.485 and the federal No Child Left Behind Act of 2001 (P.L. 107-110, 115 Stat.**  
27 **1425), to procure or supervise the procurement of goods, services, personal services and in-**  
28 **formation technology relating to student assessment; and**

29 “[*k*] (L) Any state agency to make procurements when the agency is specifically authorized  
30 by any provision of law other than the Public Contracting Code to enter into a contract.

31 “**SECTION 2. The amendments to ORS 279A.050 by section 1 of this 2007 Act apply to**  
32 **contracts entered into on or after the effective date of this 2007 Act.**

33 “**SECTION 3. This 2007 Act being necessary for the immediate preservation of the public**  
34 **peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect**  
35 **on its passage.”.**