HB 4127 -1, -2, -3   STAFF MEASURE SUMMARY

House Committee On Business and Labor

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Meeting Dates:	2/9, 2/14

WHAT THE MEASURE DOES:

Allows public contracting agency to consider pricing policies, proposals and other pricing information along with qualifications when procuring architectural, engineering, photogrammetric mapping, transportation planning and land surveying services. Allows contracting agency to select up to five firms who have responded to request for qualifications and then request proposals, pricing policies and other pricing information from those firms. Takes effect 91st day following adjournment sine die.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Clarifies that contracting agency may terminate price negotiations with consultant who was selected under existing RFQ process.

-2 Allows contracting agency to select three highest qualified firms instead of five.

-3 Replaces original measure. Creates Task Force on Qualifications-Based Selection. Requires Task Force to report to legislative committee related to public procurement by September 15, 2019.

BACKGROUND:

The process used by state and local government to procure architectural, engineering, photogrammetric mapping, transportation planning or land surveying services is referred to Qualification Based Selection. Statute requires a contracting agency to select these consultants on the basis of the consultant's qualifications for the type of professional service required. It is allowed to ask for or use pricing policies and proposals or other pricing information to determine consultant compensation only after the contracting agency has selected a candidate. 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 who responded to the request for qualifications. Direct appointment is allowed if the estimated cost of the services for the project do not exceed $100,000.