

I am NEUTRAL on [HB 3332]...I support made in the U.S.A. for all products but "No" waiver.

<https://olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/HB3332/Introduced>

Made in the United States of America, [HB 3332] came close but the "Waiver" is a problem.

*In an emergency, like a bridge collapse, road closure restricting emergency vehicles a "Waiver" might be appropriate.

[HB 3332] states, "...The state contracting agency shall reject any bid or proposal that does not affirmatively attest that the bidder or proposer read and understood the requirement."

*This language opens the door for all sorts of problems. "Substandard Bids" should never have been selected due to the negligence (and or stupidity) of the presenter. For example, Substandard Bids could cause an emergency, Drive up project costs, negate acceptance and or consideration of acceptable Bids. There should be stiff "penalties" clearly stated in the Request for Proposal to deter this conduct.

[HB 3332] states, "...Using steel, iron, coatings for steel and iron or manufactured products produced in the United States for the public improvement or the public works will increase the cost of the public improvement or public works by more than 25 percent."

*What is the increase in cost of the project if "Prevailing Wages" are given to general laborers? Could negating "Prevailing Wages" for general labor be a cost offset allowing for use of materials made in the U.S.A.?

[HB 3332] states, "...the Director of the Oregon Department of Administrative Services or the Director of Transportation, as appropriate, shall issue a draft finding that includes a detailed written explanation of the basis for the proposed waiver."

*Is there any "oversight" of "the Director of the Oregon Department of Administrative Services or the Director of Transportation?" What actions and or procedures are there to prevent cronyisms, bribes and or negligence?

[HB 3332] states, "...The director shall allow seven calendar days for public comment on the proposed waiver."

In addition, "...Before continuing, amending or lifting a waiver under this paragraph, the director shall provide for public notice and comment in accordance with paragraph (c)(B) of this subsection."

*Why only seven (7) calendar days are needed? It is unlikely there will be very many members of the public present and even more unlikely, the majority of those that do attend, may not have the level of detailed material engineering and or related technical disciplines to participate and give relevant Testimony.

[HB 3332] states, "... (f) The Director of the Oregon Department of Administrative Services may delegate the director's duty... the head of a state contracting agency that enters into a public improvement contract or contract for public works under authority delegated from the Oregon Department of Administrative Services. (3) The requirements set forth in this section are subject to applicable state and federal trade agreements."

* Now, the Federal and State trade agreements enter the fray. "Waive" goodbye to products "Made in the U.S.A.."

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Mr. Oregon Concur and says, "[HB 3332] needs more work."

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