



February 23, 2021

Representative Marty Wilde, Chair  
House Committee on General Government  
Oregon State Capitol  
900 Court St. NE  
Salem, OR 97301

**RE: Support for HB 3082**

Chair Wilde and Members of the House Committee on General Government:

Thank you for the opportunity to share some comments in support of HB 3082. This legislation is necessary to address confusing and conflicting statutory language in the public contracting code and to bring it in line with public purchasing best practices.

*ORS 279C.335* establishes \$5,000 as a threshold above which local contracting agencies are required to perform a competitive bidding selection process for public improvements. Meanwhile, *ORS 279C.320* directs local public contracting agencies to contract for “emergency work, ordinary repair or maintenance of public improvements” pursuant to *ORS 279B*, a chapter of the public contracting code with a *different threshold of \$10,000* below which procurements may be awarded directly without competition. Rather than attempting to determine whether each procurement is a public improvement and subject to the \$5000 threshold under *ORS 279C.355*, or emergency work, ordinary repair and maintenance of public improvements under *ORS 279B*, local contracting agencies generally have determined that there are no public improvements below \$10,000 because as a practical matter, very little construction can be purchased for a lesser amount.

HB 3082 updates the public contracting code, raising the threshold for competitive bidding in *ORS 279C.355* to mirror the \$10,000 threshold in *ORS 279B*. This is an important clarification that will codify what is generally accepted best practice in public purchasing and remove confusing language that may cause some local contracting agencies to go through time intensive analysis on each small procurement, or open a lengthy and expensive competitive bidding process for very small contracts.

We urge your support.

A handwritten signature in black ink that reads 'Andy Smith'.

Andy Smith  
Government Relations Manager  
City of Hillsboro