

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass with amendments to the A-Engrossed Measure. (Printed B-Engrossed)
Vote:	4 - 0 - 2
Yeas:	Atkinson, Girod, Starr, Beyer
Nays:	0
Exc.:	Burdick, Edwards
Prepared By:	Richard Berger, Administrator
Meeting Dates:	5/17, 5/24

WHAT THE MEASURE DOES: Adds photogrammetric mapping and transportation planning to the list of services subject to procedures for contracting with architects, engineers, and land surveyors. Modifies the usage of Qualification-Based Selection in selecting consultants to provide architectural, engineering, photogrammetric mapping, transportation planning, or land surveying services. Clarifies that a contracting agency can adjust procedures to accommodate the scope, schedule or objectives for a particular project if the estimated cost for services does not exceed \$250,000, and may directly appoint a consultant if the estimated cost for services on a project does not exceed \$100,000. Establishes an operative date of January 1, 2012. Allows the Department of Administrative Services, Attorney General, and contracting agencies subject to the state’s model Public Contracting Rules to take any action on or before the measure’s operative date necessary to enable to exercise the measure’s provisions. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Local control of desired qualifications
- Uniformity of selection process
- Amendment meant to create consistency with existing statutes
- Whether measure is a mandated departure from the least cost principle
- Desire of local government to consider cost first when firms have similar qualifications

EFFECT OF COMMITTEE AMENDMENT: Adds section deleted by the measure which allows a contracting agency to designate certain personal service contracts as contracts for architectural, engineering, photogrammetric mapping, transportation, or land surveying service. Allows a contracting agency’s screening and selection process to consider certain candidates qualifications regardless of estimated cost of the service.

BACKGROUND: Qualification-Based Selection (QBS) is a method used by government agencies, and codified in federal law, to select architectural and engineering services for public projects. The focus of QBS is essentially two-tiered; potential consultants compete based on their level of experience and technical expertise first, and the price for services is negotiated following the selection of a firm and before the contract is finalized. Current statute requires QBS to be used for all architectural, engineering or land surveying projects if the services contract is issued by a state contracting agency. However, the QBS process is only required on similar projects of local contracting agencies if they receive moneys from the State Highway Fund or a grant or loan from the state that will be used to pay for any portion of the design and construction of the project, the total amount of any grants, loans or moneys from the State Highway Fund and from the state for the project exceeds 10 percent of the value of the project, and the value of the project exceeds \$900,000.

5/31/2011 8:52:00 AM

This summary has not been adopted or officially endorsed by action of the committee.