

PRELIMINARY STAFF MEASURE SUMMARY**CARRIER:**

House Committee on Consumer Protection and Government Effectiveness

REVENUE: No revenue impact**FISCAL: May have fiscal impact, statement not yet issued****SUBSEQUENT REFERRAL TO: None****Action:****Vote:****Yeas:****Nays:****Exc.:****Prepared By:** Wendy Simons, Administrator**Meeting Dates:**

WHAT THE MEASURE DOES: Requires contracting agency to publish certain information about public contracts on Oregon transparency website. Requires contractor to provide information to contracting agency, and for contracting agency to treat information as public record subject to disclosure under state public record laws. Requires meetings between contractor and contracting agency head to comply with public meeting law. Prohibits contracting agency from awarding contract before determining agency has necessary personnel and expertise to administer contract. Requires inclusion of certain provisions in public contracts. Requires bidder to submit affidavit demonstrating compliance with applicable laws. Becomes operative January 1, 2016. Declares emergency, effective upon passage.

ISSUES DISCUSSED:**EFFECT OF COMMITTEE AMENDMENT:** No amendments.

BACKGROUND: House Bill 3321 requires that information about public contracts be published on the Oregon transparency website, that the contracting agency treat information about public contracts as part of the public record, and that meetings between the contractor and the head of the contracting agency or local contract review board are considered public meetings subject to Oregon public meeting laws. House Bill 3321 also requires that before awarding a public contract, a contracting agency must determine that it has the personnel and expertise necessary to administer, oversee and monitor the contract and the performance of the contractor. Under the bill, public contracts must include a number of provisions, including performance criteria, the goods and services to be provided, the time spent performing work under the contract, and the contractor's overhead to be charged to the project and expected profit. Contracts cannot guarantee payments for goods or services not provided, nor guarantee contractor profits, occupancy rates for any facility or renewal of a contract without a competitive process.