

Submitter: Bob Goodrich
On Behalf Of:
Committee: House Committee On Rules
Measure: SB1575

My name is Bob Goodrich representing DOWL, a consulting engineering firm with six offices and 150 employees in Oregon. DOWL has been in business in Oregon since 1966. I have been an Oregon registered professional engineer since 2002 and have worked in our Salem office since 2004. I am writing today asking that you please vote yes on Senate Bill 1575-A which passed in the Senate 24 to 6.

SB 1575-A is a good business bill, a good fairness bill, and a bill that will help ensure access to public construction contracts for Oregon's design professionals.

Right now, to work for many public agencies we must enter 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 design firms but especially women, veteran owned, minority and emerging small businesses. Because engineers, architects and land surveyors are shouldering the legal liability and legal expense far beyond what they're able to get insured for, fewer projects are being designed and built in our communities.

I respectfully ask you to vote yes on SB 1575-A. Passing this bill would eliminate bad and unfair contract practices and ensure those involved in a project pay their fair share of legal expenses based on actual fault determination. This isn't about shirking responsibility – it's about ensuring fairness so everyone is paying their own way and is adequately protected by their insurance.

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 Ways and Means 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.
- 24-6 Senate floor vote was strong, bipartisan, with floor comments in support from both sides of the aisle. No Senators spoke in opposition.

Thank you for your service and we are happy to be a resource if you have additional questions.