

Vote YES on HB 2769 with – 1 Amendment

HB 2769 will amend the Qualification Based Selection (QBS) process to allow local governments the option to consider pricing when procuring engineering, architecture, land surveying, photogrammetric mapping and transportation planning professional services in public contracting.

How We Got Here

Qualification-Based Selection (QBS), found in ORS 279C.110, is a procurement process for the selection of professional services (engineering, architecture, photogrammetric mapping, transportation planning, and land surveying services) for public construction projects. QBS was originally established by Congress in 1972 in the *Brooks Act* (40 USC 1101) and many states, including Oregon, have adopted their own versions in subsequent years.

What We Are Proposing

Following a collaborative and in-depth interim workgroup discussion during the past several months, the workgroup offers HB 2769, which will provide an option for local agencies to consider pricing in public procurement of professional services while preserving the current law for local jurisdictions that choose to use the current QBS system. Specifically, HB 2769 allows local public contracting agencies to evaluate and score price as part of a two-step process. Agencies would issue a Request for Qualifications as step one and select up to three (3) of the highest ranked firms based solely on qualifications. After the initial qualification-based selection, local public contracting agencies must then provide a detailed statement of work and request pricing information from the three most qualified firms as part of a second evaluation step. To retain a focus on qualifications, the local contracting agency may use pricing information for up to 15 percent of the points used during this second evaluation step.

What's Next

Following passage of the legislation, key stakeholders, representing both private consultants and local public contracting agencies, have committed to the continuation of the collaborative workgroup. The workgroup's focus will be the quality implementation of the new QBS process and to work together on best practices, regardless of the procurement process used in implementing HB 2769. This workgroup will establish best management practices and engage in ongoing training/education to ensure that local implementation of the existing and newly-established QBS process are consistent with the legislative intent of HB 2769. Both the public and private sectors will be actively involved in this workgroup for many years to come.

Thank you for your consideration of HB 2769 and the -1 amendment, that is also a product of the collaborative workgroup.

Work Group Participants:

Bill Kirby – City of Beaverton

Curt Wilson, AIA – Representative AIA Oregon

David Williams, PLS – Representative of Professional Land Surveyors of Oregon

Erik Peterson, PE – Representative Engineering Design Professional

Jeff Whitson, PLS – Representative of Professional Land Surveyors of Oregon

Mark Landauer – Government Affairs, Special District Association of Oregon

Mike Eliason – Legislative Director and Acting Executive Director, Association of Oregon Counties

Niki Iverson – Water Resource Manager – City of Hillsboro

Tina Adams, PE – Representative Engineering Design Professional and Small Business Owner (DBE/MWESB)

Tracy Rutten – League of Oregon Cities

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