



UTILITY DEPARTMENT

February 10, 2020

House Committee on Water
Oregon State Capitol
900 Court Street NE, Room 453, Salem, Oregon 97301

RE: Opposition to House Bill 4043

Chair Helm, Vice-Chairs Reardon and Leif, and Members of the Committee:

When it comes to comparing municipal Utility systems, the only thing in common amongst them is the word Utility. Every municipality has different water treatment and distribution systems based on raw water quality, topography, geology, customer type, past performance of pipe materials, and fire flow requirements. Likewise, wastewater treatment and sewer collection systems vary greatly depending on influent quality, commercial discharges, topography, climate (temperature), geology, effluent discharge point, and permitting requirements. Our local experience and expertise tells us that the public's interest is better served under the current policy framework, which affords water system purveyors the flexibility to make the right call for each set of circumstances unique to their service area.

The passing of HB 4043 would prohibit us from maintaining any ordinance, resolution, rule or other law to prohibit, restrict or limit an evaluation, comparison or use of pipe or piping materials for a water project even though the existing pipe material has been used extensively and has served our customers well for many years. The City of Bend has gone to great lengths to ensure that our water system maintains a consistent pipe material as is required in all development both privately and publically funded.

The City of Bend has seen tremendous growth over the last decade and a half. Due to the use of ductile iron (DI) pipe for our water system and our customers' participation in water conservation; we have seen our average daily water use essentially remain flat while our record peak day demand has not seen an increase since 2008. Projects that would fit under the criteria outlined in the bill could result in having to tie plastic sections of pipe into existing DI lines. This would result in inefficient connection points, difficult operating conditions, increased maintenance concerns, and a parts inventory that would have to address two different types of pipe material for our water system. The City already considers different types of piping material through an alternatives analysis, when professional engineering judgment points to it. The process is outlined in the Standards and Specifications and every project, public or private, has the ability to recommend an alternative to the standard. Overall, this bill would remove the City of Bend's ability to build and maintain the very system that they own, operate, and maintain in a consistent manner.

The American Chemistry Council hired bcc Research to conduct a special research study. The study compared water pipe installation lengths and costs in some Oregon and Washington communities. The City of Bend was one of the Oregon

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City's outlined in the report. The study contains some inaccuracies. The study is based on estimated costs the author of the study created. The study states a number that would be saved "for pipe only" but none of our bids have this information as our bid items all include installation in the pipe line item (it is a combined cost). The author in discussing their methodology indicated they estimated to come up with data to compare. The study also does not account for business differences between OR and WA. Two cities in WA being compared to two cities in OR. Were all other factors that could potentially impact doing business with local government accounted for as well? Furthermore, the report did not cover post-installation operation and maintenance (O&M) costs for polyvinyl chloride (PVC) pipe or its risk to public health and safety when utilized for drinking water purposes. HB 4043 would create specifications for public improvement projects that go against all of our public procurement and contracting laws. The burden of whether or not the City of Bend uses PVC or DI pipe should not be on us as the Utility owner, as the Utility owner defines their preference and the bidder needs to bear the burden of proving whether or not we go with something that is not in our standards.

In addition to administrative and engineering concerns, this bill creates a variety of operations and maintenance concerns as well. First, PVC pipe does not afford us the benefits that DI pipe does when it comes to pipe locating or leak detection. Valve operation and utility locates may require more time with PVC. Buried PVC pipe cannot be located unless it is buried with tracer wire. The need for tracer wire just adds more infrastructure the Utility is responsible for and another source of infrastructure that is susceptible to damage from contractor work. In the City of Bend, water does not always rise to the surface when a leak occurs but rather takes a path further below ground. In our case, a pipe material that can transmit an electrical signal to identify leaks and complete locates is needed. That is not possible with PVC pipe.

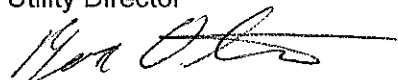
In addition, live water taps for service and mainlines on PVC pipe require more caution than for DI pipe. Depressurization of the water main may be required for tapping into or repairing a PVC pipe. This can result in the loss of water service for a certain portion of our service area. Our experience with DI pipe repairs in Bend is that 99% of the time they do not result in loss of water service for our customers. Another consideration is the impact of wildfires on buried PVC pipe. Bend is located in a very fire-prone region of the state and wildfires are an emerging concern in the water pipe industry.

The City of Bend recognizes the value of PVC pipe in certain applications. Our sewer system is one area that is comprised mainly of PVC pipe. However, we stand firm on the water side and our support for DI pipe in our specifications. As a result, the City of Bend is strongly opposed to the legislation as it would prohibit upfront specifications at the project design level and would result in additional costs, administrative burden, operations and maintenance concerns, and would ultimately make it more difficult for a local government to select the most appropriate pipe for their specific water or wastewater system.

Thank you for taking to the time to read and consider our written testimony.



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Utility Director



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