

February 5, 2014

Representative Margaret Doherty
Chair, House Business & Labor Committee
Oregon State Capitol
900 Court Street NE
Salem, OR 97301

Chair Doherty and Members of the Committee:

The Special Districts Association of Oregon (SDAO) has approximately 950 single service local government district members that provide a variety of services including municipal drinking water, sanitary, sewer and storm water treatment, libraries, fire districts, parks and recreation districts, to name a few. The Oregon Public Ports Association represents all 23 public ports in the State of Oregon from Brookings Harbor just north of the California boarder up to Astoria and East along the Columbia River up to the Port of Umatilla.

The Special Districts and the Public Ports oppose HB 4119 which would prohibit public contracting agencies from using a consultant's pricing policies and proposals or other pricing information as a basis for selection of a consultant performing architectural, engineering, photogrammetric mapping, transportation planning or land surveying services. Public bodies will only be left with either basing their decision on qualifications or by direct appointment. Our concerns with this measure include, among other things, that passage of the bill will limit opportunities for smaller local firms to compete, will likely increase the cost to the public for the procurement of smaller professional service contracts, and appears to be counter to general philosophy of providing services to the taxpayer in the most efficient and cost effective manner that can be achieved.


Passage of this measure will likely result in fewer firms being able to compete for public contracts - national firms will most often win these if the selection is made contracts based on qualifications thereby limiting the number of smaller local firms winning these contracts. This is especially true for small emerging, women owned and minority based firms. The average road, water or sewer design project does not need a multi-national design firm to perform the work. Small well-qualified local firms should be able to compete for these projects.

Furthermore, we believe that the passage of this measure will create more work for the public contracting agencies without any added benefit to the public. Specifically, the bill will require local governments to use the more time-consuming and less easily quantifiable QBS process if they don't use the direct appointment method. By doing so, the State will be adding to local-government staff work time and expense for lower value projects with a questionable benefit to the public.

As you are keenly aware, public bodies are stewards of public funds - why would we eliminate a public body's ability to consider price and time when evaluating proposals for public work? This is particularly true when public funds need to be stretched as far as possible to meet the service demands of the public we all serve.

Thank you for your consideration of these concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Landauer', with a long, sweeping horizontal line extending to the right.

Mark Landauer
Special Districts Association of Oregon &
Oregon Public Ports Association