

Secretary of State
Certificate and Order for Filing
PERMANENT ADMINISTRATIVE RULES

I certify that the attached copies* are true, full and correct copies of the PERMANENT Rules(s) adopted on May 13, 2008 by the
Date prior to or same as filing date.

Oregon Department of Transportation, Central Services Division
Agency and Division

731
Administrative Rules Chapter Number

Lauri Kunze
Rules Coordinator

355 Capitol St. NE, Rm. 29, Salem, OR 97301
Address

(503) 986-3171
Telephone

to become effective upon filing Rulemaking Notice was published in the April 2008 *Oregon Bulletin.***
Date upon filing or later Month and Year

RULE CAPTION

Bid or Proposal Security: Allows Agency more flexibility in proposal security requirements
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

List each rule number separately, 000-000-0000.

ADOPT: Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

AMEND: 731-005-0550

REPEAL: 731-005-0550 Temp

RENUMBER: Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

AMEND & RENUMBER: Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

ORS 184.616, 184.619, 279A.050 and 279A.065

Stats. Auth.

Other Authority

ORS 279C.365, 279C.380, 279C385, 279C.390, ORS279C.400

Stats. Implemented

RULE SUMMARY

This rule relates to the security requirements for bids and proposals. The amendment changes the rule to be in alignment with Oregon Statute which allows more flexibility in proposal security requirements. Specifically, it allows less restrictive requirements for proposal security by removing the requirement of a 10 percent security for proposals, and instead allows a proposal security in an amount that ODOT determines to be reasonably necessary. This change accommodates use of a new contracting method called Construction Manager/General Contractor (CM/GC) where the price is not proposed until well after the contract is executed. Additionally, this rule change allows ODOT to require Proposal security even when the contract is being negotiated.

Authorized Signer

Kathryn Ryan
Printed Name

Date

* With this original, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules.

** The *Oregon Bulletin* is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00 pm on the preceding workday.