

ACEC Illinois' Artl Testifies in Support of Contracting Out, QBS, Lump Sum Contracts

In his testimony before the House Subcommittee on Railroads, Pipelines and Hazardous Materials on Tuesday, ACEC Illinois Executive Director Kevin Artl urged the panel to fund a robust freight and passenger rail network, but he also put in plugs for several key ACEC priorities:

On Contracting Out: “I would urge you to oppose policies that restrict the ability of public agencies to contract with private sector firms. From my experience working for a public agency, I viewed consultants and engineers as a trusted advisor and they played an essential role in every aspect of our work—from planning to design to inspection to quality control. From my experience, the access to private sector experts allowed my public agency to become more innovative, more efficient and more forward-thinking.”

On QBS: “I would encourage you to promote contracting and selection policies that ensure qualified engineering services. Federal statutes and most state laws require procurement of engineering services through Qualifications-Based Selection (QBS), a competitive procurement process that puts emphasis on identifying the most experienced and technically qualified firms at a fair and reasonable cost. This has been the law of the land for nearly 50 years, and it is the gold standard for professional services procurement.

“The surface transportation reauthorization should maintain and expand public procurement rules that require the use of QBS to emphasize innovation and qualifications to facilitate successful project delivery.”

On Lump Sum Contracts: “ACEC would like to promote the utilization of more lump sum contracting by federal, state, and local agencies. Lump sum is a negotiated payment method that provides for a fixed price not subject to adjustment because of changes encountered in the performance of the work. The consultant assumes responsibility for costs over or under the negotiated price assuming there is no change in the scope of the project. This payment method increases the firm’s flexibility to manage the project (relative to a traditional cost-plus-fixed-fee contract using hourly rates), including the assignment of staff and utilization of advanced technologies. During my term as COO of the Illinois Tollway, we executed a pilot lump sum contract program that was immensely successful. Overall, we found lump sum contracting to be incredibly more efficient—reducing the amount of paperwork and staff time while reducing the payment cycle.

[Click here to read the entire testimony.](#)