



AMERICAN COUNCIL OF ENGINEERING COMPANIES

Qualifications-Based Selection

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 initial criteria accomplishes these goals.

What is QBS ...

QBS was codified in the Brooks Act in 1972 to protect the interests of taxpayers. Over the life of a project, engineering-related services account for less than one-half of one percent of total costs. Yet these services play a major role in determining the other 99.5 percent on the project's life-cycle costs, as well as the quality of the completed project.

The Brooks Act requires a competitive process in which engineers submit their qualifications to the procuring agency (the owner); the owner assesses the relative expertise of the competing firms; and the most qualified firm is selected for cost negotiation. During negotiation, the scope of the project is further defined. If the negotiation does not result in an agreement on project scope, schedule and budget, the owner then negotiates with the second-ranked firm. The cost of the engineering services is a major factor in the procurement, just not the only factor.

Why Does QBS Make Sense ...

Most individuals would not select medical or legal services for a critical matter based solely on cost – these highly skilled services are too important to leave up to the lowest bid. Likewise, engineering is a highly skilled profession, and the services that engineers provide directly affect public safety and welfare. However, the connection between the skill level of the professional and the well being of the public is not as direct, and therefore not as apparent, in the case of engineering as in the case of doctors and lawyers. Hence, the Brooks Act.

QBS has been so successful at the federal level that it is mandated in 44 states for state-funded projects. QBS is also endorsed by the American Public Works Association, which represents the owners who procure engineering services, and is recommended by the ABA in its model procurement code for state and local governments. QBS has also been incorporated into transit, transportation (T-21), aviation (Air-21) legislation, and Superfund. QBS works because it:

- 1. Results in Lower Overall Cost** - QBS lowers the overall cost of projects through designs that reduce change orders during construction and minimize long-term maintenance and repair costs. This fact has been demonstrated in reports prepared by the American Institute of Architects and Polytechnic University.
- 2. Safeguards Public Interest** - QBS allows government agencies to protect the public's health and safety by focusing on qualifications to achieve the agency's requirements rather than lowest cost.
- 3. Benefits Small Firms** - QBS helps small firms compete by providing them a forum to demonstrate the advantages that they often have over large firms, including a greater degree of niche market expertise, more knowledge of local regulations and business practices, and greater involvement of senior level management in the execution of the project. QBS is strongly supported by the ACEC Small Firms Council.
- 4. Promotes Communication and Technical Innovation** - Using QBS, owners have the opportunity to fully define the project scope during the selection process. This process results in a project that is fully thought-through, and fosters innovative, creative, cost-saving and timesaving approaches to problems.