

SB 838 A -A2 STAFF MEASURE SUMMARY

House Committee On Emergency Management, General Government, and Veterans

Prepared By: Beverly Anderson, LPRO Analyst

Meeting Dates: 5/13, 5/22

WHAT THE MEASURE DOES:

This measure exempts the Oregon State Parks and Recreation Department (OPRD) from the Public Contracting Code (PCC).

Detailed Summary:

- Exempts the OPRD's contracting activities from the PCC, except as to surplus property.
- Creates an exception to the Oregon Department of Administrative Services' control of state printing and printing purchases for the following:
 - Advertisement and promotions of agricultural or manufactured products.
 - OPRD communications and advertisements about state recreational sites and resources.
- Removes outdated statutory definitions from ORS 282.010.
- Takes effect on the 91st day following adjournment sine die.
- Applies to the OPRD procurements solicited or conducted on or after the effective date.

Fiscal impact -A2: Minimal fiscal impact

Revenue impact -A2: Minimal fiscal impact

Senate Vote: Ayes, 29; Excused, 1

ISSUES DISCUSSED:

- Challenges with contracting for emergency services in Oregon's parks and recreational areas
- Concerns about an exemption from the State of Oregon's information technology procurement process and cyber threats
- Questions about the need for the exemption, and questions about the overall state contracting process

EFFECT OF AMENDMENT:

-A2 The amendment adds provisions that limit the department's exemption from public contracting code for information technology, photogrammetric mapping, and telecommunication procurements.

BACKGROUND:

In Oregon, public contracting is governed by the Oregon Public Contracting Code (PCC). As codified in ORS chapters 279, 279A, 279B, and 279C, the PCC is founded on the general principles of fully advertised, open, and fair competition with transparency and fairness. (See ORS 279A.015.) Public contracts typically govern the purchase, sale or lease of goods or services, or contracts for the construction of public improvements. Under the PCC, agencies must establish, implement, and follow standardized procurement rules. Pursuant to ORS 279A.025, specified entities are exempted from the PCC.