

Requested by Representative BYNUM

**PROPOSED AMENDMENTS TO
HOUSE BILL 4128**

1 On page 1 of the printed bill, delete lines 9 through 27.

2 On page 2, delete lines 1 through 8 and insert:

3 “(2) If the Certification Office for Business Inclusion and Diversity cer-
4 tifies a business under ORS 200.055 as a minority-owned business, a woman-
5 owned business or a business that a service-disabled veteran owns and the
6 office imposes a cap on average annual gross receipts for the business as a
7 condition under which the business may retain the certification, the business
8 may retain the certification and remain eligible as a required participant in
9 public contracts despite exceeding the cap on average annual gross receipts
10 if the business:

11 “(a) Subcontracts to another business that is certified under ORS 200.055
12 as a minority-owned business, woman-owned business or business that a
13 service-disabled veteran owns not less than 20 percent of the value of any
14 subcontract in which the business participates because the business is a re-
15 quired participant, provided that the other business has not exceeded any
16 applicable cap on average annual gross receipts;

17 “(b) Enters into a mentor relationship that meets the requirements set
18 forth in ORS 200.110 with the other business; and

19 “(c) Otherwise remains qualified for certification under ORS 200.055.

20 “(3)(a) A contracting agency that enters into a public contract for which
21 a required participant is a necessary party or in which a required participant

1 is a subcontractor shall set aside and pay into a technical assistance fund
2 an amount that is equal to one-half of one percent of the contract price of
3 the public contract. If the contracting agency is a state contracting agency,
4 the contracting agency shall create an appropriate subaccount in the State
5 Treasury and pay the funds into the subaccount.

6 “(b) A contracting agency shall reimburse from the technical assistance
7 fund or subaccount described in paragraph (a) of this subsection the bona
8 fide and verifiable expenses that a minority-owned business, woman-owned
9 business or business owned by a service-disabled veteran incurs as a mentor
10 in a relationship into which the business enters under subsection (2)(b) of
11 this section.

12 “(c) The contracting agency shall retain any unexpended amount that re-
13 mains in the technical assistance fund or subaccount described in paragraph
14 (a) of this subsection at the time the public contract terminates or expires.
15 The contracting agency shall use the amount the contracting agency retains
16 under this paragraph to defray expenses of the type described in paragraph
17 (b) of this subsection in connection with other public contracts that meet the
18 requirements described in paragraph (a) of this subsection.”.

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