

SENATE AMENDMENTS TO SENATE BILL 1048

By COMMITTEE ON LABOR AND BUSINESS

April 6

1 On page 1 of the printed bill, delete lines 5 through 28.

2 On page 2, delete lines 1 through 25 and insert:

3 **“SECTION 1. (1) As used in this section, ‘qualified small business’ means a business that**
4 **meets the verification criteria set forth in subsection (3) of this section.**

5 **“(2) The Department of Transportation shall establish a small business development**
6 **program that aids qualified small businesses to compete for public improvement contracts**
7 **that the department procures. In the program, the department, at a minimum, shall:**

8 **“(a) Identify public improvements that are suitable for a qualified small business to**
9 **undertake successfully as a general contractor;**

10 **“(b) Provide a directory or repository of resources to assist a qualified small business in**
11 **preparing competitive bids or proposals that meet the specifications set forth in solicitations**
12 **for the department’s public improvement contracts;**

13 **“(c) State in the department’s solicitation materials for public improvement contracts,**
14 **that the department identifies under paragraph (a) of this subsection, that the department**
15 **will receive bids or proposals solely from qualified small businesses;**

16 **“(d) Designate department employees who have experience or familiarity with challenges**
17 **that qualified small businesses face in competing for the department’s public improvement**
18 **contracts to answer questions, and provide support, assistance and information related to**
19 **preparing and submitting bids or proposals that is lawful and does not contravene the poli-**
20 **cies set forth in ORS 279A.015; and**

21 **“(e) Evaluate bids and proposals from, and award public improvement contracts to,**
22 **qualified small businesses on the basis of a determination of the best value to the state.**

23 **“(3) The department shall determine that a business is a qualified small business if the**
24 **business:**

25 **“(a) Has registered with the United States Small Business Administration, or a successor**
26 **agency, as a small disadvantaged business;**

27 **“(b) Is certified as an emerging small business under ORS 200.055; or**

28 **“(c) Meets other criteria the department establishes by rule.**

29 **“(4) The department each year may enter into public improvement contracts with quali-**
30 **fied small businesses under the program described in subsection (2) of this section that have**
31 **an aggregated total value of not more than \$_____.**

32 **“(5) The department shall establish and convene a committee to advise the department**
33 **concerning the program described in subsection (2) of this section. The committee may ad-**
34 **vice the department concerning which public improvements are suitable under subsection**
35 **(2)(a) of this section, which resources would best enable qualified small businesses to prepare**

1 competitive bids or proposals, what kinds of support, assistance and information is appropriate under subsection (2)(d) of this section and any other matters related to the program described in subsection (2) of this section that the department determines are relevant.

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4 “(6) The department may adopt rules necessary to implement and administer the program described in subsection (2) this section.

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6 “(7)(a) No later than December 31 of each year, the department shall report, in the manner provided in ORS 192.245, to the Legislative Assembly concerning:

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8 “(A) The number of public improvement contracts the department identifies under subsection (2)(a) of this section;

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10 “(B) The number of public improvement contracts the department awards to qualified small businesses;

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12 “(C) The number of qualified small businesses to which the department provides assistance under the program;

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14 “(D) The type and size of the qualified small businesses that participate in the program;

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16 “(E) The aggregated value of public improvement contracts the department awards in connection with the program; and

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18 “(F) Such other information about the program that the department deems relevant to report.

19
20 “(b) The department shall collect and compile data necessary to prepare and submit the report described in this subsection.”.

21 In line 45, delete “assistance” and insert “development”.

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