



Association for the Improvement
of American Infrastructure

P3 Snapshot: **Oregon**

SUMMARY OF P3 LEGISLATIVE STATUS:

Oregon is authorized to conduct transportation P3s.

1. **Does this state have broadly enabling P3 legislation?**
Oregon's P3 authority is specifically limited to transportation projects in eligible asset classes. Explicitly allows for the conversion of existing roads to toll roads or managed lanes with approval of the Transportation Commission.
2. **Does the state allow for **Unsolicited Proposals**?**
The Oregon Dept. of Transportation may receive and review for consideration unsolicited proposals to address and meet the state's public infrastructure needs.
3. **What is the state's P3 **Review Process**?**
The Oregon Transportation Commission approval is required for all P3 agreements and the establishment of tolls. DOT may establish advisory committees to review concepts or proposals for transportation projects. DOT is required to solicit recommendations of all units of government having jurisdiction concerning the design of a tollway.
4. **Does the state have a **Centralized Agency** dedicated to P3?**
Oregon Department of Transportation.
5. **Is this a **Home Rule state**, with limitations or opportunities for P3?**
Oregon is a "home rule" state, and therefore has broad governmental authority locally.
6. **Does this state have programmatic requirements for P3 participation (ie MWDBE or labor)?**
Oregon is a Miller Act compliant market, and therefore requires payment and performance guarantee security for public works projects. ODOT has an overall Disadvantaged Business Enterprise Goal of 11.6% Disadvantaged Business Enterprise usage,
which has been approved by the Federal Highway Administration within 49 CFR §26.45
7. **Are P3 projects in this state eligible for other financing programs?**
The relevant law permits local/state/Federal funds to be combined with private sector funds on a P3 project, and specifically includes eligibility for TIFIA.
8. **What Projects or Asset Classes are eligible for P3 in this state?**
Transportation and tollway projects, and includes a provision for research & development (demonstration) projects. P3s for planning, acquiring, financing, developing, designing, construction and reconstruction, replacement and improvement, maintenance and repair, and management, leasing and operation of transportation projects in any mode. Also design-build contracts; lease agreements; licenses, franchises, or other agreements for operation or maintenance; or financing arrangements for tollway projects.
9. **Are there Projects where the P3 procurement method has been applied?**
While the Oregon Transportation Commission has reviewed a number of potential initiatives for procurement using an alternative project delivery method, there has not, to date, been an application of P3s in Oregon.
10. **What is the legislative foundation for P3s in this state?**
*Oregon Rev. Statute 367.800 to 826 (transportation projects)
Oregon Rev. Statute 383.001 to 075 (tollway)
OR Rev. Stat. 184.631 (R&D @ OR DOT)*

D: Design | **B:** Build | **F:** Finance | **O:** Operate | **M:** Maintain