

**PROPOSED AMENDMENTS TO
HOUSE BILL 2716**

1 On page 1 of the printed bill, line 19, after “subsection” insert a period
2 and delete the rest of the line and lines 20 through 24.

3 On page 2, delete lines 1 through 3.

4 Delete lines 6 through 13 and insert:

5 “(2)(a) If a contracting agency determines at any time during the term of
6 a public contract that a contractor to which the contracting agency awarded
7 the public contract on the basis described in subsection (1) of this section,
8 or a subcontractor to which the contractor awarded a subcontract in con-
9 nection with the public contract on the basis described in subsection (1) of
10 this section, is no longer certified, the contracting agency may:

11 “(A) Terminate the public contract;

12 “(B) Require the contractor to terminate the subcontract; or

13 “(C) Exercise any of the remedies for breach of contract that are reserved
14 in the public contract.

15 “(b) The actions a contracting agency may take under paragraph (a) of
16 this subsection are in addition to and not in lieu of any other action the
17 Oregon Business Development Department may take with respect to the
18 contractor or subcontractor under ORS 200.065.”.

19 “(c) Paragraph (a) of this subsection does not apply to an emerging small
20 business as defined in ORS 200.005 that, because of growth in the number
21 of full-time equivalent employees or average annual gross receipts that oc-
22 curs during the term of the public contract, no longer qualifies as a tier one

1 firm or tier two firm, as those terms are defined in ORS 200.005, or for which
2 a certification under ORS 200.055 expires during the term of the public con-
3 tract.”.

4 In line 30, delete “(a)”.

5 Delete lines 40 through 45.

6 On page 3, delete lines 1 through 11.

7 _____