



AMERICAN COUNCIL OF ENGINEERING COMPANIES OF OREGON

Since 1956

“The Engineers”

TESTIMONY

Support of SB 1575-A: House Committee on Rules

February 29, 2024

Good afternoon, Chair Fahey, Vice Chairs Kropf and Helfrich and members of the House Committee on Rules. I am Alison Davis, Executive Director of the American Council of Engineering Companies of Oregon. (ACEC Oregon). ACEC was established in 1956 and represents 120 private consulting engineering and land surveying companies in Oregon and Clark County, WA with nearly 5,500 employees. I am pleased to add our strong support for Senate Bill 1575-A and are pleased to have this public hearing in the House Committee on Rules. We urge your support to move this bill to the floor.

Oregon design professionals are thrilled with the strong bipartisan 24-6 Senate vote that confirms the good work done on the compromise bill, SB 1575-A. This bill will ensure fairness for engineers, architects, land surveyors and others working on public agency projects and has been four years in the making.

This bill is important because design professionals will no longer be contractually required to defend others for legal claims or damages even though the design professional is not responsible. This “duty to defend” language is legally problematic, expensive and a barrier to entry for many small, emerging, veteran, women and minority owned businesses. No insurance is available to purchase to cover this huge liability. As you can see by the logos and quotes on our attachment, this issue cuts to the heart of all design firms in Oregon – large and small.

Important facts about SB 1575-A:

- This is a compromise bill. We’ve worked with construction contractors, local and state government, and numerous professional organizations to reach this compromise.
- This has been a 4-year negotiation process. The pandemic wasn’t conducive to a quality discussion and last session it passed from Senate Judiciary on a 5-0 vote but died in the rush to adjournment.
- The Senate added a sunset provision. While we think this is a very straightforward bill, opponents continue to suggest great misunderstanding and nefarious intentions. The sunset will ensure our goals and visions are met or the law will revert back.
- 20 states have adopted this bill in the past decade. Oregon should join them.
- With supportive bipartisan comments, the Senate voted 24-6. No one spoke in opposition.

We respectfully ask the House Committee on Rules to support SB 1575-A. Passing this bill will eliminate the unfair contract practices and ensure that everyone in a project pays their fair share of legal expenses. This isn’t about shirking responsibility – it is about ensuring fairness, so everyone is paying their own way and is adequately protected by their insurance.

Thank you,

A handwritten signature in black ink that reads "Alison Davis".

Alison Davis, Executive Director

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