Requested by Representative RAYFIELD

PROPOSED AMENDMENTS TO
HOUSE BILL 3332

1   On page 1 of the printed bill, delete lines 7 through 10 and insert:

2   "(a) 'Manufactured product' means a preassembled item that is made of

3   iron or steel and that a contractor brings to a construction project for in-

4   corporation into a public improvement or public works or a preassembled

5   item that is made of iron or steel and that a state contracting agency ac-

6   quires for a public use.".

7   In line 12, after the first comma insert "other than manufactured pro-

8   ducts,".

9   In line 13, after the semicolon insert "and".

10   In line 20, delete "; and" and insert a period.

11   Delete lines 21 and 22.

12   In line 24, after "works" insert "with an estimated contract price of

13    $150,000 or more".

14   On page 2, delete lines 17 through 26 and insert:

15   "(B) Before making a finding under subparagraph (A) of this paragraph,

16   the Director of the Oregon Department of Administrative Services or the

17   Director of Transportation, as appropriate, shall issue a draft finding that

18   includes a detailed written explanation of the basis for waiving the require-

19   ment set forth in paragraph (a) of this subsection. At the earliest practicable

20   time, the director shall give public notice of the draft finding in a manner

21   that the director determines will give adequate notice to the public and to

1 contractors that intend to submit, or have submitted, bids or proposals for

2 the public improvement or public works. The director shall allow seven cal-

3 endar days for public comment on the draft finding. If after considering

4 public comment the director determines to waive the requirement set forth

5 in paragraph (a) of this subsection, the director shall provide public notice

6 of the director's finding using the same method the director used to provide

7 public notice of the draft finding.

8 "(C) The director shall respond within 15 days to a request for a finding

9 described in subparagraph (A) of this paragraph by:

10 "(i) Issuing the draft finding described in subparagraph (B) of this para-

11 graph; or

12 "(ii) Asking the person that submitted the request to provide any addi-

13 tional information the director requires to make the draft finding.".

14 In line 31, delete "grants the waiver" and insert "waives the requirement

15 set forth in paragraph (a) of this subsection.".

16 Delete lines 32 through 37 and insert:

17 "(e) The director may review and continue, amend or rescind the

18 director's finding at any time. If the director waives the requirement set

19 forth in paragraph (a) of this subsection for a class of public improvement

20 contracts or contracts for public works or for a class of iron or steel pro-

21 ducts, coatings or manufactured products, at least every five years the di-

22 rector shall review and, if necessary, amend or rescind the waiver. Before

23 continuing, amending or rescinding a waiver under this paragraph, the di-

24 rector shall provide for public notice and comment in accordance with par-

25 agraph (c)(B) of this subsection.".

26 After line 41, insert:

27 "(3)(a) The Oregon Department of Administrative Services by rule shall

28 establish a technical assistance and grant program to enable enterprises and

29 businesses certified under ORS 200.055 to become familiar with and meet the

30 obligations set forth in this section.

1   "(b) Before establishing the program described in paragraph (a) of this

2 subsection, the department shall submit to the Legislative Assembly a re-

3 quest for funding in an amount the department estimates would be necessary

4 to administer the program and provide grants. The department shall deposit

5 any moneys the department receives as funding into a designated account

6 within the department's operating account and shall keep a record of the

7 amount and purpose of each disbursement from the account.

8   "(c) A recipient of moneys from the department may not use the moneys

9 to defray expenses the recipient incurs to prepare a bid or proposal in re-

10 sponse to a procurement for a public improvement or public works.".

11   In line 42, delete "(3)" and insert "(4)".

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