



## Rural Alaska Community Action Program, Inc.

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March 7, 2012

Representative Bob Lynn, Chair  
House State Affairs Committee  
Alaska State Capitol Building – Room 108  
Juneau, Alaska 99801-1182

Re: HB 239 "An Act relating to the procurement of architectural, engineering, or land surveying contracts funded by money from the state."

Dear Representative Lynn and Members of the Committee:

The Rural Alaska Community Action Program (RurAL CAP) is a diverse statewide non-profit organization with services ranging from early childhood education, to supportive housing, community wellness and home weatherization. Serving lower-income Alaskans since 1965, RurAL CAP employs over 900 persons annually, and has developed many capital facilities that support its programs, including supportive housing projects and early childhood education centers.

We are pleased to see legislation introduced that would extend the process the state uses itself in procuring professional development-related services to organizations that receive state funds for capital projects. We have found that issuing a Request for Qualifications allows us to identify and select a development team that is the best fit for our projects, and helps to bring projects to the construction stage more quickly, avoiding lost time and material cost increases.

However, we have two areas of concern that we would encourage the Legislature to consider: 1) preference based on the proximity of the professional to the project site; and 2) coordination with federal funding requirements.

A preference based on proximity to the project site may result in an inadequate pool of professionals from which to choose within a particular discipline. Further, many state-funded projects are sponsored and undertaken by entities (like RurAL CAP) who are themselves removed from the project site - it is generally more cost-effective for the sponsor and the professional to be located in the same geographic area. We have found that it works well for us to have our design team members located nearby to us, which does not preclude the participation of local stakeholders in the design and development process, nor the design team's boots-on-the-ground familiarity with project site. An alternative might be for the legislation to call for a preference for professionals who have specific experience with projects in the location of the proposed project site.

Many projects these days combine state and federal funding; the bill contains a clause that provides for exemption in the case of prohibition by federal law. Unfortunately, not all of the challenges with

coordination of state and federal funding stem from federal law, but are the products of a complex set of regulations, policies and practices that often differ from one federal agency to the next. We believe that the bill would be improved by instead inserting a clause that these requirements are superseded by any contracting and/or procurement requirements imposed by federal agencies providing additional funding for the project.

Thank you for the opportunity to provide our comment on this bill. If you have any questions, please feel free to contact me at (907) 865-7370.

Very truly yours,

Mitzi C. Barker, FAICP  
Director, Planning and Construction Division