
CITY OF PORTLAND UTILITIES

Bureau of Environmental Services

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Portland Water Bureau

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March 9, 2021

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

Dear Chair Helm and Members of the Committee,

The City of Portland strongly opposes HB 2310, which would prohibit local governments from adopting specifications for pipe materials during the design phase in water projects when state funds are used. The City also strongly opposes the -1 amendments, which would unnecessarily require local governments to post certain notices, studies, and justifications regarding pipe materials selection for local water projects. 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. As new needs arise and new materials become available, engineers learn about these through professional connections and State-mandated continuing education requirements and select innovative solutions when appropriate for the specific project. For example, the Portland Bureau of Environmental Services recently chose to use a new type of PVC Spiral Wound Technology for a pipe rehabilitation project that has not previously been used in the Pacific Northwest.

Portland has 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. It is inappropriate for vendors and manufacturers of any kind of material or product to develop specifications for public improvement projects. 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. The proposed amendment would create an administrative burden for utilities with no benefit to the public thereby reducing, rather than increasing, efficiency. The proposed amendments could also lead to a lack of standardization for maintenance and repair, reducing efficiency and driving up costs.

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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 2310 and the –1 amendment. Thank you for your consideration.

Respectfully,



Gabriel Solmer
Director, Portland Water Bureau
City of Portland



Michael Jordan
Director, Bureau of Environmental Services
City of Portland