

To: Chair Beyer and members of the Senate  
Committee on Business and Transportation  
Re: Support for SB 675  
Date: April 6<sup>th</sup>, 2015

My name is Brian Smith and I'm the Purchasing Manager for Multnomah County. I'm here today to testify in support of SB 675.

By way of context, ORS 279B.110 lays out for public agencies those things that public agencies need to review to determine that a vendor is "responsible" as part of our evaluation of their bid or proposal. If they are not determined responsible, we cannot contract with them. Public agencies routinely use a "Representations and Certifications" form which, in addition to making their bid or proposal a binding legal one, includes the assurances that a public agency needs to help them determine responsibility.

Last year's HB 4122 created, among other things, a new requirement for vendors to be determined "responsible" by public agencies. Specifically, vendors "must have complied with the tax laws of this state or a political subdivision of this state..." As a both a public employee and a taxpayer, I believe this is a reasonable and important consideration when spending our tax dollars and I fully support it.

However, this new responsibility criterion also came with a new requirement for vendors - they need to submit an affidavit to demonstrate their compliance - the **only** responsibility requirement that requires an affidavit. The affidavit requires notarization, whereas a representations and certification form only needs to be signed. This tripped up a lot of public agencies in the implementation of this requirement, and has made the landscape of bidding or proposing for public work more complex for vendors as they now have different forms with different certification requirements. SB 675 retains the responsibility requirement that vendors must have paid their taxes, and treats it the same as all the other responsibility requirements.

I hear all the time from vendors that it is difficult to work with public agencies. As a public purchasing professional I am constantly challenging the processes we set up as an agency to ensure that we make it as easy and efficient as possible while remaining legally compliant. I believe the provision for an affidavit brings additional complexity to both vendors and public agencies, without any significant public benefit.

SB 675 would make it easier for vendors to do business with public agencies. It would make it legal compliance more efficient for public agencies. And that's better value for taxpayers.

If you have questions regarding Multnomah County's support for SB 675, please contact Chris Fick in Multnomah County's Office of Government Relations at [chris.fick@multco.us](mailto:chris.fick@multco.us).