

**PROPOSED AMENDMENTS TO
HOUSE BILL 2345**

1 On page 1 of the printed bill, delete lines 4 through 31 and delete page
2 2 and insert:

3 **“SECTION 1. The Legislative Assembly finds that:**

4 **“(1) Adequate public infrastructure systems are essential to a vi-**
5 **brant economy. Oregon’s needs for many kinds of infrastructure de-**
6 **velopment cannot be met using traditional development and financing**
7 **methods. To close an expected multibillion dollar investment gap for**
8 **the development of critical public infrastructure and to secure a sound**
9 **and resilient economy, Oregon must attract innovation in design, fi-**
10 **nancing and asset management.**

11 **“(2) Some public infrastructure projects require expertise in identi-**
12 **fying, procuring, negotiating and implementing projects using a**
13 **performance-based, life-cycle value method. To properly utilize, man-**
14 **age and implement such a method and to ensure that the public in-**
15 **terest is protected through effective risk mitigation, Oregon must**
16 **establish a center of expertise that will allow this state to take ad-**
17 **vantage of opportunities for innovation, innovative financing and re-**
18 **gional infrastructure development while minimizing public risk and**
19 **maximizing the value obtained for taxpayer dollars. The design and**
20 **implementation of such a center of expertise should draw from suc-**
21 **cessful models that incorporate the flexibility and agility necessary to**
22 **succeed while preserving public transparency, accountability and**

1 **exemplary contracting attributes.**

2 **“(3) To create an attractive marketplace that will draw high bidder**
3 **quality and competition, the western states need to be established as**
4 **a marketplace for innovative infrastructure financing. This is best**
5 **accomplished through regional collaboration to establish best prac-**
6 **tices, coordinate interstate projects, and increase visibility of regional**
7 **projects.**

8 **“SECTION 2. (1) The Oregon Innovation in Infrastructure Task**
9 **Force is established, consisting of 10 members appointed as follows:**

10 **“(a) The President of the Senate shall appoint two members from**
11 **among members of the Senate.**

12 **“(b) The Speaker of the House of Representatives shall appoint two**
13 **members from among members of the House of Representatives.**

14 **“(c) The Governor shall appoint four members as follows:**

15 **“(A) One member with experience in critical infrastructure devel-**
16 **opment and maintenance;**

17 **“(B) One member with experience in private capital investment**
18 **opportunities and strategies;**

19 **“(C) One member with experience in managing public project de-**
20 **velopment, delivery methods and financing; and**

21 **“(D) One member who has participated in regional discussions and**
22 **collaborations regarding west coast infrastructure status and needs.**

23 **“(d) The Governor’s Regional Solutions Director shall appoint one**
24 **member who represents the team members of the Regional Solutions**
25 **Centers.**

26 **“(e) The State Treasurer shall appoint one member who represents**
27 **the State Treasurer.**

28 **“(2) The task force shall make recommendations to the Legislative**
29 **Assembly regarding:**

30 **“(a) Participation in a west coast infrastructure exchange effort**

1 that partners with innovators in other states and regions on the west
2 coast to assess the status of existing infrastructures and to establish
3 a west coast marketplace for innovation in infrastructure develop-
4 ment, construction, financing and delivery of overall life-cycle value.
5 The task force shall seek innovative methods to develop and imple-
6 ment critical infrastructure projects, including but not limited to
7 projects involving energy transmission and efficiency, transportation,
8 water storage capacity, municipal water systems and wastewater
9 management. The task force shall consider necessary financial, policy
10 and other expertise from Oregon and other jurisdictions and develop
11 guidelines for parity of participation.

12 “(b) Strategies for the creation, funding, function and governance
13 of an Oregon public corporation or other structure that will be a cen-
14 ter of expertise to encourage and implement innovative practices, in-
15 cluding:

16 “(A) Performance-based contracting;

17 “(B) Procurement for highest life-cycle value;

18 “(C) Negotiated risk transfer to private participants;

19 “(D) Combination of public and private construction capital; and

20 “(E) Grouping of projects for efficiency in design, construction, fi-
21 nancing and maintenance.

22 “(c) Effective utilization of methods and tools that will obtain the
23 best value from public expenditures for public infrastructure by:

24 “(A) Encouraging innovation in design, delivery, construction, and
25 financing;

26 “(B) Providing greater access to sources of capital not currently
27 available for Oregon projects;

28 “(C) Transferring risks associated with the design, construction,
29 financing, and long-term performance of infrastructure to parties or
30 entities that are best able to manage the risk with economic effi-

1 **ciency;**
2 **“(D) Ensuring competition;**
3 **“(E) Combining similar projects for ease of financing and economies**
4 **of scale;**
5 **“(F) Providing for the long-term performance of infrastructure fa-**
6 **cilities through the use of well-structured maintenance contracts that**
7 **have scheduled costs and that reflect exemplary contracting standards;**
8 **“(G) Accelerating the delivery of projects; and**
9 **“(H) Preserving the economic, workforce, and community benefits**
10 **of infrastructure projects through the application of contracting and**
11 **sustainability standards, and policies, relating to prevailing wages,**
12 **emerging small businesses, women and minorities.**
13 **“(d) The responsibilities of the center of expertise, including but not**
14 **limited to providing services to enhance, improve and maintain critical**
15 **infrastructure systems in Oregon and on the west coast by:**
16 **“(A) Bundling similar critical infrastructure projects;**
17 **“(B) Creating performance-based partnerships to manage projects**
18 **more efficiently;**
19 **“(C) Collecting consistent, comprehensive and high quality data**
20 **regarding existing infrastructure systems and potential infrastructure**
21 **enhancements and development;**
22 **“(D) Collaborating with industry experts and innovators;**
23 **“(E) Providing technical assistance to design and finance critical**
24 **infrastructure projects; and**
25 **“(F) Creating and implementing new mechanisms and strategies for**
26 **financing critical infrastructure projects, including but not limited to**
27 **attracting private investors that have traditionally not invested in**
28 **public infrastructure.**
29 **(e) A data platform that will help Oregon to identify, inventory and**
30 **publicize potential infrastructure projects, and to facilitate consulta-**

1 **tion among project sponsors and funding program managers.**

2 **“(3) A majority of the members of the task force constitutes a**
3 **quorum for the transaction of business.**

4 **“(4) Official action by the task force requires the approval of a**
5 **majority of the members of the task force.**

6 **“(5) The task force shall elect one of its members to serve as**
7 **chairperson.**

8 **“(6) If there is a vacancy for any cause, the appointing authority**
9 **shall make an appointment to become immediately effective.**

10 **“(7) The task force shall meet at times and places specified by the**
11 **call of the chairperson or of a majority of the members of the task**
12 **force.**

13 **“(8) The task force may adopt rules necessary for the operation of**
14 **the task force.**

15 **“(9) The task force shall submit a report in the manner provided**
16 **by ORS 192.245, and shall include in the report the task force’s rec-**
17 **ommendations required under subsection (2) of this section, to the**
18 **interim committees of the Legislative Assembly related to**
19 **infrastructure and business development, as appropriate, no later than**
20 **October 1, 2013.**

21 **“(10)(a) The State Treasurer and the Oregon Department of Ad-**
22 **ministrative Services shall provide staff support to the task force.**

23 **(b) The department shall facilitate, manage and direct consultation**
24 **among state agencies with respect to infrastructure needs and fund-**
25 **ing.**

26 **“(11) Members of the task force who are not members of the Leg-**
27 **islative Assembly are not entitled to compensation, but may be reim-**
28 **bursed for actual and necessary travel and other expenses incurred by**
29 **them in the performance of their official duties in the manner and**
30 **amounts provided for in ORS 292.495. Claims for expenses incurred in**

1 performing functions of the task force shall be paid out of funds ap-
2 propriated to the Oregon Department of Administrative Services for
3 purposes of the task force.

4 “(12) All agencies of state government, as defined in ORS 174.111,
5 are directed to assist the task force in the performance of its duties
6 and, to the extent permitted by laws relating to confidentiality, to
7 furnish such information and advice as the members of the task force
8 consider necessary to perform their duties.

9 “SECTION 3. Section 2 of this 2013 Act is repealed on June 30, 2014.

10 “SECTION 4. This 2013 Act being necessary for the immediate
11 preservation of the public peace, health and safety, an emergency is
12 declared to exist, and this 2013 Act takes effect on its passage.”.

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