



June 24, 2013

Senate Committee on Rules
Testimony in support of SB 805

Chair Rosenbaum and members of the Committee, my name is Andy Boeger and I am with SEIU Local 503. I am here today to testify in support of SB 805.

ORS 279B was amended in 2009 to require some public contracting agencies to compare the anticipated cost to contract out with the cost to perform the work in-house on procurements for services worth more than \$250,000 dollars. These feasibility studies help government avoid unnecessary and wasteful contracts for public services. These provisions of law were the result of a large coalition of Oregonians concerned about waste of scarce public resources in procurements for services.

While these feasibility studies help government avoid unnecessary and wasteful contracts for public services, unfortunately, no enforcement mechanism was added to the statute. No public entity has enforcement authority, and no public entity or private party may bring legal action to compel compliance with this law. SB 805 allows employees or their union the right to seek judicial review when public contracting agencies fail to comply with the provisions of 27B.030, 27B.033, and 279B.036.

Unfortunately, there have been cases in which employers have not performed the feasibility study when the law required them to do so. The City of Wilsonville, for example, contracted out operation of its wastewater treatment plant without performing a feasibility study.

A law that cannot be enforced has, at best, limited value. For this reason, we are urging passage of SB 805.

Thank you.

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