

Draft letter for board members to write the Senate LCI Committee and authors of S. 410. To be put on your personal or company letterhead.

March 23, 2015

Senator \_\_\_\_\_  
South Carolina Senate  
Box 142  
Columbia, SC 29202

RE: S. 410

Dear Senator:

(Put in your own words the following: write something personal – you are a practicing registered engineer in South Carolina, you have been registered for \_\_\_\_ years, your firm is \_\_\_\_, your specialty is \_\_\_\_ engineering, if true, you live in his district, if true, you live in his county. Remind the senator you delivered a PAC check to him if you did. You are writing this letter in support of S.410, the engineers' and surveyors' practice act which includes the section on procurement of engineers and surveyors professional services for public work. *Most of the bill has little interest outside the engineering and surveying communities and you are in basic agreement with the language.* However, it has come to your attention that there are **special interest groups** that are taking exception to the section on procurement of engineers and surveyors service for public work.)

Here are my reasons for asking your support for the procurement section, along with the rest of the bill: Section 40-22-35 does not prohibit any public body from requesting bids on projects. The bill prohibits registered engineers and surveyors from bidding their services.

Both federal and state governments, including South Carolina, have relied on Qualification Based Selection (QBS) for the procurement of professional services (architectural, engineering and surveying) for nearly 40 years. These many years of tens of thousands of QBS negotiated contracts have worked to guarantee the public funds have been effectively expended and the most qualified professionals provided the services.

Engineering is typically 6 percent to 10 percent of the total construction cost, but when the most qualified professional for a particular project is retained, the rest of the project should go smoother, be more cost effective with fewer changes during construction and the life of the project extended.

From anecdotal information with engineers and engineering firms, the most qualified firm that is chosen first to negotiate with an owner very seldom is unable to reach a price acceptable to the owner forcing the owner to go to a second firm for negotiations. In other words, the first firm/individual interviewed almost always lands the job.

40-22-35 (Section 5) does not take price out of the selection process; it simply moves to the process in a more logical place, after the engineer and owner have discussed the project and developed a scope of work. The engineer knows what he is pricing and the owner knows what he is paying for. Also, this process assists in bringing the entire project (including design and construction) in on time and often under budget.

This process does not appreciably lengthen the time for selecting the most qualified person/firm or slow down a project from going forward.

This process does not deny any interested professionals the opportunity to seek work for any public project where pre-qualified lists exclude parties from the process. Conversely, using the QBS process gives owners an opportunity to consider new, different professionals when the process is open to all and not a pre-qualified list.

However, this process does not prevent the use of firms or individuals that have previously worked for an owner.

If you have questions or wish to discuss this issue further, please contact me.

Sincerely,

(your name), PE  
Company