



February 3, 2014

House Business and Labor Committee:

I am writing to support HB 4119. This bill will help ensure the best use of public funds by clarifying that public agencies in Oregon hire engineers, architects and other design professionals based upon qualifications and not a bidding process.

OBEC Consulting Engineers was founded in 1966 in Springfield, OR and currently has 97 employees. We specialize in design and construction management of transportation and other public infrastructure projects, and have worked almost exclusively over the years on projects with public agencies in Oregon. We are an employee-owned business and have four offices along the entire I-5 corridor to serve Oregon communities with local staff. Our experience has shown us that agencies that hire based on qualifications instead of a bid process have better outcomes through both the design and construction phase and, beyond the value-enhanced benefit to public agencies; it is also more advantageous to small firms when compared to the practice of price bidding professional services. The value stems from the ability of a public agency to select the most qualified firm to perform design services, and then negotiate the correct scope of work and budget for the particular project. In that way the final contracted design services can be tailored to the agency's need, providing a complete understanding by both parties of the level of effort required to produce high-quality contract documents for construction. The quality of construction bid documents has a huge impact on final construction costs since missed items result in contract change orders during construction, which are more costly than if the contractor had competitively bid on a complete, quality set of plans.

Qualification based selection (QBS) is endorsed by the American Public Works Association, and has been the law in Oregon and throughout the country for many years. HB 4119 is a technical fix and will clarify rules adopted following the passage of HB 3316 that passed unanimously in 2011.

I urge your support of HB 4119. This bill will simplify the procurement process for public agencies in Oregon while still allowing direct appointment on smaller projects with less than \$100,000 in design fees.

Thank you for your consideration of HB 4119.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Larry Fox', is written over a printed name and title.

Larry Fox, PE
President

LHF:pjs

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