

February 6, 2024

Senate Committee on Judiciary

From: Joseph H. Zody, AIA, NCARB

RE: Support of SB 1575

Dear Committee,

My name is Joseph Zody, and I am the owner of a small architectural practice located in Portland, Oregon. I am writing to strongly support Senate Bill 1575.

Undue burdens placed on the shoulders of practicing professional architects, engineers, and land surveyors continue to erode profitability which is the lifeblood for any professional service firm. Right now, we are being forced into unfair contracting practices called "duty to defend" clauses, which require us to pay the legal expenses for those involved in construction projects even before fault is determined. This is detrimental to all design firms because engineers, architects and land surveyors are being forced to shoulder legal liability and legal expense far beyond what is insurable. The result is that all design firms, but especially small firms and emerging firms cannot afford the "risk it all" clause contained in many of these contracts. The result is fewer opportunities and less competition.

I respectfully ask this committee to support SB 1575. Passing this bill would eliminate misaligned contract practices. This is not about shirking responsibility – it's about ensuring that everyone pursuing business opportunities has a level playing field specific to this issue.

Thank you in advance for your service and consideration.

Sincerely,



Joseph Zody, AIA, NCARB
Principal
Zody Architecture LLC

Z O D Y A R C H I T E C T U R E L L C

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