Procurement: Contracting for A&E Services

Policy No.:  
Adopted: January 2006  
Sunset: January 2008

The AIACC believes that architects and engineers should be selected for public work on the basis of professional qualifications and competence.

Policy Statement

The AIACC supports Qualifications-based Selection (QBS) as the process that should be used by public agencies in the selection of architects and engineers. The QBS selection process is based on the necessary experience, skills, and competencies of the architect in relation to the individual nature and characteristics of the project. The AIACC does not support requests for fee proposals as a part of the architects selection process, including the two envelope process, as it violates the spirit and intent of QBS, and does not always contribute to the retention of appropriate consultants, improve predictability, or result in a successful project. The fee will be negotiated after the architect is selected.
Policy Background

In October 1972, the federal government enacted Public Law 92-582, covering the selection of architects and engineers based on qualifications. This bill is known as the Brooks Selection Bill. During years of use by the federal, most state governments, and numerous municipalities across the nation, the use of qualifications-based selection has proven itself to be more efficient and less costly when considering total or life-cycle costs than the use of a selection system using price as one of its primary criteria.

Effective January 1, 1990, Chapter 10 of the California Government Code, Sections 4526-4529, commencing with Section 4525 and known as the Mini-Brooks Act, mandated local agencies throughout the state of California to select applicable professional consultant services on the basis of demonstrated competence and professional qualifications.

Policy Positions:

Job Order Contracting – a method of procuring services that are small in scope, routine and predictable. Often used for retrofitting, remodeling or other repetitive work, this method of procurement enables the entity to have a fixed, predictable price for work to be performed. The AIACC supports its use in appropriate situations.

Design Excellence – recognizing the importance of design in the legacy that public buildings become, the AIACC Supports the State of California's Excellence in Public Buildings program which focuses on architectural services that meet the following criteria:

- Demonstrate Architectural Excellence
- Build Sustainable, Energy Efficient Buildings
- Integrate Art into Public Buildings and Public Spaces
- Ensure that Buildings are Cost-Effective
- Focus on Customer Input and Satisfaction
- Enhance Accessibility for All through "Universal Design"
- Ensure the Safety and Security of Occupants and the Public
- Make a Positive Contribution to the Local Community
- Preservation of Buildings of Historic Value

Design Competitions – The AIACC recognizes that design competitions are frequently used by public agencies. If fairly run, competitions are a reasonable way to select architects. The AIACC advocates reasonable compensation for participation in these competitions and encourages clients to respect the cost of such competitions and limit the required submittals so that all firms have an opportunity to participate.