



Oregon

Kate Brown, Governor

Department of Transportation

Director's Office

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DATE: February 23, 2021

TO: House Committee on General Government

FROM: Lindsay Baker, Assistant Director, Government and External Relations
Oregon Department of Transportation

SUBJECT: HB 3083 – Seismic Standards in Public Improvement Contracts

INTRODUCTION

House Bill 3083 establishes new processes, standards, and authorities related to seismic safety as applied to certain public improvement and public works projects. The measure, as currently drafted, may result in significant costs and importantly, significant disruption to our current approach to seismic planning and seismic improvements across the state's transportation system.

DISCUSSION

ODOT is committed to the shared goals of enhancing our infrastructure resilience, helping to preserve our communities, and protecting our state's economy by managing risk to our transportation system in light of future seismic events. ODOT's Seismic Program contemplates and plans for a future Cascadia Subduction Zone Earthquake (CSZE) that could result in tsunamis, landslides, and soil liquefaction impacting our state's transportation and critical lifeline system.

With existing resources, there is simply not sufficient funding to fully armor the entire transportation system in a reasonable timeframe. As such, ODOT takes an approach that aims to be strategic, opportunistic, and includes leverage opportunities between jurisdictions when applying available funding to ensure the seismic resiliency of our state's transportation system. This phased approach, with investments spread over several decades, aims to address seismic deficiencies on key lifeline routes and may take the form of a seismic retrofit of an existing bridge, or a bridge replacement that is designed to current seismic standards.

ODOT is concerned that HB 3083 does not define the term "critical infrastructure," thereby creating ambiguity as to the full scope of this measure. The measure's direction regarding coordination with the Seismic Safety Policy Advisory Commission, the Department of Consumer and Business Services, and local governments would create redundancy and potential inefficiency in our current work to ensure seismic resiliency across the state transportation system. While every ODOT project includes a level of coordination with the community and other involved parties, ODOT works with the U.S. Federal Highway Administration (FHWA), and our adopted design standards when developing project specifications for transportation facilities.

Though somewhat ambiguous, HB 3083 seems to require *any* public improvement contract for critical infrastructure (an undefined term) in a seismically susceptible area to adhere to seismic standards. This would result in significant reduction of the amount of bridge preservation work currently underway or planned in order to shift all efforts to exclusively seismic work. With the diversion of resources, particularly those new resources made available in HB 2017, bridge conditions would decline. The measure would potentially direct hundreds of millions of dollars in additional work on the state system in absence of additional funding.

SUMMARY

ODOT continues to strengthen our Seismic Program as we work toward retrofitting, replacing, and triaging vital corridors, identifying detours and lower cost route improvements, and making recovery plans. ODOT is concerned that, while well intentioned, HB 3083 creates an additional level of standards and oversight that are not informed by existing FHWA and ODOT standards, and that may divert existing resources away from vital work. We welcome the opportunity to work with the Committee and Bill Sponsors to address these concerns.

Thank you for your consideration and please feel free to reach out to me with any additional questions.