



February 19, 2024

RE: Senate Bill 1575-A

Dear Senator,

My name is Curt Vanderzanden, representing KPFF Consulting Engineers. Our firm provides structural and civil engineering and surveying services for public agency and private developments throughout the state of Oregon. We have been in business in Oregon since 1974 and employ nearly 200 individuals in the State with offices in Portland and Eugene. I am writing today as an employer and as a professional engineer to urge you to vote YES for Senate Bill 1575-A.

Oregon's engineers, architects and land surveyors care deeply about our communities, which is why we invest in our local economy, creating jobs and housing for Oregonians. Right now, we are being forced 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 all design firms but especially women, minority, veteran owned and emerging small businesses. Because engineers, architects and land surveyors are being forced to shoulder the legal liability and legal expense without any insurance to cover this onerous clause, not all Oregon firms are participating in public agency projects. This contract clause negatively impacts many Oregon public construction projects including low-income public housing to help address Oregon's homelessness crisis and its associated infrastructure.

I respectfully ask for your YES vote on the Senate floor for SB 1575-A. Passing this bill would eliminate bad and unfair contract practices and ensure everyone involved in a project pays their fair share of legal expenses. This isn't about shirking responsibility – it's about ensuring fairness, so everyone is paying their own way and adequately protected by their insurance.

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

Thank you.

Sincerely,

Curtis C. Vanderzanden, PE, Principal
KPFF Consulting Engineers