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A chapter of the National Society of Professional Engineers



L³+ Learning Licensure Leadership

2016/2017

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February 27, 2017

Emailed to:

Senator Lee Beyer, Senator Chuck Thomsen, Senator Fred Girod, Senator Rod Monroe, Senator Chuck Riley

Oregon Senate
 Business and Transportation Committee
 Salem, OR 97301

Re: Quality Based Selection (QBS) SB382

Dear Honorable Business and Transportation Committee Members:

Thank you for the opportunity to provide public comment to the proposed Senate Bill 382. Professional Engineers of Oregon (PEO) a chapter of the National Society of Professional Engineers (NSPE) appreciate the hard work you do to serve our state. We present our comments in the spirit of elevating Oregon professionalism and ensuring public safety. The PEO exists to unify engineering professionals under a code of conduct, ethics, professionalism, a standard of technical excellence, and public safety. We are the voice of Oregon's engineers to promote and protect licensure.

Both PEO and NSPE opposes SB382 in its current form because we believe the welfare and safety of the public is best served when fees for professional services, such as engineering, are based upon quality and qualifications of the proposing service provider instead of costs for professional services. Our Oregon citizens are best served when instead of the lowest price candidates are selected, the most qualified individuals or groups are utilized. All of us are aware of circumstances where cost of services might be lower, at the price of safety and quality. Because public procurement must be fair and impartial, a system is developed for each agency; that system, by design, is objective as possible. The agency has no choice but to give rank for cost of services as no proposal is ever identical in experience and qualifications. By the nature of professional services, each proposing service provider's qualifications, and experiences are unique. Therefore, considering price in procurement of professional services will be weighted in a differentiating manner instead of unique qualifications and requirements that our agencies should rely upon. There is no need to ask for price unless it is to be considered.

The Oregon Legislature has already accepted QBS as the means we want to choose our most qualified professionals. Professionals are entrusted with what we hold most dear; health, safety, security. We do not want to go backwards and increase the QBS threshold limits that would only penalize Oregon Small Business service providers, many of whom are niched and highly qualified in specialized areas. Most small businesses would not provide services exceeding \$500,000; many do not provide even \$100,000 contracts. Small operators would therefore have to compete on a fee basis amongst large companies that could take losses on smaller projects.

PEO is committed to ACEC's campaign for QBS education through our membership and our clients. We believe if QBS is eroded, Oregon professionals that provide quality work will seek work in other markets that does not weight fee for selection. PEO believes safety is achieved through quality of the service provider and thus we support NSPE, ACEC, and many other professional groups in opposing an increase in QBS limits.

Sincerely,

Matthew J. Cash

Digitally signed by Matthew Cash
 DN: c=US, st=Oregon, l=Salem, o=Fluent
 Engineering, Inc., cn=Matthew Cash,
 email=mcash@fluentengineering.com
 Date: 2017.02.28 12:16:47 -08'00'

Matthew J. Cash, P.E.
 President Professional Engineers of Oregon
 Phone 503-381-4395 Email mcash@fluentengineering.com

David A. Bassett PE

David A. Bassett, P.E.
 Past Pres. Professional Engineers of Oregon
 Phone 541-660-3131 Email dabpe@peak.org

cc. Alison Davis, Executive Director, ACEC