



DATE: February 23, 2021

TO: Chair Wilde, Members of the House Committee on General Government

FROM: Mike Bezner, Oregon Association of County Engineers and Surveyors President
Brian Worley, Association of Oregon Counties Road Program Director
Jim McCauley, League of Oregon Cities Legislative Director

RE: House Bill 3083, seismic standards in public contracts, public works, and critical infrastructure

Chair Wilde, Members of the House Committee on General Government,

On behalf of the Oregon Association of County Engineers and Surveyors (OACES), Association of Oregon Counties (AOC), and League of Oregon Cities (LOC), we write to you with local government priorities and concerns regarding House Bill 3083, seismic standards in public contracts, public works, and critical infrastructure.

With over 32,000 road miles under county jurisdiction, over 11,000 miles under city jurisdiction, and over 4,000 bridges collectively, local governments manage, own and maintain over 55% of Oregon's shared transportation system and the most diverse network of local streets, arterials and collectors that connect people, support our economy, and provide critical emergency routes.

Seismic resilience of critical infrastructure, particularly local governments' over 4,000 bridges, is a priority of counties and cities and we are strong partners in supporting the 2013 Oregon Resilience Plan and the Governor's Resiliency 2025: Improving Our Readiness for the Cascadia Earthquake and Tsunami. These policies and guidelines support the shared statewide objectives of enhancing our infrastructure resilience, preserving our communities, and protecting our state economy by managing risk to our transportation system.

Over the last several years, ODOT has prepared plans to help define the resiliency issues associated with Oregon's highway infrastructure and to help quantify the costs of associated upgrades in response to a Cascadia Subduction Zone Earthquake. The most recent effort is documented in the 2014 Seismic Plus Report. Considering funding limitations, the strategy combines a long-term full mitigation approach for the most important corridors in Phase 1, a triage approach for Phases 2-4, and a recovery planning effort for bridges in Phase 5. Partnerships between ODOT and local agencies have been key in the triage and recovery planning efforts, working collaboratively with Oregon counties and select cities to develop planning reports documenting local agency routes that could potentially be used as detour routes for vulnerable state bridges.

Although Keep Oregon Moving (HB 2017) has provided a \$5.3 billion funding investment there remain significant on-going funding needs. Unfortunately, there are still large needs to fully fund a resilient transportation system in a reasonable timeframe and with the elements of HB 3083 in place the collection of projects in HB 2017 would have to be scaled back dramatically. Accordingly, Oregon's plans for seismic resilience must continue to be strategic, opportunistic, and leverage opportunities between jurisdictions when applying standards and leveraging available funding. HB 3083 would interfere with these plans.

We respectfully request your consideration of concerns regarding HB 3083 as currently drafted, including:

- Definition needed of key terms such as "critical infrastructure" to make clear the scope of requirements for the highway system, local government roads, and bridges.
- Ensure the bill's coordination requirements with the Oregon Department of Consumer and Business Services (DCBS) and local governments are applicable to existing seismic safety, rehab standards, and bridge design codes that could add conflicting standards and considerable public works project administrative time.
- Full seismic standards often require extensive foundation work that make retrofit projects nearly as costly as a bridge replacement. Performing retrofit work on bridges that are near the end of their useful life is not an effective use of limited funds.
- Current bill requirements for preservation work for bridges to meet full seismic standards could reduce flexibility in ODOT Bridge Program's ability to fund needed preservation and result in overall bridge condition ratings decline.

Seismic retrofits and bridge replacements are critically needed, especially for Phases 2-4 in ODOT's 2014 Seismic Plus Report, but must occur in the context of the needs of the full system and not be funded at the expense of broad statewide bridge preservation and maintenance needs. Without providing additional revenue, as written, HB 3083 has the potential to create hundreds of millions of dollars in additional requirements placed upon ODOT's Bridge Program and local governments' ability to effectively manage critical infrastructure and reach critical infrastructure resilience goals. The reach of this bill is significant and could impact transportation projects that depend on community level funding such as System Development Charges (SDCs), which in turn could result in increased housing development costs.

Thank you for the opportunity to provide comments on HB 3083. We appreciate your considerations to help find solutions that can further seismic resilience of critical infrastructure for public works and road departments from all areas of the state. Without significant amendment, county and city partners can not afford to support HB 3083.

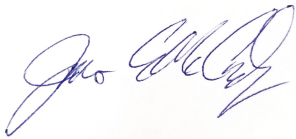
Sincerely,



Mike Bezner
President
Oregon Association of County Engineers and Surveyors
MikeBez@clackamas.us



Brian Worley
County Road Program Director
Association of Oregon Counties
bworley@oregoncounties.org



Jim McCauley
Legislative Director
League of Oregon Cities
jmccauley@orcities.org