

## Vote YES on HB 2769A

**HB 2769A 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 2769A, 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 2769A 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 2769A. 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 2769A. 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 2769A, a product of the collaborative workgroup.

### **HB 2769A Work Group Participants:**

Bill Kirby – City of Beaverton  
Curt Wilson, AIA – Representative AIA 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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