



Agenda/Notes

Office of Governor Tina Kotek
RJC Economic Opportunity Committee
March 18, 2025 – Zoom
2:30 – 4:00 pm
Moderator – Javier Cervantes

MEMBERS

	Anthony Veliz	E	Janice Mason	X	Marin Arreola
X	Ciara Pressler		James Cador		Nicole Davison-Leon
	Cobi Lewis	E	Kevin Bumatay		Tiffany Monroe
X	Evann Goss-Lemelle	X	Latiffe Amado		
X	James Alan Parker		Marcus Mundy		

OTHER ATTENDEES

	Andre Bealer		Sarah Foster		Kelly Brooks
X	Jesse Hyatt	X	Yasmin Solorio	X	Ricardo Lujan Valerio, SOS
X	Trevor Leahy, SOS				

Topic/Lead	Notes/Main Points	Decisions/Action Items
Bill Run from Small Business Ombudsman of Office of Small Business - What bills that impact small businesses of color; Perspective on bills	<p>James: Co-chair Jan is testifying today and is unable to make it. Important we have a chance to hear from the Ombudsman Office at the Secretary of State to get a rundown of what we see moving this session that will be in support of small businesses with a focus on businesses that are supported by RJC. Handing it over.</p> <p>Ricardo Lujan Valerio: Deputy Chief of Staff for Secretary Read.</p> <p>Trevor Leahy: Small business ombudsman. Our role is to help small businesses have better interactions with state and local agencies. We do this by engaging with customers via phone calls, in-person visits, and other forms. We consider a small business any for profit or nonprofit organization with less than 100 employees. We have a website at <i>Oregon.gov/smallbusiness</i>. A quarterly newsletter in English and Spanish is done. We travel the state to engage with local communities.</p> <p>OSBA noticed an influx of questions on certain laws going into effect. During 2023 OSBA tracked over 200 bills, 60 which became law. Closed captioning activated at risk of civil penalties, there was no mechanism to notify every place of public</p>	

accommodation. Then this year on January 1st the well-publicized ban on Styrofoam packing peanuts and to-go containers went into effect. OSBA is working with other state agencies and realized that there was no single place for small businesses to track legislation beyond the Oregon Legislative Information System (OLIS). While OLIS is thorough and comprehensive it requires manual and very purposeful searching by keywords which makes it easy to miss certain items that may be impactful.

We have a legislative tracking page. Page is accessible under OSBA website.

<https://www.oregon.gov/smallbusiness/Pages/legislation.aspx>

We are currently monitoring around 1.1K bills that could affect small businesses. Only 16 bills we are watching contain “small business”. We will update the webpage as session goes on.

Contact information:

844-496-5512

OSBA@sos.Oregon.gov

Sos.oregon.gov/smallbusiness

Legislative purposes:

Ricardo.lujanvalerio@sos.oregon.gov

503-779-5451

Trevor: We are neutral. We know there are lobbying organizations out there that will make recommendations for or against a bill, we want to provide something neutral and factual. SOS can not be in favor or against things, but we can make it more accessible for people.

Ricardo: Regardless of potential policy implication that a bill might impose, if it becomes a policy decision that state leaders ultimately pass – there are significant implication processes that need to be made more digestible for businesses to prepare those things. We want to ensure we are providing Oregonians the right information to stay compliant with those policies.

Ciara: Your work sounds really interesting. What is the purpose of your presentation – you didn’t talk about traditionally underprivilege business. What do you want us to do with this information? How do you measure success to ensure the page is useful and is working. What percentage of your office has owned

or operated a small business?

Trevor: We are a team of four in the office, one of us has run a business. None of us have ever been the owner of a business. Your experience comes from helping people and understanding government.

We know there are so many underserved communities in Oregon. Being a team of four, it's hard to reach all underserved businesses and communities. We want to raise awareness there is an alibi trying to help those underserved communities and businesses have better engagement with transparent and accessible government. Even through right now it is such a huge amount of information.

For managing success - overall we know we won't be able to eliminate all surprises by Oregonians. When we hear that people are surprised and need to be immediately reactive, we consider our job to be done badly and take it personally.

Beneficial ownership in the transparency act, federally enacted in 2024 and are still informing people on it. Our success is impossible to achieve, but we will keep trying.

Ciara: What do you measure? Visits to that website?

Trevor: Get weekly reports on site traffic, since we have launched in January, its unimpressive so far. If we have fewer complaints as a new law, it's an indicator that communication is being done. If laws are implemented, and we don't get complaints.

Ciara: A lot of different state agencies do touch small business. How do you coordinate on messaging so you can reach more people.

Trevor: Working directly with the agency, no problem picking up phone and contacting agency or the right person. Sometimes it's the agency director or a compliant specialist. We will stay involved with an agency to ensure they understand our perspective or the perspective of the right business. Agencies want to work with small business and us to support small businesses.

Ricardo: You touched on some questions by the work of the ombudsman and being an advocate of people being impacted. We don't live under prevue of

governor's office, we are under the Secretary of State. We can't find success unless there's good partnership. A lot of small businesses just don't have the technical or internal capacity to be able to track this on a daily basis and this is not the silver bullet to get to that issue but I hope it is a tool that can be used by individuals to at least be aware of some of the things that are coming down the pipe from the state level. Our hope in developing this tool is that it eventually does become a tool of power for individuals once things have been passed that they can use it as a resource and a reference to what they need to then be doing to comply with those things. We are hoping to include more languages as well. Those are the right questions to be asking.

James: Does your office collect demographic data on those who reach out and contact an issue before you?

Trevor: We do not collect demographic data, that is intentional because we act as an ombuds office. Some of our workload involves investigating complaints. We have considered collecting it at the end of our casework, that might be a way to collect some information on who is contacting us and who is having problems. We never know who will be contacting us, don't want to ask leading questions like is "your complaint subject to discrimination" but if someone tells us that, we'll look into accordingly. We don't ask for it up front so people get the same level of service. We collect name and contact info. We can do a lot of our work anonymously if people fear retaliation. We will take into account anything offered to us.

Marin: Back on your power point you shared some of the things you look at. Do you analyze the cost or impact of bills in general in terms of small business. What are you looking at those bills? You mention 100 bills, what are you analyzing?

Trevor: We have our key words but then we look at things that impact certain industries or communities. On the list we only have three bills that contain "tribal" or "tribe". We look for new definitions, financing, new taxes, repeal of taxes, instances where something is being rolled back. A lot of the bills are duplicative. I counted four or five that might repeal the corporate activities tax, we don't know what's going to happen with those – some things might get amended or re-written. We look at everything that comes along. Only one person is in charge of

	<p>maintaining the list. The other team members are out in the field, responding to emails, etc. If there's any chance we think it can have an impact we lean on the side of caution and add it.</p> <p>Ricardo: There are certain analysis that are done on measure impact statements that are then provided on OLIS. This is really meant to be a tracker to help them find information.</p> <p>Marin: seems like a lot of work with four people. For a lot of small business its hard to keep track of all the different bills. This really helps.</p> <p>Trevor: Our website links back to OLIS. We will look at how agencies handle legislation as things are more likely to pass. Will look closer to things that go into effect when being singed, go into effect 190 days past sine die. Also, later on in 2026. Always trying to keep in mind how things will impact small businesses and figure out how to communicate to those.</p> <p>Javier: Can you share the slides?</p> <p>James: Commend you all as an office of four. Impactful tool, as we get more used to it and go through session it can be something that we use to really identify and give a head start to our businesses and understand what's happening and things we can advocate for and find ways to support.</p> <p>Trevor: Our next update to the website is in April.</p>	
Priority 4 EO-2215 scoring review and discussion	<p><i>Item postponed until next month.</i></p> <p>Jesse: Everyone a couple weeks before next meeting will get a deck and raw data, series of questions in the deck. Jan will take us through an exercise based on the responses received and looking at potential drafts.</p>	
Priority 5: Brief Workforce Workgroup Update	<p>Marin: The last six weeks we've seen a lot of reports as a group. Housing production assessment report, FRO annual report, Worksource Oregon assessment, and others in helping us understand the complex system. Now we are talking about defining two or three goals. April 3rd is our next meeting, some ideas have been forming or having during short session next year. Goal is to meet this year as a workgroup. Have a group of people with varying backgrounds. Not going to be an easy tackle to define that. We are reporting to the Governor this Thursday. As a matter of fact, she is hearing from Jennifer Purcell on the Behavioral</p>	

	<p>Health Assessment report. Let us know any questions.</p> <p>James: Has the workgroup analyzed or discussed the change in federal priorities and how it affects workforce? Example semiconductor industry.</p> <p>Marin: We did talk about national level and other changes. They are looking at what are going to happen. Lot of changes in short times, chaotic. If there's any impact or changes, it will likely happen in the fall. The short session the coming year will likely address any items at the national level at that point. Short session the state of Oregon will likely react. We need semiconductor, construction, and expand the workforce. HECC and colleges want to ensure there's more jobs and job creation. Our work needs to move forward. How do we invest and work with that.</p> <p>James: Thanks for being a part of that. Imagine we will not see at a federal level any outreach to underserved communities.</p> <p>Marin: We cannot depend at that level support. A lot must be done internally, at a state level. We need workers and investment.</p> <p>Javier: Some of that work was providing recommendations on best practices.</p>	
<p>Next Steps related to Workplan</p>	<p>Javier: Priority 1: disparity study. We had Chris and Edina come in and talk. Might behoove us on where we can lend support and guidance on next steps.</p> <p>Jesse: We had two folks from RJC EOC sign up for committees. First committee will get together next week on monthly steering committee on all recommendations that are vetted and researched over next 13 months.</p> <p>Advisory committee will meet in June. All is up and running. First wave of subcommittees exploring recommendations will kick off in April. Will be opportunity, if you had interest in an area. You'll be getting a lot of information back that are on the committees as well.</p> <p>Javier: Priority 2: James and Jan were going to connect and see who they can be accomplished and creating better symmetry and relationship. Might want to go back and revisit. Talking about quarterly timeline, coming up in April. Good idea to think about where we are next month.</p>	

James: Makes sense to look at this quarter to ensure budget priorities match and offer any thoughts or recommendations. Imagine that will be on our next agenda.

Javier: Priority 3: still in conversation with COBID and OBDD process. Timeline was for Summer/Fall.

James: Understand there's bills in session that would provide technical assistance for COBID certification outside of the agency, if I'm hearing that right. Staying abreast on what that could look like is important.

Jesse: One of the first the recommendation from the disparity study for COBID, their process is in creating tools to help people navigate. It's slated for 60 days so it should be done by the end of May, that'll put us right into summer so when we start looking at and updates and what's been happening. Should be good momentum to really see a trajectory change. I think those are good targets to revisit and have report outs.

Javier: These are kind of longer range. I think it was designed that way for us to actually have stuff to keep going as we get going get going through the session. Priority 4: EO 22-15. Working on an evolved version of the EO. Will focus on that in next meeting in April. Jesse your sending in the data collected correct and Jan will help us find symmetry?

Jesse: Jan is doing final review of the deck. It has all the data in there. That'll get sent out for everyone to read through before April meeting.

Javier: Priority 5: Marin has been active helping us there and attending those meetings as well. We are on target and working with at least some recommendations.

Marin: That's the goal to develop recommendations for the governor to move forward.

Javier: Want to ensure we get things accomplished so we can put them into our annual report. We left blanks incase we have other items emerge. Plenty of next steps and homework.

James: Likely an agenda item for next time – Would like a better understanding for who this committee can signal support for things happening in session right

now. As we see there is a process being used right now. Would be good idea what that can and could look like. Better understanding for how high level or granular we can get. Is it specific legislation or overall goal and strategy for RJC to offer letter or what have you.

Javier: The work of the committee is to develop some of that support. A committee can put their weight behind the senate and house bills. There are points of contact where the committee can provide verbal support. For example, if committee is moving into Ways and Means, then the committee can support. Just want to put that out there, there is a process. We need 2/3 majority to move it to the RJC.

Ciara: There is always a DEI statement that is scored but not if the business is minority owned. Theres no weight given to if the business is based in Oregon. That's a big procurement issue, want to plant the seed.

James: We are shopping around a procurement study but one of them was exactly an analysis and what are the obstacles for local spend.

Jesse: Wanted to flag a bill for this group, SB1092. In essence it would remove ability to give local preference and open up out of state businesses. We already flagged it to keep an eye on it. Will go track that and then send to everyone so you can see what it is.

James: Who's sponsoring it?

Jesse: I'll find it and send it over.

James: Meeting adjourned at 3:43pm.

Meeting Materials



RJC Advocacy Letter
Template NOT on Let



RJC Legislative
Endorsement Guidan



SB 1092.pdf



OSBA March RJC
Presentation Sec. of !

Template for Written Advocacy of RJC to Legislators:

This serves as a template when advocating on behalf of the RJC. Please keep in mind that legislators typically only read one page of any advocacy, so the more concise the better. Try to keep any advocacy letter to one page.

From: Full Name

Name of Intended Recipient

Title

Address

City, State, Zip

Dear [Name of Recipient]

[Brief introductory paragraph stating purpose and explain who is writing the letter, on behalf of whom]

- The Racial Justice Council provides communities that have been historically excluded from decision-making tables more meaningful access to and a voice in the policy making that directly impacts the lives of Oregonians of color.

[Briefly explain what you are advocating]

- This can be in bullet format

[Closing: Explain the “why” you are advocating and your desired outcomes]

Signed by you on behalf of the RJC

C.C. [other members of the legislative committee]

RJC Legislative Endorsement Guidance

1. Identification of Advocacy Priorities

- Committee members identify an advocacy priority item from their respective workplans.
- Complete an initial cross-check of bills that committees want to advance for endorsement with the bill scores from the Governor Office Advisors.
- Items not included in workplans may still be considered but must go through the same approval process that established the committee workplans.

2. Committee Approval of Advocacy Priorities

- The committee votes to advance the item for advocacy, including the specific action to be taken, such as:
 - Letter writing
 - Testifying (in-person, virtually or written)
 - Monitoring legislative activity
- Approval requires agreement from 2/3 of all committee members before moving the item forward to the full RJC for endorsement consideration.
 - If 2/3 agreement is not reached, the item cannot proceed.
 - A committee member may request reconsideration at the next scheduled committee meeting if they believe additional discussion or support may resolve the disagreement.
 - If 2/3 agreement is not reached after the reconsideration discussion, the item is dropped from further consideration.

3. Letter Drafting Process and Approval

- If the proposed action involves a letter, the following steps apply:
 - **Drafting Responsibility:** The committee must assign a member to lead the letter drafting process. The Racial Justice Council Advisor shall notify the Governor's Office Legislative Team and appropriate Advisor(s) of the committee's intent to draft a letter, including the proposed subject matter, intended audience, and submittal date.
 - If the letter is intended to be submitted as written testimony at a legislative committee meeting, the letter drafting process must begin with a minimum of one week in advance of the closure of the open record window. If a committee is unable to submit written testimony during the open record window, the letter will be sent electronically to the legislative committee members. Written testimony can be submitted up to 48 hours after the meeting's scheduled start time.
 - **Internal Review:** The draft is shared electronically for a 24-hour review period within the committee.
 - **Committee Feedback:** Any suggested edits or revisions must be submitted within the review period.
 - **Submission for RJC Review:** Once finalized, the letter is electronically submitted to the full RJC for endorsement.
 - **RJC Endorsement Vote:** The RJC will have 24 hours to vote to approve the letter or request further revisions. The committee lead can respond to requests for revisions within the review period. If revisions are needed, the process repeats until an approved final version is reached. A 2/3 majority result is required of all members for RJC endorsement.
 - **Governor's Office Review:** The letter must be reviewed by the Governor's Office Legislative Team and appropriate Advisor prior to submittal.

4. Testimony Drafting Process

- If the proposed action involves testimony, the following steps apply:
 - **Testimony Responsibility:** The committee must assign a member to lead the testimony process. The Racial Justice Council Advisor shall notify the Governor's Office Legislative Team and appropriate Advisor(s) of the committee's intent to testify, including the proposed subject matter, intended audience, and testimony date.
- Drafting of testimony comments before a legislative committee meeting must begin with a minimum of one week in advance of the meeting.
 - **Internal Review:** The draft of the testimony is shared electronically for a 24-hour review period within the committee.
 - **Committee Feedback:** Any suggested edits or revisions must be submitted within the review period.
 - **Submission for RJC Review:** Once finalized, the testimony draft is electronically submitted to the full RJC for endorsement.
 - **RJC Endorsement Vote:** The RJC will have 24 hours to vote to approve the testimony draft or request further revisions. The committee lead can respond to requests for revisions within the review period. If revisions are needed, the process repeats until an approved final version is reached. A 2/3 majority result is required for RJC endorsement.
 - **Governor's Office Review:** The testimony draft must be reviewed by the Governor's Office Legislative Team and appropriate Advisor prior to the legislative committee meeting date.

5. RJC Full Council Endorsement Process

- The RJC co-chairs present the item electronically to the full RJC.
- The RJC votes on endorsement within a 24-hour turnaround.
- To move forward, the RJC must reach 2/3 approval.

6. Post-Endorsement: Tracking & Reporting

All advocacy actions will be tracked in the RJC priorities tracker.

Addendums to the RJC Endorsement Process

Addendum A: Expiration of RJC Endorsements

Advocacy items may sometimes experience delays due to legislative changes, shifting priorities, or external factors. This addendum sets a clear timeframe for how long an RJC endorsement remains valid.

1. Endorsements remain valid until the end of the current legislative session unless otherwise specified at the time of approval.
2. If an endorsed advocacy item is not acted upon within the session, it must be reapproved by both the committee and the full RJC before moving forward in a future session.

This ensures that RJC-endorsed advocacy remains relevant, intentional, and aligned with current policy needs.

Addendum B: Acting as an RJC representative

If an RJC member provides verbal testimony to a legislative committee, members must clearly state whether they are participating in a personal capacity or as an official RJC-endorsed representative.

1. The Racial Justice Council and Committees do not vote on advocacy efforts of members not participating in an official RJC capacity.
2. A RJC member may advocate on their own behalf as an individual but should make sure not to blur the lines. Individuals in this situation should not assume that others are making the distinction – so proactively define the difference.

Definitions:

Open record window

1. Written testimony may be submitted for a bill or executive appointment scheduled for a public hearing or for a topic scheduled for public comment. Testimony must be received within 48 hours after the start time of the committee meeting.

Written testimony is public information and will be posted on the Oregon Legislative Information System (OLIS) website. Personal information in written testimony and in the submission form (except email addresses) is posted to OLIS and accessible to all major search engines, including Google, Bing, and Yahoo. DO NOT include any personal information that you do not want made available to the public, such as your address, phone number, or health history.

Senate Bill 1092

Sponsored by Senator WOODS

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Updates the means by which government agencies can buy goods and services by joining contracts that other agencies have signed. Takes effect 91 days after the session ends. (Flesch Readability Score: 62.7).

Updates and streamlines the process and procedure for conducting cooperative procurements for public contracts and public improvement contracts.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

1 Relating to procedures for conducting cooperative procurements for public contracts; creating new
2 provisions; amending ORS 276.255, 279A.010 and 279A.025; repealing ORS 279A.200, 279A.205,
3 279A.210, 279A.215, 279A.220 and 279A.225; and prescribing an effective date.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. Section 2 of this 2025 Act is added to and made a part of ORS chapter 279A.**

6 **SECTION 2. (1) As used in this section:**

7 (a) **“Administering agency”** means a contracting agency, or a governmental body other
8 than a contracting agency that is inside or outside this state, that conducts a cooperative
9 procurement.

10 (b)(A) **“Cooperative procurement”** means a procurement in which an administering
11 agency solicits and executes an original contract.

12 (B) **“Cooperative procurement”** does not include an agreement under ORS chapter 190
13 or under a statute, ordinance or other legislative enactment that permits and governs
14 agreements for exchanging goods or services between or among governmental bodies or
15 agencies or between or among tribal governments or agencies.

16 (c) **“Original contract”** means a public contract, public improvement contract or price
17 agreement that an administering agency solicits and executes for the purpose of permitting
18 a contracting agency or a governmental body, other than the administering agency, to obtain
19 goods or services, including construction services, from a contractor under the same or
20 similar terms and conditions and at the same or similar prices.

21 (d) **“Participating agency”** means a contracting agency or a governmental body, other
22 than an administering agency, that participates in a cooperative procurement.

23 (2) An administering agency may solicit, conduct, administer or participate in a cooperative
24 procurement and may enter into an original contract.

25 (3)(a) An administering agency must solicit and conduct a cooperative procurement in a
26 manner that is open, impartial and substantially equivalent to the source selection methods
27 and procedures set forth in ORS 279B.055, 279B.060, 279C.110 and 279C.330 to 279C.355. In

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 meeting this requirement, the procurement:

2 (A) May not apply a geographic preference that favors bidders or proposers who reside
3 in the administering agency's jurisdiction or locality more than do the preferences set forth
4 in ORS 279A.120 (2); and

5 (B) Must provide reasonably clear and precise specifications that are suitable for the
6 purposes intended and that reasonably encourage competition.

7 (b) If an administering agency is a contracting agency, the administering agency shall
8 comply with applicable source selection methods and procedures set forth in this chapter and
9 ORS chapters 279B and 279C.

10 (c) A contracting agency, or a governmental body within this state other than a con-
11 tracting agency, may not participate in a cooperative procurement unless the administering
12 agency solicits and conducts the cooperative procurement in compliance with paragraph (a)
13 of this subsection.

14 (4)(a) If a participating agency is a contracting agency and the estimated contract price
15 for the participating agency's procurement exceeds \$250,000, before entering into a public
16 contract or public improvement contract under a cooperative procurement that does not
17 name the participating agency as a party to the original contract, the participating agency
18 shall provide public notice of an intent to enter into a public contract or public improvement
19 contract by means of the cooperative procurement. A public notice under this subsection
20 must:

21 (A) Describe the procurement in detail sufficient to enable prospective bidders or
22 proposers to consider whether the procurement could represent an opportunity to submit a
23 bid or proposal;

24 (B) Specify the estimated contract price of the procurement;

25 (C) Identify the administering agency;

26 (D) Invite comments concerning the participating agency's intent to enter into the public
27 contract or public improvement contract by means of the cooperative procurement; and

28 (E) Specify a date and time by which and a street address or electronic address at which
29 the participating agency must receive the comments.

30 (b) A participating agency shall provide the notice described in paragraph (a) of this
31 subsection in the manner specified in ORS 279B.055 (4)(b) and (c) and must provide the notice
32 at least seven days before the date on which comments are due under paragraph (a)(E) of
33 this subsection, unless the participating agency by rule specifies a longer period.

34 (5) If a participating agency receives comments under subsection (4)(a)(D) of this section
35 from prospective bidders or proposers, the participating agency shall respond within five days
36 after receiving the comments and as part of the response shall indicate whether the partic-
37 ipating agency will reconsider the decision to proceed with the cooperative procurement.

38 **SECTION 3.** ORS 276.255 is amended to read:

39 276.255. (1)(a) A state agency may locate, on premises the state agency owns or controls, devices
40 or facilities that the state agency installs, or has installed, specifically to deliver electricity to the
41 public for electric motor vehicles.

42 (b) A state agency may contract with a vendor that will distribute, dispense or otherwise make
43 available electricity from devices or facilities described in paragraph (a) of this subsection.

44 (2)(a) The Oregon Department of Administrative Services may install or have installed devices
45 or facilities described in subsection (1)(a) of this section in as many locations as are sufficient to

1 meet demand for the devices or facilities.

2 (b) The department by rule shall establish criteria by means of which a state agency shall de-
3 termine an appropriate number of locations at which the state agency may install or have installed
4 devices or facilities described in subsection (1)(a) of this section.

5 (c) Notwithstanding paragraph (b) of this subsection, a state agency may install or have installed
6 devices or facilities described in subsection (1)(a) of this section at more than the number of lo-
7 cations determined in accordance with the department's rule if the state agency obtains a grant to
8 support the installations at each additional location.

9 (3)(a) The department may contract or otherwise agree with another entity to acquire, install,
10 maintain or operate devices or facilities described in subsection (1)(a) of this section. The depart-
11 ment may also participate in, sponsor, conduct or administer cooperative procurements in accord-
12 ance with [ORS 279A.200 to 279A.225] **section 2 of this 2025 Act** under which public bodies, as
13 defined in ORS 174.109, and other purchasers the department authorizes by rule may acquire, install,
14 maintain or operate devices or facilities to deliver electricity to the public for electric motor vehi-
15 cles.

16 (b) Solely for the purpose of a contracting agency's participating in, sponsoring, conducting or
17 administering a cooperative procurement under paragraph (a) of this subsection and notwithstanding
18 the definition of "public improvement" in ORS 279A.010, a device or facility for delivering electricity
19 to the public for electric motor vehicles is not a public improvement.

20 (4) A state agency that contracts with a vendor under subsection (1)(b) or (3)(a) of this section
21 shall require in the contract that the vendor:

22 (a) Indemnify the state agency against any claim related to or arising out of the vendor's oper-
23 ations on premises that the state agency owns or controls;

24 (b) Obtain a policy of liability insurance in an amount sufficient to pay foreseeable claims that
25 relate to or arise out of the vendor's operations, name the state agency as an insured party in the
26 policy and maintain coverage under the policy during the term of the contract and for two years
27 after the contract term expires; and

28 (c) Pay workers that the vendor employs for any work related to installing a device or facility
29 the prevailing rate of wage, as defined in ORS 279C.800.

30 (5) A state agency may by order establish and adjust prices for using devices or facilities de-
31 scribed in subsection (1)(a) of this section that are located on premises the state agency owns or
32 controls. The state agency shall endeavor to set the price for using the devices or facilities at a
33 level that:

34 (a) Recovers to the maximum extent practicable the cost of operating and administering the
35 devices or facilities described in subsection (1)(a) of this section; and

36 (b) Does not exceed 110 percent of the average market price for delivering electricity to the
37 public for the purpose described in subsection (1)(a) of this section in the county in which the device
38 or facility is located.

39 (6) Subject to subsection (5) of this section, a state agency shall set the price for delivering
40 electricity at devices and facilities located on premises that the state agency owns or controls. The
41 state agency shall use criteria and a methodology that the department specifies for calculating the
42 price.

43 (7) The department shall report to the Legislative Assembly in the manner provided by ORS
44 192.245 not later than February 1, 2019, February 1, 2021, and February 1, 2023, concerning state
45 agency implementation of the authority granted in subsections (1), (2), (4), (5) and (6) of this section.

1 Each report must, as of the date of the report:

2 (a) List the number of devices or facilities for delivering electricity to the public for electric
3 motor vehicles that state agencies installed or had installed in the previous two years and the total
4 number of installations that have occurred since June 2, 2018;

5 (b) List the number of devices or facilities that state agencies have planned for installation in
6 the next two years;

7 (c) List the cost to the state agency of each installation and calculate:
8 (A) An average cost for installations that state agencies have completed or had completed; and
9 (B) An overall trend line for costs that state agencies have incurred;

10 (d) Specify the current price that each state agency charges under subsection (6) of this section
11 and any changes in the price that occurred in the previous two years;

12 (e) Specify for each state agency an average rate of utilization for all of the devices or facilities
13 located on premises that the state agency owns or controls, calculated as the ratio of the time each
14 day during which a person is actually using the devices or facilities and the time each day in which
15 the devices and facilities are available for use; and

16 (f) Specify whether and to what extent using electric motor vehicles and devices or facilities
17 located on premises that state agencies own or control to provide electricity for state agency elec-
18 tric motor vehicles results in a cost savings to the state agency in comparison to using motor ve-
19 hicles that do not use electricity for propulsion.

20 **SECTION 4.** ORS 279A.010 is amended to read:

21 279A.010. (1) As used in the Public Contracting Code, unless the context or a specifically ap-
22 plicable definition requires otherwise:

23 (a) "Bidder" means a person that submits a bid in response to an invitation to bid.

24 (b) "Contracting agency" means a public body authorized by law to conduct a procurement.
25 "Contracting agency" includes, but is not limited to, the Director of the Oregon Department of Ad-
26 ministrative Services and any person authorized by a contracting agency to conduct a procurement
27 on the contracting agency's behalf. "Contracting agency" does not include the judicial department
28 or the legislative department.

29 (c) "Days" means calendar days.

30 (d) "Department" means the Oregon Department of Administrative Services.

31 (e) "Director" means the Director of the Oregon Department of Administrative Services or a
32 person designated by the director to carry out the authority of the director under the Public Con-
33 tracting Code.

34 (f) "Emergency" means circumstances that:
35 (A) Could not have been reasonably foreseen;
36 (B) Create a substantial risk of loss, damage or interruption of services or a substantial threat
37 to property, public health, welfare or safety; and
38 (C) Require prompt execution of a contract to remedy the condition.

39 (g) "Energy savings performance contract" means a public contract between a contracting
40 agency and a qualified energy service company for the identification, evaluation, recommendation,
41 design and construction of energy conservation measures, including a design-build contract, that
42 guarantee energy savings or performance.

43 (h) "Executive department" has the meaning given that term in ORS 174.112.

44 (i) "Goods" includes supplies, equipment, materials, personal property, including any tangible,
45 intangible and intellectual property and rights and licenses in relation thereto, and combinations

1 of any of the items identified in this paragraph.

2 (j) "Goods and services" or "goods or services" includes combinations of any of the items identified in the definitions of "goods" and "services."

4 (k)(A) "Grant" means:

5 (i) An agreement under which a contracting agency receives moneys, property or other assistance, including but not limited to federal assistance that is characterized as a grant by federal law or regulations, loans, loan guarantees, credit enhancements, gifts, bequests, commodities or other assets, from a grantor for the purpose of supporting or stimulating a program or activity of the contracting agency and in which no substantial involvement by the grantor is anticipated in the program or activity other than involvement associated with monitoring compliance with the grant conditions; or

12 (ii) An agreement under which a contracting agency provides moneys, property or other assistance, including but not limited to federal assistance that is characterized as a grant by federal law or regulations, loans, loan guarantees, credit enhancements, gifts, bequests, commodities or other assets, to a recipient for the purpose of supporting or stimulating a program or activity of the recipient and in which no substantial involvement by the contracting agency is anticipated in the program or activity other than involvement associated with monitoring compliance with the grant conditions.

19 (B) "Grant" does not include a public contract for a public improvement, for public works, as defined in ORS 279C.800, or for emergency work, minor alterations or ordinary repair or maintenance necessary to preserve a public improvement, when under the public contract a contracting agency pays, in consideration for contract performance intended to realize or to support the realization of the purposes for which grant funds were provided to the contracting agency, moneys that the contracting agency has received under a grant.

25 (L) "Industrial oil" means any compressor, turbine or bearing oil, hydraulic oil, metal-working oil or refrigeration oil.

27 (m) "Judicial department" has the meaning given that term in ORS 174.113.

28 (n) "Legislative department" has the meaning given that term in ORS 174.114.

29 (o) "Local contract review board" means a local contract review board described in ORS 30 279A.060.

31 (p) "Local contracting agency" means a local government or special government body authorized by law to conduct a procurement. "Local contracting agency" includes any person authorized by a local contracting agency to conduct a procurement on behalf of the local contracting agency.

34 (q) "Local government" has the meaning given that term in ORS 174.116.

35 (r) "Lowest responsible bidder" means the lowest bidder who:

36 (A) Has substantially complied with all prescribed public contracting procedures and requirements;

38 (B) Has met the standards of responsibility set forth in ORS 279B.110 or 279C.375;

39 (C) Has not been debarred or disqualified by the contracting agency under ORS 279B.130 or 40 279C.440; and

41 (D) If the advertised contract is a public improvement contract, is not on the list created by the 42 Construction Contractors Board under ORS 701.227.

43 (s) "Lubricating oil" means any oil intended for use in an internal combustion crankcase, 44 transmission, gearbox or differential or an automobile, bus, truck, vessel, plane, train, heavy equipment 45 or machinery powered by an internal combustion engine.

1 (t) "Person" means a natural person capable of being legally bound, a sole proprietorship, a
2 corporation, a partnership, a limited liability company or partnership, a limited partnership, a for-
3 profit or nonprofit unincorporated association, a business trust, two or more persons having a joint
4 or common economic interest, any other person with legal capacity to contract or a public body.

5 (u) "Post-consumer waste" means a finished material that would normally be disposed of as solid
6 waste, having completed its life cycle as a consumer item. "Post-consumer waste" does not include
7 manufacturing waste.

8 (v) "Price agreement" means a public contract for the procurement of goods or services at a set
9 price with:

10 (A) No guarantee of a minimum or maximum purchase; or

11 (B) An initial order or minimum purchase combined with a continuing contractor obligation to
12 provide goods or services in which the contracting agency does not guarantee a minimum or maxi-
13 mum additional purchase.

14 (w) "Procurement" means the act of purchasing, leasing, renting or otherwise acquiring goods
15 or services. "Procurement" includes each function and procedure undertaken or required to be
16 undertaken by a contracting agency to enter into a public contract, administer a public contract and
17 obtain the performance of a public contract under the Public Contracting Code.

18 (x) "Proposer" means a person that submits a proposal in response to a request for proposals.

19 (y) "Public body" has the meaning given that term in ORS 174.109.

20 (z) "Public contract" means a sale or other disposal, or a purchase, lease, rental or other ac-
21 quisition, by a contracting agency of personal property, services, including personal services, public
22 improvements, public works, minor alterations, or ordinary repair or maintenance necessary to pre-
23 serve a public improvement. "Public contract" does not include grants.

24 (aa) "Public contracting" means procurement activities described in the Public Contracting Code
25 relating to obtaining, modifying or administering public contracts or price agreements.

26 (bb) "Public Contracting Code" or "code" means ORS chapters 279A, 279B and 279C.

27 (cc) "Public improvement" means a project for construction, reconstruction or major renovation
28 on real property by or for a contracting agency. "Public improvement" does not include:

29 (A) Projects for which no funds of a contracting agency are directly or indirectly used, except
30 for participation that is incidental or related primarily to project design or inspection; or

31 (B) Emergency work, minor alteration, ordinary repair or maintenance necessary to preserve a
32 public improvement.

33 (dd) "Public improvement contract" means a public contract for a public improvement. "Public
34 improvement contract" does not include a public contract for emergency work, minor alterations,
35 or ordinary repair or maintenance necessary to preserve a public improvement.

36 (ee) "Recycled material" means any material that would otherwise be a useless, unwanted or
37 discarded material except for the fact that the material still has useful physical or chemical prop-
38 erties after serving a specific purpose and can, therefore, be reused or recycled.

39 (ff) "Recycled oil" means used oil that has been prepared for reuse as a petroleum product by
40 refining, rerefining, reclaiming, reprocessing or other means, provided that the preparation or use
41 is operationally safe, environmentally sound and complies with all laws and regulations.

42 (gg) "Recycled paper" means a paper product with not less than:

43 (A) Fifty percent of its fiber weight consisting of secondary waste materials; or

44 (B) Twenty-five percent of its fiber weight consisting of post-consumer waste.

45 (hh) "Recycled PETE" means post-consumer polyethylene terephthalate material.

(ii) "Recycled product" means all materials, goods and supplies, not less than 50 percent of the total weight of which consists of secondary and post-consumer waste with not less than 10 percent of its total weight consisting of post-consumer waste. "Recycled product" includes any product that could have been disposed of as solid waste, having completed its life cycle as a consumer item, but otherwise is refurbished for reuse without substantial alteration of the product's form.

6 (jj) "Secondary waste materials" means fragments of products or finished products of a manu-
7 facturing process that has converted a virgin resource into a commodity of real economic value.
8 "Secondary waste materials" includes post-consumer waste. "Secondary waste materials" does not
9 include excess virgin resources of the manufacturing process. For paper, "secondary waste
10 materials" does not include fibrous waste generated during the manufacturing process such as fibers
11 recovered from waste water or trimmings of paper machine rolls, mill broke, wood slabs, chips,
12 sawdust or other wood residue from a manufacturing process.

13 (kk) "Services" mean services other than personal services designated under ORS 279A.055, ex-
14 cept that, for state contracting agencies with procurement authority under ORS 279A.050 or
15 279A.140, "services" includes personal services as designated by the state contracting agencies.

16 (LL) "Special government body" has the meaning given that term in ORS 174.117.

17 (mm) "State agency" means the executive department, except the Secretary of State and the
18 State Treasurer in the performance of the duties of their constitutional offices.

19 (nn) "State contracting agency" means an executive department entity authorized by law to
20 conduct a procurement.

(oo) "State government" has the meaning given that term in ORS 174.111.

22 (pp) "Used oil" has the meaning given that term in ORS 459A.555.

23 (qq) "Virgin oil" means oil that has been refined from crude oil and that has not been used or
24 contaminated with impurities.

25 (2) Other definitions appearing in the Public Contracting Code and the sections in which they
26 appear are:

1 (k) “*Class special*
 2 *procurement*”.....*ORS 279B.085*
 3 (L) “*Consultant*”.....*ORS 279C.115*
 4 (m) “*Contract-specific*
 5 *special procurement*”.....*ORS 279B.085*
 6 (n) “*Cooperative*
 7 *procurement*”.....*ORS 279A.200*
 8 (o) “*Cooperative procurement*
 9 *group*”.....*ORS 279A.200*
 10 (p) “*Donee*”.....*ORS 279A.250*
 11 (q) “*Engineer*”.....*ORS 279C.100*
 12 (r) “*Findings*”.....*ORS 279C.330*
 13 (s) “*Fire protection*
 14 *equipment*”.....*ORS 279A.190*
 15 (t) “*Fringe benefits*”.....*ORS 279C.800*
 16 (u) “*Funds of a public*
 17 *agency*”.....*ORS 279C.810*
 18 (v) “*Good cause*”.....*ORS 279C.585*
 19 (w) “*Good faith dispute*”.....*ORS 279C.580*
 20 (x) “*Goods*”.....*ORS 279B.115*
 21 (y) “*Housing*”.....*ORS 279C.800*
 22 (z) “*Interstate cooperative*
 23 *procurement*”.....*ORS 279A.200*
 24 (aa) “*Invitation to bid*”.....*ORS 279B.005*
 25 *and 279C.400*
 26 (bb) “*Joint cooperative*
 27 *procurement*”.....*ORS 279A.200*
 28 (cc) “*Labor dispute*”.....*ORS 279C.650*
 29 (dd) “*Land surveyor*”.....*ORS 279C.100*
 30 (ee) “*Legally flawed*”.....*ORS 279B.405*
 31 (ff) “*Locality*”.....*ORS 279C.800*
 32 (gg) “*Nonprofit*
 33 *organization*”.....*ORS 279C.810*
 34 (hh) “*Nonresident bidder*”.....*ORS 279A.120*
 35 (ii) “*Not-for-profit*
 36 *organization*”.....*ORS 279A.250*
 37 (jj) “*Original contract*”.....*ORS 279A.200*
 38 (kk) “*Permissive cooperative*
 39 *procurement*”.....*ORS 279A.200*
 40 (LL) “*Person*”.....*ORS 279C.500*
 41 *and 279C.815*
 42 (mm) “*Personal services*”.....*ORS 279C.100*
 43 (nn) “*Photogrammetric*
 44 *mapping*”.....*ORS 279C.100*
 45 (oo) “*Photogrammetrist*”.....*ORS 279C.100*

1 (pp) “*Prevailing rate of*
 2 *wage*.....*ORS 279C.800*
 3 (qq) “*Procurement*
 4 *description*.....*ORS 279B.005*
 5 (rr) “*Property*.....*ORS 279A.250*
 6 (ss) “*Public agency*.....*ORS 279C.800*
 7 (tt) “*Public contract*.....*ORS 279A.190*
 8 (uu) “*Public works*.....*ORS 279C.800*
 9 (vv) “*Purchasing contracting*
 10 *agency*.....*ORS 279A.200*
 11 (ww) “*Regularly organized fire*
 12 *department*.....*ORS 279A.190*
 13 (xx) “*Related services*.....*ORS 279C.100*
 14 (yy) “*Request for*
 15 *proposals*.....*ORS 279B.005*
 16 (zz) “*Resident bidder*.....*ORS 279A.120*
 17 (aaa) “*Responsible bidder*.....*ORS 279A.105*
 18 *and 279B.005*
 19 (bbb) “*Responsible*
 20 *proposer*.....*ORS 279B.005*
 21 (ccc) “*Responsive bid*.....*ORS 279B.005*
 22 (ddd) “*Responsive*
 23 *proposal*.....*ORS 279B.005*
 24 (eee) “*Retainage*.....*ORS 279C.550*
 25 (fff) “*Special*
 26 *procurement*.....*ORS 279B.085*
 27 (ggg) “*Specification*.....*ORS 279B.200*
 28 (hhh) “*State agency*.....*ORS 279A.250*
 29 (iii) “*Substantial*
 30 *completion*.....*ORS 279C.465*
 31 (jjj) “*Surplus property*.....*ORS 279A.250*
 32 (kkk) “*Transportation*
 33 *planning services*.....*ORS 279C.100*
 34 (LLL) “*Unnecessarily*
 35 *restrictive*.....*ORS 279B.405]*
 36

37
 38 (a) **“Administering**
 39 **agency**.....**Section 2 of**
 40 **this 2025 Act**
 41 (b) **“Affirmative action”** ...**ORS 279A.100**
 42 (c) **“Architect”**.....**ORS 279C.100**
 43 (d) **“Architectural,**
 44 **engineering, photogram-**
 45 **metric mapping,**

1	transportation planning
2	or land surveying
3	services"ORS 279C.100
4	(e) "Bid documents"ORS 279C.400
5	(f) "Bidder"ORS 279B.415
6	(g) "Bids"ORS 279C.400
7	(h) "Brand name"ORS 279B.405
8	(i) "Brand name or equal
9	specification"ORS 279B.200
10	(j) "Brand name
11	specification"ORS 279B.200
12	(k) "Class special
13	procurement"ORS 279B.085
14	(L) "Consultant"ORS 279C.115
15	(m) "Contract-specific
16	special procurement" ..ORS 279B.085
17	(n) "Cooperative
18	procurement"Section 2 of
19this 2025 Act
20	(o) "Donee"ORS 279A.250
21	(p) "Engineer"ORS 279C.100
22	(q) "Findings"ORS 279C.330
23	(r) "Fire protection
24	equipment"ORS 279A.190
25	(s) "Fringe benefits"ORS 279C.800
26	(t) "Funds of a public
27	agency"ORS 279C.810
28	(u) "Good cause"ORS 279C.585
29	(v) "Good faith dispute"ORS 279C.580
30	(w) "Goods"ORS 279B.115
31	(x) "Housing"ORS 279C.800
32	(y) "Invitation to bid"ORS 279B.005
33and 279C.400
34	(z) "Labor dispute"ORS 279C.650
35	(aa) "Land surveyor"ORS 279C.100
36	(bb) "Legally flawed"ORS 279B.405
37	(cc) "Locality"ORS 279C.800
38	(dd) "Nonprofit
39	organization"ORS 279C.810
40	(ee) "Nonresident bidder" ..ORS 279A.120
41	(ff) "Not-for-profit
42	organization"ORS 279A.250
43	(gg) "Original contract"Section 2 of
44this 2025 Act
45	(hh) "Participating

1 **agency**" **Section 2 of**
 2 **this 2025 Act**
 3 (ii) **"Person"** **ORS 279C.500**
 4 **and 279C.815**
 5 (jj) **"Personal services"** **ORS 279C.100**
 6 (kk) **"Photogrammetric**
 7 **mapping**" **ORS 279C.100**
 8 (LL) **"Photogrammetrist"**....**ORS 279C.100**
 9 (mm) **"Prevailing rate of**
 10 **wage**".....**ORS 279C.800**
 11 (nn) **"Procurement**
 12 **description**".....**ORS 279B.005**
 13 (oo) **"Property"**.....**ORS 279A.250**
 14 (pp) **"Public agency"**.....**ORS 279C.800**
 15 (qq) **"Public contract"****ORS 279A.190**
 16 (rr) **"Public works"****ORS 279C.800**
 17 (ss) **"Regularly organized**
 18 **fire department**"**ORS 279A.190**
 19 (tt) **"Related services"****ORS 279C.100**
 20 (uu) **"Request for**
 21 **proposals**".....**ORS 279B.005**
 22 (vv) **"Resident bidder"**.....**ORS 279A.120**
 23 (ww) **"Responsible bidder"** ...**ORS 279A.105**
 24 **and 279B.005**
 25 (xx) **"Responsible**
 26 **proposer**".....**ORS 279B.005**
 27 (yy) **"Responsive bid"****ORS 279B.005**
 28 (zz) **"Responsive**
 29 **proposal**"**ORS 279B.005**
 30 (aaa) **"Retainage"****ORS 279C.550**
 31 (bbb) **"Special**
 32 **procurement**"**ORS 279B.085**
 33 (ccc) **"Specification"**.....**ORS 279B.200**
 34 (ddd) **"State agency"****ORS 279A.250**
 35 (eee) **"Substantial**
 36 **completion**"**ORS 279C.465**
 37 (fff) **"Surplus property"**.....**ORS 279A.250**
 38 (ggg) **"Transportation**
 39 **planning services**"**ORS 279C.100**
 40 (hhh) **"Unnecessarily**
 41 **restrictive**"**ORS 279B.405**

42
 43 **SECTION 5.** ORS 279A.025 is amended to read:
 44
 45 279A.025. (1) Except as provided in subsections (2) to (4) of this section, the Public Contracting

1 Code applies to all public contracting.

2 (2) The Public Contracting Code does not apply to:

3 (a) Contracts between a contracting agency and:

4 (A) Another contracting agency;

5 (B) The Oregon Health and Science University;

6 (C) A public university listed in ORS 352.002;

7 (D) The Oregon State Bar;

8 (E) A governmental body of another state;

9 (F) The federal government;

10 (G) An American Indian tribe or an agency of an American Indian tribe;

11 (H) A nation, or a governmental body in a nation, other than the United States; or

12 (I) An intergovernmental entity formed between or among:

13 (i) Governmental bodies of this or another state;

14 (ii) The federal government;

15 (iii) An American Indian tribe or an agency of an American Indian tribe;

16 (iv) A nation other than the United States; or

17 (v) A governmental body in a nation other than the United States;

18 (b) Agreements authorized by ORS chapter 190 or by a statute, charter provision, ordinance or

19 other authority for establishing agreements between or among governmental bodies or agencies or

20 tribal governing bodies or agencies;

21 (c) Insurance and service contracts as provided for under ORS 414.115, 414.125, 414.135 and

22 414.145 for purposes of source selection;

23 (d) Grants;

24 (e) Contracts for professional or expert witnesses or consultants to provide services or testimony

25 relating to existing or potential litigation or legal matters in which a public body is or may become

26 interested;

27 (f) Acquisitions or disposals of real property or interest in real property;

28 (g) Sole-source expenditures when rates are set by law or ordinance for purposes of source se-

29 lection;

30 (h) Contracts for the procurement or distribution of textbooks;

31 (i) Procurements by a contracting agency from an Oregon Corrections Enterprises program;

32 (j) The procurement, transportation, sale or distribution of distilled liquor, as defined in ORS

33 471.001, or the appointment of agents under ORS 471.230 or 471.750 by the Oregon Liquor and

34 Cannabis Commission;

35 (k) Contracts entered into under ORS chapter 180 between the Attorney General and private

36 counsel or special legal assistants;

37 (L) Contracts for the sale of timber from lands that the State Board of Forestry, the State

38 Forestry Department, the State Parks and Recreation Commission or the State Parks and Recreation

39 Department owns or manages;

40 (m) Contracts for activities necessary or convenient for the sale of timber under paragraph (L)

41 of this subsection, either separately from or in conjunction with contracts for the sale of timber,

42 including but not limited to activities such as timber harvesting and sorting, transporting, gravel

43 pit development or operation, and road construction, maintenance or improvement;

44 (n) Contracts for forest protection or forest related activities, as described in ORS 477.406, by

45 the State Forester or the State Board of Forestry;

1 (o) Contracts that the Housing and Community Services Department enters into in exercising
2 the department's duties prescribed in ORS chapters 456 and 458, or procurements described in ORS
3 456.625 (19);

4 (p) Contracts that the State Treasurer enters into in exercising the powers of that office pre-
5 scribed in ORS 178.010 to 178.090 and 276A.242 and ORS chapters 286A, 287A, 289, 293, 294 and 295,
6 including but not limited to investment contracts and agreements, banking services, clearing house
7 services and collateralization agreements, bond documents, certificates of participation and other
8 debt repayment agreements, and any associated contracts, agreements and documents, regardless of
9 whether the obligations that the contracts, agreements or documents establish are general, special
10 or limited, except that the State Treasurer's public contracting for goods and services is subject to
11 ORS chapter 279B;

12 (q) Contracts, agreements or other documents entered into, issued or established in connection
13 with:

14 (A) The issuance of obligations, as defined in ORS 286A.100 and 287A.310, of a public body;
15 (B) Program loans and similar extensions or advances of funds, aid or assistance that a public
16 body makes to a public or private body for the purpose of carrying out, promoting or sustaining
17 activities or programs authorized by law; or

18 (C) The investment of funds by a public body as authorized by law, and other financial trans-
19 actions of a public body that by their character cannot practically be established under the com-
20 petitive contractor selection procedures of ORS 279B.050 to 279B.085;

21 (r) Contracts for employee benefit plans as provided in ORS 243.105 (1), 243.125 (4), 243.221,
22 243.275, 243.291, 243.303 and 243.565;

23 (s) Contracts for employee benefit plans as provided in ORS 243.860 to 243.886; or

24 (t) Any other public contracting of a public body specifically exempted from the code by another
25 provision of law.

26 (3) The Public Contracting Code does not apply to the contracting activities of:

27 (a) The Oregon State Lottery Commission;
28 (b) The legislative department;
29 (c) The judicial department;
30 (d) Semi-independent state agencies listed in ORS 182.454, except as provided in ORS 279.835 to
31 279.855 and 279A.250 to 279A.290;

32 (e) Oregon Corrections Enterprises;

33 (f) The Oregon Film and Video Office, except as provided in ORS 279A.100 and 279A.250 to
34 279A.290;

35 (g) The Travel Information Council, except as provided in ORS 279A.250 to 279A.290;

36 (h) The Oregon 529 Savings Network and the Oregon 529 Savings Board;

37 (i) The Oregon Innovation Council;

38 (j) The Oregon Utility Notification Center; or

39 (k) Any other public body specifically exempted from the code by another provision of law.

40 (4) ORS [279A.200 to 279A.225 and] 279B.050 to 279B.085 **and section 2 of this 2025 Act** do not
41 apply to contracts made with qualified nonprofit agencies providing employment opportunities for
42 individuals with disabilities under ORS 279.835 to 279.855.

43 **SECTION 6. ORS 279A.200, 279A.205, 279A.210, 279A.215, 279A.220 and 279A.225 are re-
44 pealed.**

45 **SECTION 7. Section 2 of this 2025 Act and the amendments to ORS 276.255, 279A.010 and**

1 **279A.025 by sections 3 to 5 of this 2025 Act apply to procurements that a contracting agency**
2 **advertises or otherwise solicits or, if the contracting agency does not advertise or solicit the**
3 **procurement, to public contracts and public improvement contracts into which the con-**
4 **tracting agency enters on or after the operative date specified in section 8 of this 2025 Act.**

5 **SECTION 8.** (1) Section 2 of this 2025 Act, the amendments to ORS 276.255, 279A.010 and
6 **279A.025 by sections 3 to 5 of this 2025 Act and the repeal of ORS 279A.200, 279A.205,**
7 **279A.210, 279A.215, 279A.220 and 279A.225 by section 6 of this 2025 Act become operative**
8 **January 1, 2026.**

9 (2) The Attorney General, the Director of the Oregon Department of Administrative
10 Services, the Director of Transportation and a contracting agency that adopts rules under
11 ORS 279A.065 or 279A.070 may adopt rules and take any other action before the operative
12 date specified in subsection (1) of this section that is necessary to enable the Attorney
13 General, the directors or the contracting agency, on and after the operative date specified
14 in subsection (1) of this section, to undertake and exercise the duties, functions and powers
15 conferred on the Attorney General, the directors or the contracting agency by section 2 of
16 this 2025 Act, the amendments to ORS 276.255, 279A.010 and 279A.025 by sections 3 to 5 of
17 this 2025 Act and the repeal of ORS 279A.200, 279A.205, 279A.210, 279A.215, 279A.220 and
18 279A.225 by section 6 of this 2025 Act.

19 **SECTION 9.** This 2025 Act takes effect on the 91st day after the date on which the 2025
20 regular session of the Eighty-third Legislative Assembly adjourns sine die.

21

Office of Small Business Assistance

Trevor Leahy, *Small Business Ombudsman*

Ricardo Lujan Valerio, *Deputy Chief of Staff*



Improving interactions between small business and state and local government.



Office of Small Business Assistance

sos.oregon.gov/smallbusiness

- **Ombudsman** office for small businesses in Oregon.
- Serve **for-profit and non-profit organizations** with 100 or fewer employees.
- **Outreach to small businesses:** Website, bilingual quarterly newsletter, in-person visits throughout Oregon, and social media.

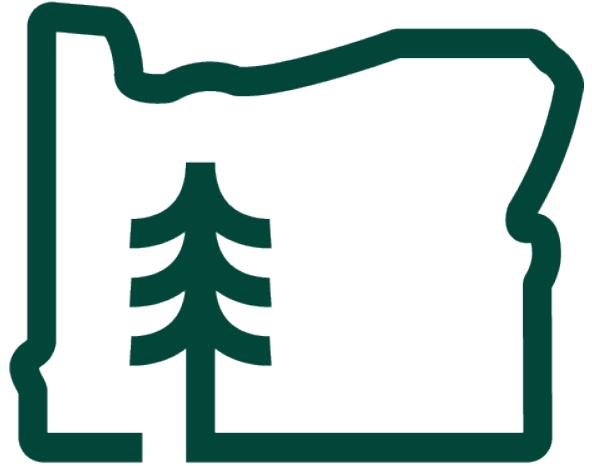
2025 Legislative Assembly

- **Missed Opportunities:** new laws going into effect over the past 5 years.
- **Legislation Tracker:** launched in Fall 2024; updated monthly or after 25% increase in monitored bills.
- **Keywords:** small business, business, license/licensure, tax, ombuds/ombudsman, administrative rule, professional, occupational, complaint.

Keyword Search Results

1,112 Monitored Bills

Small Business: 16	Complaint: 6
Food: 14	Professional: 27
Agricult*: 43	Employ: 82
License: 55	Contract: 51
Tax: 127	Minor: 6
Business: 131	Tribe/Tribal: 3



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OSBA

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