

Requested by Senator BENTZ

**PROPOSED AMENDMENTS TO
HOUSE BILL 2020**

1 On page 23 of the printed bill, after line 6, insert:

2 **“SECTION 31a. Procurement preferences. (1) As used in this sec-**
3 **tion:**

4 **“(a) ‘Building materials’ means asphalt, cement, concrete or any**
5 **other aggregate product, aluminum, steel, iron, coatings for steel and**
6 **iron, glass, manufactured wood products and copper.**

7 **“(b) ‘Contracting agency’ has the meaning given that term in ORS**
8 **279A.010.**

9 **“(2) Notwithstanding provisions of law requiring a contracting**
10 **agency to award a contract to the lowest responsible bidder or best**
11 **proposer or provider of a quotation, and except as prohibited by federal**
12 **law, a contracting agency, when using funds from the Climate In-**
13 **vestments Fund, shall give a preference of not more than 10 percent**
14 **to building materials procured from manufacturers within this state.**

15 **“(3) If the contracting agency finds in a written determination that**
16 **the building material is not available in the quantity, quality, type or**
17 **timeframe required for the procurement, or if the building material**
18 **cost is more than 10 percent more than the building material costs**
19 **manufactured within this state, the contracting agency may decline**
20 **to give the building material preference.”.**

21 After line 43, insert:

1 **“SECTION 33a. Procurement preferences. (1) As used in this sec-**
2 **tion:**

3 **“(a) ‘Building materials’ means asphalt, cement, concrete or any**
4 **other aggregate product, aluminum, steel, iron, coatings for steel and**
5 **iron, glass, manufactured wood products and copper.**

6 **“(b) ‘Contracting agency’ has the meaning given that term in ORS**
7 **279A.010.**

8 **“(c) ‘Nursery stock’ has the meaning given that term in ORS**
9 **571.005.**

10 **“(2) Notwithstanding provisions of law requiring a contracting**
11 **agency to award a contract to the lowest responsible bidder or best**
12 **proposer or provider of a quotation, and except as prohibited by federal**
13 **law, a contracting agency, when using funds from the Transportation**
14 **Decarbonization Investments Account, shall give a preference of not**
15 **more than 10 percent to:**

16 **“(a) Building materials procured from manufacturers within this**
17 **state; and**

18 **“(b) Nursery stock that is grown, propagated and sold entirely**
19 **within this state.**

20 **“(3) If the contracting agency finds in a written determination that**
21 **the building material is not available in the quantity, quality, type or**
22 **timeframe required for the procurement, or if the cost of the building**
23 **material is more than 10 percent more than the building material costs**
24 **manufactured within this state, the contracting agency may decline**
25 **to give the building material preference.**

26 **“(4) If the contracting agency finds in a written determination that**
27 **the nursery stock is not available in the quantity, quality, type or**
28 **timeframe required for the procurement, or if the cost of the nursery**
29 **stock is more than 10 percent more than the cost of nursery stock that**
30 **is not grown, propagated and sold entirely within this state, the con-**

1 **tracting agency may decline to give the nursery stock preference.**
2 **“(5) This section does not apply to emergency work, minor alter-**
3 **ations, ordinary repairs or maintenance work for public improvements**
4 **or to other construction contracts described in ORS 279C.320 (1).”**

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