

QUALIFICATIONS-BASED SELECTION

ISSUE

When procuring engineering and related services, government agencies should award contracts based on the qualifications of offerors. In addition to delivering quality projects, government agencies are responsible for safeguarding the public's health and well-being while being accountable to taxpayers. Selection of design professionals using qualifications as the main criteria accomplishes these goals. In 1972, Congress adopted this principle of qualifications-based selection (QBS), through passage of the Brooks Act (P.L. 95-582), requiring federal agencies to select design professionals based on qualifications before entering into negotiations on price. QBS ensures that the public receives high quality services at a fair and reasonable price.

Though widely used in federal procurement, some agencies continue to seek ways to skirt QBS. ACEC urges Members of Congress to support legislation that would protect and promote QBS.

ACEC POSITION

QBS is used by all federal agencies, 44 state governments, and many localities throughout the country. It works because:

1. **QBS protects the taxpayer.** Most individuals would not select medical or legal services based solely on cost – these highly skilled services are too important to leave to the lowest bid. Likewise, engineering is a highly skilled service that should not be selected on the lowest bid. Engineers design the highways and bridges we drive on, our water treatment systems, and all other infrastructure upon which we rely. The skill level of the engineer directly affects the health, safety and welfare of the public, i.e., the taxpayer who is paying for the engineer's services.
2. **QBS also protects the taxpayer's pocketbook.** Over the life of a project, engineering services account for less than one-half of one percent of total project costs. Yet these services play a huge role in determining the overall project costs, as well as the quality of the completed project. QBS lowers the overall cost of projects through designs that reduce change orders during construction and minimize long-term maintenance and repair costs.
3. **QBS benefits small firms.** QBS helps small firms compete by providing a forum to demonstrate their unique capabilities that often include a greater degree of niche market expertise, knowledge of local regulations and business practices, and greater involvement of senior level management in the execution of a project.
4. **QBS promotes technical innovation.** Using QBS, owners have the opportunity to fully define the project scope during the selection process. This process fosters innovative, cost-saving and timesaving approaches to problems, ensuring that the final project meets or exceeds the goals set forth by the owner.