

To: Senate Committee on General Government and Accountability

Re. OPPOSE HB 4127-A

Chair Riley and Committee Members:

I work every single day within the publicly funded project delivery arena. I am a Project Manager, a Designer, and a Company Principal. I've been practicing engineering on publicly funded projects for 30+ years.

Public agencies currently use a Qualifications Based Selection process to hire the top ranked firm for their projects. Sometimes we win, sometimes another firm has the best approach and ideas. Qualifications for any specific project are determined by the agency and the needs of the project (for example, having staff with unique technical expertise, providing a Project Manager with direct experience on similar projects, or providing the best approach to addressing and meeting an agency's budget limitations and schedule commitments). They then choose the most qualified firm and begin negotiations... scope of work first, then the cost to perform that scope of work.

HB4127-A maintains the requirement that public agencies use a "Request for Qualifications" as step 1. But, that's where any focus on qualifications is allowed to stop. As long as an agency is talking to "a qualified proposer", **HB4127-A allows price to take over as the most significant and final factor, allowing agencies to choose "the lowest price firm" rather than "the most qualified firm".**

HB4127 -A is being sold by local agency procurement staff as merely allowing agencies to consider price as a factor. Agencies are not required to choose based on price if they don't want to. But, take this to its logical conclusion. What procurement officer (or agency) wouldn't jump to finish line and just go for the "cheapest option"? It makes life so easy! I've attended numerous meetings with City of Hillsboro, City of Beaverton, and other local agencies where I asked them what isn't working under the current QBS process. I want to understand their perspective. They're my clients. If it's important to them, then it's important to me and my relationship with them. By FAR, the most common concern stated is that it is difficult to NOT choose the lowest price firm. That's what local leaders and officials are expecting and staff get grief for doing anything OTHER than going with the lowest price firm. **If HB4127-A passes, make no mistake... MOST (if not all) public agency staff WILL CHOOSE the winning consultant based on price. Who wouldn't? There is no compelling reason to do anything other than choosing by price. It's the "easy choice". No question...** Staff don't like explaining why they're not choosing the lowest price firm today.

When the focus is on hiring the lowest priced firm, nothing else will ultimately matter. The focus turns away from worrying about who's most qualified for a project. The 2nd most common statement is that "all firms are essentially the same". You're all qualified. It's difficult



to choose. They're right. Choices are difficult. Agency staff are paid to figure it out. That's their job. ***The most qualified firm will rarely, if ever, be the lowest price firm.*** Agency staff should choose the firm that did their homework, have the proven experience, presented the best overall approach, and provide the highest level of certainty for success.

The current process isn't perfect. Public agencies are my clients. If they are having an issue, than I have an issue. I want to improve. But, note that any process that uses tax money should be approached with care and not an ultimate lens of "the lowest price". There is the (1-2%) price to hire a consultant and then there's (98%) cost to build, maintain, and operate a facility. It ANY agency staff person truly believes that the lowest priced consultant leads inherently to the lowest overall cost facility, then they are focusing on "one **price** along the way" and not on "the true **cost** to taxpayers".

I ask that you **OPPOSE HB 4127-A**

- Don't rush to judgement that the current QBS process needs this drastic of a change. It does NOT. HB 4127-A is a devastating change.
 - Price SHOULD NOT be the final (which equates to the most important) factor in choosing a design consultant for public projects.
 - This is very poor public policy.
- Please support a collaborative workgroup to identify problems and solutions.
 - HB 4127-A is a one-sided solution that will create more problems than it will solve.
 - There is clearly passion and concern from both sides based on testimony. This issue is MUCH TOO BIG for this short session.
 - Allow both proponents and opponents to work their concerns out and bring back a meaningful unified change that addresses both sides.

Quincy Engineering, Inc.

Karen Tatman, PE
Principal Engineer