



PERMANENT ADMINISTRATIVE ORDER

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CHAPTER 731

DEPARTMENT OF TRANSPORTATION

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FILING CAPTION: Rule sets criteria for selecting suitable SBDP projects and limits bidding to qualified small businesses

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ADOPT: 731-065-0080

RULE TITLE: Project Selection

NOTICE FILED DATE: 03/31/2026

RULE SUMMARY: Rule sets criteria for selecting suitable SBDP projects and limits bidding to qualified small businesses.

RULE TEXT:

(1) For purposes of this rule "SBDP participant" means a business that meets the qualifying criteria established in OAR 731-065-0020.

(2) ODOT may select a public improvement project to be in the SBDP if it meets the following selection criteria, as determined by ODOT staff knowledgeable of the project and the SBDP:

(a) Project can reasonably be performed by a SBDP participant serving as a prime contractor;

(b) Selection of project supports the statutory purpose of expanding opportunities for small construction firms to compete for and perform public improvement contracts; and

(c) Project has an estimated construction cost of greater than \$250,000 but no more than \$5,000,000.

(3) ODOT may limit competition for projects in the SBDP to SBDP participants consistent with ORS 184.906.

(4) ODOT may select no less than one public improvement project each calendar year to be in the SBDP. The aggregate estimated total of all projects in the SBDP awarded in one calendar year may not exceed \$25,000,000.

(5) ODOT may remove a project from the SBDP if it determines a project no longer meets selection criteria set forth in paragraph (2) or if no SBDP participant bids on the project.

STATUTORY/OTHER AUTHORITY: ORS 184.619

STATUTES/OTHER IMPLEMENTED: ORS 184.906