
CITY OF PORTLAND UTILITIES

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Portland Water Bureau
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February 11, 2020

Representative Helm, Chair
House Committee on Water
900 Court Street NE, HR D
Salem, Oregon 97301

RE: HB 4043 – Relating to materials for local water projects

Dear Chair Helm and Members of the Committee,

The City of Portland strongly opposes HB 4043, which would prohibit local governments from adopting specifications for pipe materials during the design phase in water projects when state funds are used. The Portland Water Bureau provides clean, safe drinking water to over one quarter of the state's population, and the Bureau of Environmental Services manages Portland's wastewater, stormwater, and surface water systems to protect public health and the environment. The City of Portland takes very seriously its obligation to protect public health and to use limited public resources efficiently.

Technical decisions related to pipes and other materials should be made by licensed engineers and local communities and should be based on the unique nature of individual water systems. All water pipe materials have significantly different characteristics and are not equally appropriate for all applications. Critical factors such as seismic resilience, soil compatibility and resistance to corrosion, and maintenance and life cycle costs must be considered. Both Portland Water Bureau and the Bureau of Environmental Services have invested significant resources in maintaining the City systems for generations to come and to plan and prepare for seismic events. This legislation could undermine that investment of public dollars by forcing utilities to use pipe materials that are unsuitable for seismic and other conditions.

Imposing new materials mandates not only interferes with sound engineering judgment, but also with the ability of communities to manage their systems as efficiently as possible. Communities should remain free to adopt system-wide best management practices and uniform specifications in the development and maintenance of their water systems to maximize efficiency and control costs. This legislation will likely lead to a significant increase in bid protests and litigation over pipe selection on public projects, thereby delaying projects and wasting limited public resources. It is inappropriate for vendors and manufacturers of any kind of material or product to develop specifications for public improvement projects.

We understand that efforts to pass similar legislation in 13 other states have failed due to the above reasons. The City of Portland supports the ability of each utility and community to be able to choose the best materials to serve their customers and protect public investment in clean and safe water.

The City of Portland urges you to oppose HB 4043. Thank you for your consideration.

Respectfully,



Michael Stuhr, P.E.
Administrator, Portland Water Bureau
City of Portland



Michael Jordan
Director, Bureau of Environmental Services
City of Portland