

Enrolled
House Bill 2956

Sponsored by COMMITTEE ON BUSINESS AND LABOR

CHAPTER

AN ACT

Relating to interstate bridges; creating new provisions; and amending ORS 381.015 and 381.100.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 381.015 is amended to read:

381.015. (1) **A request for proposals or an invitation to bid issued in accordance with the provisions of ORS 381.005 to 381.080 at a minimum must:**

(a) **Require the proposer or bidder to comply with the requirements of ORS chapters 279A, 279B and 279C and other applicable laws related to environmental protection, worker health and safety and employment of apprentices; and**

(b) **State that the contracting agency will give a preference to procuring products, materials and components that are fabricated within the boundaries of this state or the State of Washington to the maximum extent feasible and practicable and taking into consideration:**

(A) **Applicable state and federal law;**

(B) **Whether in fabricating the products, materials and components a proposer or bidder can recycle materials or use recycled materials;**

(C) **Whether the sites at which the products, materials or components are fabricated are in close proximity to the bridge location; and**

(D) **Whether transportation costs and other conveniences favor or disfavor using products, materials and components manufactured in this state or the State of Washington.**

(2) **[Any] An agreement made or contract entered into pursuant to the authority of ORS 381.005 to 381.080 shall, among other things, contain express provisions with respect to:**

[(1)] (a) **The site of the bridge.**

[(2)] (b) **The maximum financial obligation assumed by each of the contracting parties.**

[(3)] (c) **The estimated cost of the structure with [its] the structure's approaches and connecting roads.**

[(4)] (d) **The sources from which all the funds are to be obtained or derived.**

[(5)] (e) **Whether the bridge is to be operated free to the public or as toll bridge.**

[(6)] (f) **Any other appropriate matters or provisions consistent with the prudent principles of economy and good business.**

SECTION 2. ORS 381.100 is amended to read:

381.100. (1) **A request for proposals or an invitation to bid issued in accordance with the provisions of ORS 381.096 or 381.098 at a minimum must:**

(a) **Require the proposer or bidder to comply with the requirements of ORS chapters 279A, 279B and 279C and other applicable laws related to environmental protection, worker health and safety and employment of apprentices; and**

(b) State that the contracting agency will give a preference to procuring products, materials and components that are fabricated within the boundaries of this state or the State of Idaho to the maximum extent feasible and practicable and taking into consideration:

(A) Applicable state and federal law;

(B) Whether in fabricating the products, materials and components a proposer or bidder can recycle materials or use recycled materials;

(C) Whether the sites at which the products, materials or components are fabricated are in close proximity to the bridge location; and

(D) Whether transportation costs and other conveniences favor or disfavor using products, materials and components manufactured in this state or the State of Idaho.

(2) [Any] An agreement made or contract entered into pursuant to the authority of ORS 381.096 or 381.098 shall, among other things, contain express provisions with respect to:

[(1)] (a) The site of the bridge.

[(2)] (b) The maximum financial and other obligations assumed by each of the contracting parties.

[(3)] (c) The estimated cost of the structure with [its] the structure's approaches and connecting roads.

[(4)] (d) The sources from which all the funds are to be obtained or derived.

[(5)] (e) Any other appropriate matters or provisions consistent with the prudent principles of economy and good business.

SECTION 3. The amendments to ORS 381.015 and 381.100 by sections 1 and 2 of this 2009 Act apply to requests for proposals or invitations to bid issued on or after the effective date of this 2009 Act and to contracts first advertised or solicited or, if not advertised or solicited, first entered into on or after the effective date of this 2009 Act.

Passed by House April 30, 2009

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Chief Clerk of House

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Speaker of House

Passed by Senate May 19, 2009

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President of Senate

Received by Governor:

.....M,....., 2009

Approved:

.....M,....., 2009

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Governor

Filed in Office of Secretary of State:

.....M,....., 2009

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Secretary of State