

PRELIMINARY STAFF MEASURE SUMMARY**CARRIER:**

Senate Committee on Workforce

REVENUE: No revenue impact**FISCAL: May have fiscal impact, statement not yet issued****SUBSEQUENT REFERRAL TO:**

Action:**Vote:****Yeas:****Nays:****Exc.:****Prepared By:** Matthew Germer, Administrator**Meeting Dates:** 2/18

WHAT THE MEASURE DOES: Permits employees of state agencies or representatives of state employee's bargaining units to seek judicial review of a contracting agency's cost analysis in certain circumstances. Establishes jurisdiction of judicial review. Requires contracting agency to halt procurement while under review except when compelling interest or emergency is expressed in writing and supported by substantial evidence. Outlines judicial authority during review. Prohibits award of costs or attorney fees. Provides additional steps to procurement process. Declares emergency, effective on passage.

ISSUES DISCUSSED:**EFFECT OF COMMITTEE AMENDMENT:**

BACKGROUND: Under current Oregon law, public agencies must conduct a cost analysis when considering whether to enter into a service contract with an outside vendor. The agency must demonstrate that the cost of doing business with the vendor is lower than that of using internal personnel and resources or that using internal personnel and resources is not feasible.

Senate Bill 414 permits public employees or their representatives to seek judicial review of a contracting agency's cost analysis. While an analysis is under review, the contracting agency must halt the procurement process until the judicial review reaches a resolution. The measure outlines the judicial authority and jurisdiction of the review and prohibits courts from awarding costs or attorney fees. Finally, the measure provides additional steps to the procurement and cost analysis process.