

HB 4127 A STAFF MEASURE SUMMARY

Senate Committee On General Government and Accountability

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Meeting Dates: 2/22, 2/27

WHAT THE MEASURE DOES:

Modifies procurement process to allow public contracting agency to consider pricing policies, proposals and other pricing information along with an applicant's qualifications when soliciting architectural, engineering, land surveying, photogrammetric mapping, or transportation planning services, rather than after an applicant is selected. Allows contracting agency to select up to three firms that have responded to a request for qualifications and then request pricing policies and information from those firms. Takes effect 91st day after *sine die*.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

[-A6 amendment] Replaces the measure. Creates a task force to study procurement of the specified services and report to the legislature by December 1, 2018.

BACKGROUND:

State and local governments use Qualified Based Selection (QBS) to procure architectural, engineering, land surveying, photogrammetric mapping, or transportation planning services. QBS requires contracting agencies to make selections on the basis of each consultant's qualifications for the type of professional service required. QBS allows a contracting agency to ask for or use pricing policies and proposals, or other pricing information, to determine consultant compensation only after a candidate is selected. If negotiations over compensation do not reach a level that is reasonable and fair to the contracting agency, the contracting agency can then select the second most qualified consultant. Direct appointment is allowed if the estimated cost of services for the project does not exceed \$100,000.

House Bill 4127A allows a public contracting agency to select up to three of the most qualified firms that have responded to a request for qualifications and then request proposals, pricing policies and other pricing information from those firms prior to making a selection.