Senate Bill 631

Sponsored by Senator GIROD

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Requires Department of Transportation to give preference to procuring wood products that are sourced, fabricated or processed within this state for all public improvement projects or public works projects for which department advertises or solicits bid or proposal for public contract.


Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

Relating to preferences in certain public contracts for wood products produced in this state; creating new provisions; amending ORS 279A.128; and prescribing an effective date.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 279A.128 is amended to read:

ORS 279A.128. (1) As used in this section, "services" means services as defined in ORS 279A.010 (1)(kk) and personal services designated under ORS 279A.055.

(2)(a) Notwithstanding provisions of law requiring a contracting agency to award a contract to the lowest responsible bidder or best proposer or provider of a quotation, a contracting agency that uses public funds to procure goods or services for a public use under ORS chapter 279B may give preference to procuring goods that are fabricated or processed, or services that are performed, entirely within this state if the goods or services cost not more than 10 percent more than goods that are not fabricated or processed, or services that are not performed, entirely within this state. If more than one bidder or proposer qualifies for the preference described in this subsection, the contracting agency may give a further preference to a qualifying bidder or proposer that resides in or is headquartered in this state.

(b) The contracting agency by order may set a higher percentage than the percentage set forth in paragraph (a) of this subsection if the contracting agency, in a written determination to support the order, finds good cause to set the higher percentage and explains the contracting agency’s reasons and evidence for the finding.

(c) In addition to giving the preferences specified in paragraph (a) of this subsection, the Department of Transportation shall give preference in accordance with the provisions set forth in paragraphs (a) and (b) of this subsection to procuring wood products that are sourced, fabricated or processed within this state for all public improvement projects or public works projects for which the department advertises or solicits a bid or proposal for a public contract.

(3) Notwithstanding ORS 279C.320 (1), subsection (2) of this section does not apply to emergency work, minor alterations, ordinary repairs or maintenance work for public improvements or to other construction contracts described in ORS 279C.320 (1).

SECTION 2. The amendments to ORS 279A.128 by section 1 of this 2019 Act apply to

NOTE: Matter in boldfaced type in an amended section is new; matter [italic and bracketed] is existing law to be omitted. New sections are in boldfaced type.
procurements that the Department of Transportation advertises or otherwise solicits or, if
the department does not advertise or solicit the procurement, to public contracts into which
the department enters on or after the operative date specified in section 3 of this 2019 Act.

SECTION 3. (1) The amendments to ORS 279A.128 by section 1 of this 2019 Act become
operative on January 1, 2020.

(2) The Director of Transportation may adopt rules and take any other action before the
operative date specified in subsection (1) of this section that is necessary to enable the di-
rector, on and after the operative date specified in subsection (1) of this section, to exercise
all of the duties, functions and powers conferred on the director by the amendments to ORS
279A.128 by section 1 of this 2019 Act.

SECTION 4. This 2019 Act takes effect on the 91st day after the date on which the 2019
regular session of the Eightieth Legislative Assembly adjourns sine die.