

H B

211

#1



McGLOTHLIN BALIVET CO.
ARCHITECTS & PLANNERS

March 29, 1984

Honorable Robert H. Ziegler, Sr.
Alaska State Legislature
Alaska State Senate
Pouch V
Juneau, Alaska 99811

Subject: HB-211 (Architectural, Engineering and Land Surveying Contracts)

Dear Senator Ziegler:

I urge you to pass HB-211 for the following reasons:

1. Architectural and engineering services should be procured on a quality basis. Often fees are not accurate reflections of this. A large firm may not offer the quality of service on smaller projects which a small firm offers. Conversely, a larger project may require the extensive production capabilities of a large firm. Overhead burdens, principal involvement, production systems, and quality control may differ in each case depending on the quality of services demanded. Only through negotiations is the Contracting Agency able to control this quality of services, whereas selection on a fee basis gives little or no control.
2. The old adage, "You get what you pay for", applies. In recent years, competitive bidding in construction contracts has been very keen. Bidders have underbid projects in hopes of lucrative change orders and/or claims. Where on-site quality control is lax, workmanship suffers. The Contracting Agency, therefore, is required to spend much more on site inspections. Eventually, the extra administrative costs lose anticipated savings. By selecting architects, engineers, or land surveyors also on lowest fees, the lack of quality control is compounded. In the end, the State will suffer with high maintenance costs, as well as poor quality control in design and construction.
3. Alaska has unique design and construction conditions. Outside firms who go through the paperwork of receiving Alaskan registration may be more competitive in fees, yet offer very little demonstrated competency in arctic design.

For these reasons, I again urge you to pass HB-211. Thank you for your consideration and attention.

Sincerely,

Robert F. Balivet, AIA
rbb

Municipality of Anchorage

MEMORANDUM

DATE: March 9, 1984
TO: Daniel Cowden, Program Planning and Budgeting Office
FROM: Purchasing Officer
SUBJECT: Comments on CS for HB 211

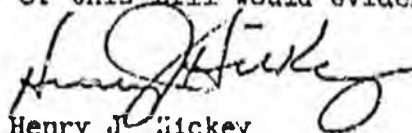
There are at least two areas of concern in CS for HB 211 from the Purchasing Division's perspective.

The first is under 36.98.041 (b) beginning at line 24 "Before selection and negotiation the State may not request or consider any statement, bid, or estimate of fees or charges for architectural, engineering, or land surveying services." This would be construed to prevent this 'political subdivision' or any 'political subdivision' from getting an estimate from any source to assist them in establishing 'fair and reasonable prices.'

It is obvious if we were prevented by law from requesting or considering competitive information on fees we would be at the mercy of the A/E community to establish the fee level. It is patently ridiculous to enter into fee negotiations and not be able to know current market conditions. Moreover, this act would put smaller political subdivisions at a major disadvantage. Smaller subdivisions only occasionally retain A/E consultants so they would not even possess the experience gained from their own negotiations - and could not seek pricing assistance even from other political subdivisions.

Although it is religiously resisted by the A/E community, there is an increasing propensity to receive unpriced proposals and, through negotiation discussions, define the work scope with several qualified consultants. When the scope is defined then competitive prices are solicited and the contract is awarded to the low priced offer. This process insures the best efforts of the consulting firms with regard to both work scope and price.

The second problem under 36.98 Section I, as proposed, is that it appears no consideration is given to small design and land surveying contracts. There are many small jobs where minimum technical effort is required. In other words, any professional of that particular design discipline should be able to equally perform. Price, then, is the only separating criterion. Passage of this bill would evidently prevent proceeding in this manner.


Henry J. Hickey
Purchasing Officer

Copy to: Barbara Steckel, Municipal Manager
Robert M. Nelson, Chief Fiscal Officer

**ANDERSEN
BJORNSTAD
KANE
JACOBS, INC.**

CONSULTING ENGINEERS

500 L STREET, SUITE 401
ANCHORAGE, ALASKA 99501
(907) 274-3660

Senator Richard Eliason
Pouch V
Juneau, Alaska 99811

20 March 1984

Subject: HB211

Dear Senator Eliason:

Though you have not acknowledged receipt of my recent letter to you regarding the subject bill, I now have a copy of your 12 March memo to the other senators. I would like to correct some of the misstatements in the memo:


First, the DOJ suit against the Board of Registration is not directly related to HB211. If you will read the disputed regulation, which has not been deleted from the books, since the outcome of the suit has not yet been decided by the judge, you will see that it is a prohibition against the submission of bids by individual registrants. HB211, on the other hand, refers only to publicly financed projects, and gives direction only to public entities.

I do agree with your comment that HB211 "had the appearance of being special interest legislation". It is, indeed, and the beneficiaries of that "special interest" are the members of the Alaska public--they will receive much better projects for less money. I am enclosing a rather well-known quotation from John Ruskin which is quite pertinent to this matter. There is another, by whom I don't know, which is, "The bitter taste caused by poor workmanship and inferior materials remains long after the sweet flavor of the low bid".

I think you should probably ask Commissioner Knapp before you publicize what you purport to be DOT/PF's position on HB211. You may be surprised at his answers.

I don't agree there is any need for a "committee substitute" to HB211. The Alaska public deserves the protection it affords for public funds.

Sincerely,



Arthur R. Jacobs, PE

ARJ/ik
cc: Scott Burgess
Senator Sturgulewski

“The Lowest Bidder . . .

It's unwise to pay too much, but it's worse to pay too little. When you pay too much, you lose a little money — that is all. When you pay too little, you sometimes lose everything, because the thing you bought was incapable of doing the thing it was bought to do. The common law of business balance prohibits paying a little and getting a lot — it can't be done! If you deal with the lowest bidder, it is well to add something for the risk you run. And if you do that, you will have enough to pay for something better.”

John Ruskin
1819 - 1900



Peratrovich, Nottingham & Drage, Inc.

Engineering Consultants

Telex 090 26436
Int. Telex 200 26436

1506 West 36th Avenue • Suite 101 • Anchorage, Alaska 99503 • 907-561-1011

April 2, 1984

PN&D 84000

The Honorable Richard I. Eliason
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Re: HB 211

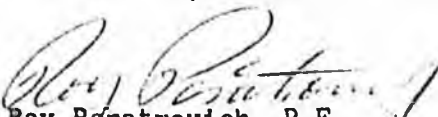
Dear Senator:

I recently contacted several senators, including yourself, concerning the above-referenced house bill. Some have replied with copies of your Committee on Labor and Commerce memorandum, dated March 12, 1984, in which you encourage talks between the architectural community and the Alaska Department of Transportation and Public Facility (DOT/PF) officials. Which DOT/PF officials do you suggest we contact, and what steps have been taken to promote these talks?

I still believe the above legislation is the best route for all concerned, especially the people of Alaska, but I am willing to discuss alternative solutions. Please contact me as soon as you are able so that this matter may be dealt with expeditiously.

Sincerely,

PERATROVICH, NOTTINGHAM & DRAGE, INC.


Roy Peratrovich, P.E.
Vice President

RP/bm/L2



Peratrovich, Nottingham & Drage, Inc.

Engineering Consultants

Telex 090 26436
Int. Telex 200 26436

1506 West 36th Avenue • Suite 101 • Anchorage, Alaska 99503 • 907-561-1011

April 2, 1984

PN&D 84000

The Honorable Richard I. Eliason
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Re: HB 211

Dear Senator:

I recently contacted several senators, including yourself, concerning the above-referenced house bill. Some have replied with copies of your Committee on Labor and Commerce memorandum, dated March 12, 1984, in which you encourage talks between the architectural community and the Alaska Department of Transportation and Public Facility (DOT/PF) officials. Which DOT/PF officials do you suggest we contact, and what steps have been taken to promote these talks?

I still believe the above legislation is the best route for all concerned, especially the people of Alaska, but I am willing to discuss alternative solutions. Please contact me as soon as you are able so that this matter may be dealt with expeditiously.

Sincerely,

PERATROVICH, NOTTINGHAM & DRAGE, INC.

Brent T. Drage, P.E.
Vice President

BTD/lm/L2

REGINA GRIMES
4049 San Ernesto Avenue
Anchorage, Alaska 99508

March 27, 1984

Robert H. Ziegler
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Ziegler,

I'm writing to request your support for HB 211. This bill would codify the current procedure whereby architects and engineers are chosen by the State and local governments. It would preclude price bidding for those services.

The architectural and engineering community has been working on this bill for three years. The bill has passed the House and currently resides in the Senate Labor and Commerce Committee. It will likely remain in this committee until there is a substantial show of support for the bill by the rest of the Senate.

During a recent poll of 1,600 architects and engineers, more than 91% indicated they supported this bill.

The Federal government and twenty-nine other states have enacted similar legislation.

Thank you for your consideration. Any help you can give to move this bill will be greatly appreciated by our community.

Sincerely,



Regina Grimes

RG/glj

Marilyn M. Barbeau
6624 East Sixth Avenue
Anchorage, Alaska 99504

March 29, 1984

Honorable Robert H. Ziegler, Sr.
Alaska State Legislature
Alaska State Senate
Pouch V
Juneau, Alaska 99811

Dear Senator Ziegler:

I am writing you to enlist your support for HB-211. This bill is important to the members of the Architectural and Engineering community, but on a broader scale, to all of those in our State.

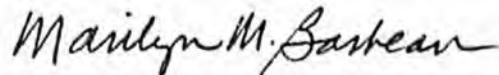
This bill would provide a procedure whereby Architect and Engineers are selected by State and local governments on the basis of professional qualification and previous experience. It would preclude price bidding for those services.

The Federal Government has for many years had similar legislation known as the Brooks Bill and twenty-nine other states have also enacted similar legislation. The Architectural and Engineering community has been working on this bill for three years and the bill is favored by over 90% of the community. The bill has passed the House and it is my understanding that it currently is in the Senate Labor & Commerce Committee.

Alaskan conditions are unique as they relate to the design and construction of facilities within our State and as such it is extremely important that design services for these facilities are selected based on qualifications and experience. We will all benefit.

I thank you for your consideration and urge your support to move HB-211 through the Senate during this legislative session.

Sincerely,



Marilyn M. Barbeau, AIA

HAEG · BETTIS · ASSOCIATES^{INC.}

March 30, 1984

Richard I. Eliason
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Eliason,

Recently I sent you a letter urging your support for HB 211, a Mini-Brooks Bill which precludes bidding for A/E Services. The bill currently resides in the Senate.

Attached you will find a Cost Benefit Analysis prepared by Consultant Management Services, Inc. which compares competitive bidding with competitive negotiation. This is the best comparison I have seen. Important points have been highlighted.

If you have not yet concluded negotiated A/E contracts are far superior to bidding design services, a review of the document would be highly informative.

Again, your support of HB 211 is appreciated.

Thank you for your time and consideration.

Sincerely,



Thomas Steven Bettis, Architect
Vice President

Attachment

TSB/glj

HAEG · BETTIS · ASSOCIATES^{INC.}

March 30, 1984

Robert H. Ziegler
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Ziegler,

Recently I sent you a letter urging your support for HB 211, a Mini-Brooks Bill which precludes bidding for A/E Services. The bill currently resides in the Senate.

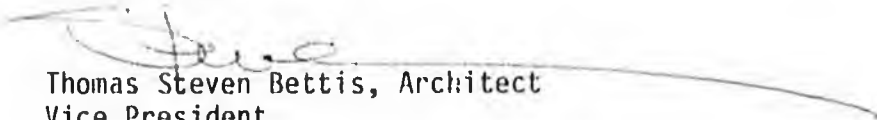
Attached you will find a Cost Benefit Analysis prepared by Consultant Management Services, Inc. which compares competitive bidding with competitive negotiation. This is the best comparison I have seen. Important points have been highlighted.

If you have not yet concluded negotiated A/E contracts are far superior to bidding design services, a review of the document would be highly informative.

Again, your support of HB 211 is appreciated.

Thank you for your time and consideration.

Sincerely,



Thomas Steven Bettis, Architect
Vice President

Attachment

TSB/glj

FP
E.

March 30, 1984

Senator Richard I. Eliason
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

REFERENCE: HB 211

Dear Senator Eliason:

This letter is written in the hope you will support HB 211. The bill represents three years of work by the architectural and engineering communities, and we feel is worthy of passage.

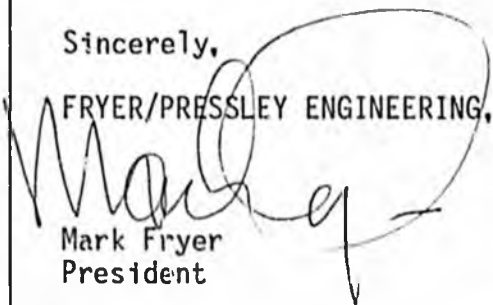
The bill provides for competition among design professionals on the basis of qualifications. The current trend toward the selection of design professionals on the basis of price alone, if allowed to continue, will effectively subsidize the legal community at the expense of the citizen. The current trend toward selection based upon price alone will also assure that the state will retain the least talented of engineers available. Imagine accepting the bid of an engineer to design a road on the North Slope when that engineer has never set foot north of Juneau. Such a situation could happen if the current trend toward competitive bidding of design services continues.

HB 211 can stop the trend while providing a basis for competition in the design marketplace.

Thank you for consideration of this matter.

Sincerely,

FRYER/PRESSLEY ENGINEERING, INC.



Mark Fryer
President

Marilyn M. Barbeau
6624 East Sixth Avenue
Anchorage, Alaska 99504

March 29, 1984

Honorable Richard J. Eliason
Alaska State Legislature
Alaska State Senate
Pouch V
Juneau, Alaska 99811

Dear Senator Eliason:

I am writing you to enlist your support for HB-211. This bill is important to the members of the Architectural and Engineering community, but on a broader scale, to all of those in our State.

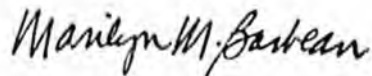
This bill would provide a procedure whereby Architect and Engineers are selected by State and local governments on the basis of professional qualification and previous experience. It would preclude price bidding for those services.

The Federal Government has for many years had similar legislation known as the Brooks Bill and twenty-nine other states have also enacted similar legislation. The Architectural and Engineering community has been working on this bill for three years and the bill is favored by over 90% of the community. The bill has passed the House and it is my understanding that it currently is in the Senate Labor & Commerce Committee.

Alaskan conditions are unique as they relate to the design and construction of facilities within our State and as such it is extremely important that design services for these facilities are selected based on qualifications and experience. We will all benefit.

I thank you for your consideration and urge your support to move HB-211 through the Senate during this legislative session.

Sincerely,



Marilyn M. Barbeau, AIA



McGLOTHLIN BALIVET CO.
ARCHITECTS & PLANNERS

March 29, 1984

Honorable Richard J. Eliason
Alaska State Legislature
Alaska State Senate
Pouch V
Juneau, Alaska 99811

Subject: HB-211 (Architectural, Engineering and Land Surveying Contracts)

Dear Senator Eliason:

I urge you to pass HB-211 for the following reasons:

1. Architectural and engineering services should be procured on a quality basis. Often fees are not accurate reflections of this. A large firm may not offer the quality of service on smaller projects which a small firm offers. Conversely, a larger project may require the extensive production capabilities of a large firm. Overhead burdens, principal involvement, production systems, and quality control may differ in each case depending on the quality of services demanded. Only through negotiations is the Contracting Agency able to control this quality of services, whereas selection on a fee basis gives little or no control.
2. The old adage, "You get what you pay for", applies. In recent years, competitive bidding in construction contracts has been very keen. Bidders have underbid projects in hopes of lucrative change orders and/or claims. Where on-site quality control is lax, workmanship suffers. The Contracting Agency, therefore, is required to spend much more on site inspections. Eventually, the extra administrative costs lose anticipated savings. By selecting architects, engineers, or land surveyors also on lowest fees, the lack of quality control is compounded. In the end, the State will suffer with high maintenance costs, as well as poor quality control in design and construction.
3. Alaska has unique design and construction conditions. Outside firms who go through the paperwork of receiving Alaskan registration may be more competitive in fees, yet offer very little demonstrated competency in arctic design.

For these reasons, I again urge you to pass HB-211. Thank you for your consideration and attention.

Sincerely,

Robert F. Balivet, AIA

mm

LEO MC GLOTHLIN, AIA

ARCHITECT

600 CORDOVA, SUITE SIX, ANCHORAGE, ALASKA 99501 (907) 279-7811
276-2900

March 28, 1984

Honorable Richard J. Eliason
Alaska State Legislature
Alaska State Senate
Pouch V
Juneau, Alaska 99811

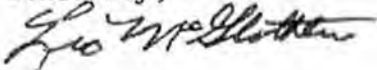
Dear Senator Eliason:

I am writing you to request your support for HB-211. This bill would provide a procedure whereby Architects and Engineers are chosen by State and local governments on the basis of professional qualifications and past experience and would preclude price bidding for those services. The Federal government has for many years had similar legislation known as the Brooks Bill. Twenty-nine other states have enacted similar legislation. The Architectural and Engineering community has been working on this bill for three years and the bill is favored by over 90% of the community. The bill has passed the House. It is my understanding that it currently resides in the Labor & Commerce Committee and as Chairman your support is vital and would be greatly appreciated.

The value of this type of a bill relates very closely to the current and ongoing disputes relative to correctional facilities in the State. Everyone currently seems to be playing down or ignoring the ongoing costs of operation and maintenance for any new facilities. On the assumption that a correctional officer including salary and benefits would cost the State approximately \$50,000.00 per year, such a position on a 24 hour a day basis, 365 days a year, would require at least four men or \$200,000.00 per year. It is very easy to calculate that through efficient design, particularly in a maximum security facility, the long term cost savings to the State can be very significant. Not only will a well conceived design reduce the staff requirements, but further can substantially reduce the ongoing operation and maintenance costs. This attention to design cannot be realized in a competitive bid situation, but only by selection based on professional qualifications and experience.

I would thank you for your consideration and urge you to provide any assistance you can give to move the bill through the Senate during this session.

Sincerely,



Leo McGlothlin, AIA

mm

RICHARD E. KEITHAHN, ARCHITECT, AIA
10480 FRITZ COVE ROAD
JUNEAU, ALASKA 99801
907-789-7495

March 29, 1984

Senator Robert Ziegler
State Capitol
Juneau, Alaska 99801

Dear Senator Ziegler

I'm writing in reference to HB 211 which is of significant interest to the architects and engineers of Alaska. As you may know this bill would codify procedures whereby architects and engineers are chosen by state and local governments. It would preclude bidding for services and would allow selection of the most competent with cost considerations, rather than the lowest bidder.

The bill, having passed the House, resides in the Senate Labor and Commerce Committee where it is likely to remain without substantial support from the rest of the Senate.

If you desire additional information on this legislation please refer to the material furnished to your office by the Alaska Chapter of the American Institute of Architects.

Your help in moving this bill through the Senate would be greatly appreciated.

Thank you for your consideration.

Sincerely,



Richard E. Keithahn

RE Kb

LEO MC GLOTHLIN, AIA

ARCHITECT

600 CORDOVA, SUITE SIX, ANCHORAGE, ALASKA 99501 (907) ~~279-7811~~
276-2900

March 28, 1984

Honorable Robert H. Ziegler, Sr.
Alaska State Legislature
Alaska State Senate
Pouch V
Juneau, Alaska 99811

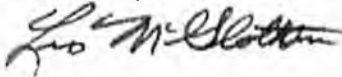
Dear Senator Ziegler:

I am writing you to request your support for HB-211. This bill would provide a procedure whereby Architects and Engineers are chosen by State and local governments on the basis of professional qualifications and past experience and would preclude price bidding for those services. The Federal government has for many years had similar legislation known as the Brooks Bill. Twenty-nine other states have enacted similar legislation. The Architectural and Engineering community has been working on this bill for three years and the bill is favored by over 90% of the community. The bill has passed the House. It is my understanding that it currently resides in the Labor & Commerce Committee and I am greatly concerned that it will remain there unless there is substantial support for the bill by the rest of the Senate.

The value of this type of a bill relates very closely to the current and ongoing disputes relative to correctional facilities in the State. Everyone currently seems to be playing down or ignoring the ongoing costs of operation and maintenance for any new facilities. On the assumption that a correctional officer including salary and benefits would cost the State approximately \$50,000.00 per year, such a position on a 24 hour a day basis, 365 days a year, would require at least four men or \$200,000.00 per year. It is very easy to calculate that through efficient design, particularly in a maximum security facility, the long term cost savings to the State can be very significant. Not only will a well conceived design reduce the staff requirements, but further can substantially reduce the ongoing operation and maintenance costs. This attention to design cannot be realized in a competitive bid situation, but only by selection based on professional qualifications and experience.

I would thank you for your consideration and urge you to provide any assistance you can give to move the bill through the Senate during this session.

Sincerely,



Leo McGlothlin, AIA

mm

2357 Hialeah Drive
Anchorage, Alaska 99503

March 29, 1984

Senator Robert H. Ziegler Sr.
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Ziegler,

HB 211 pertaining to State selection procedures for obtaining architectural and engineering services is currently being considered by the Senate Labor and Commerce Committee. In essence, HB 211 would preclude the State from selecting architects and engineers on the basis of price alone.

Clients who are accustomed to procuring commodities believe that competitive bidding offers the advantage of safely obtaining design services at the lowest possible cost. While there is the advantage of potential savings in the cost of design services, the problems with bidding present the State with potential disadvantages that are very real:

1. A solicitation for design services that exactly describes the scope and quality of those services is difficult if not impossible to prepare. This would be analogous to the plans and specifications an architect or engineer would provide to a contractor that wished to prepare a bid for the construction of a new structure. Inasmuch as the scope and quality issues will be less specific and more ambiguous than plans and specifications, the architect will have to make assumptions on the kind and scope of services to provide. This situation can produce an adversarial relationship between the owner and the low bidder due to a lack of clarity in the scope documents. Defining a basic scope of work for a project would require that the owner-client conduct an extensive and knowledgeable in-house consultation process to develop this information prior to releasing scope documents to be used as the basis of consultant bidding.
2. All other things being equal, the low bidder will obtain the design commission due to his ability to produce the job in less time. By necessity, he will be required to limit the time he can allot for the development of his design solution. A structure that is economical to construct and economical to operate takes time and effort to design. Bidding may not allow the designer the flexibility to explore alternative solutions to design problems. Life-cycle maintenance and operating cost savings resulting from a thoughtful and deliberative

Senator Robert H. Ziegler Sr.

March 29, 1984

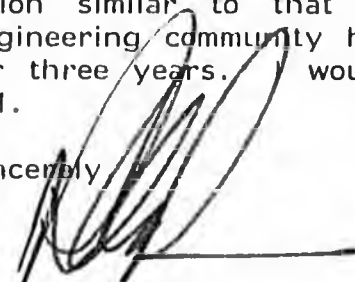
Page 2

design process will be many times greater than the potential fee reduction resulting from bidding design services. The percentage of a project's total construction cost that is utilized for architectural and engineering fees is very small. In fact, total construction cost appears small when compared with a project's life-cycle cost.

3. Quantification of the architect's or engineer's experience, creativity, past performance, financial strength, and professional skill may not be possible in bidding, whereas the success of the project is, to a large part, dependent on these factors.
4. A great deal more money could be spent correcting construction or operational problems if the design or construction documents for a facility are reduced in quality as a result of the bidding process. The effect of bidding on liability insurance claims and costs is not documented at this time but is an issue of increasing concern to design consultants and their E&O insurers. It is felt that those firms successfully bidding for design commissions will be the ones who will feel comfortable treading that fine line between a set of minimally coordinated and detailed project documents and ones potentially containing errors and omissions caused by extremely tight production cost constraints.

The Federal government and twenty-nine other states have enacted legislation similar to that proposed by HB 211. The architectural and engineering community has been working toward the passage of this bill for three years. I would recommend and appreciate your support of HB 211.

Sincerely,



Richard B. Riegels, AIA
Principal
CCC Architects and Planners

cc: Richard I. Eliason

RBR/nri

1055 West 20th Avenue
Anchorage, Alaska 99503

March 26, 1984

Senator Richard I. Eliason
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Eliason,

I'm writing to urge your support for HB 211. This bill would codify the procedure for the selection of architects and engineers by the State and local governments. It would use qualifications rather than price alone as the prime criteria for selection.

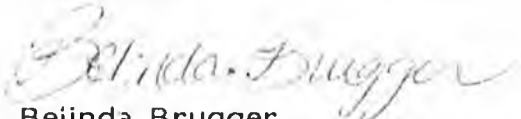
The architectural and engineering community has been working on this bill for three years. The bill has passed the House and currently resides in the Senate Labor and Commerce Committee. Your support for this bill is necessary to bring it out of committee.

The Federal government and twenty-nine other states have enacted similar legislation.

For further information on this legislation, please refer to the material previously provided to your office.

Your support and assistance in passage of this bill will be greatly appreciated.

Sincerely,



Beinda Brugger
Director Interior Design

BB/nri

**JAMES SIPMAN ■ ARCHITECT ■ A.I.A.
& ASSOCIATES**

4101 ARCTIC BLVD., STE. 101 ■ ANCHORAGE, AK. 99503 ■ (907) 878-8088

562-2121

March 23, 1984

Richard Eliason, Chairman
Labor & Commerce Committee
Alaska State Senate
Pouch V, Capitol Bldg., Rm. 417
Juneau, AK 99811

RE: HB 211 (A/E services procurement)

Dear Senator Eliason:

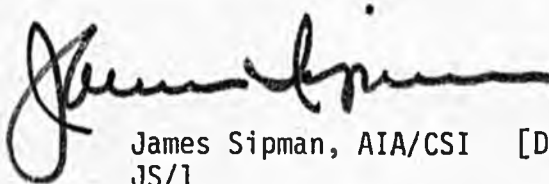
I am writing you to request that you urge the committee to take action on this very critical bill that will have significant impact on the architectural and engineering community directly and its contracting for services with the State.

As you know we have been working on this measure for over three years, such legislation being in force in twenty nine other states as well as the federal government.

The material supplied your office clearly indicates the need for such a bill and tabulates the resulting advantages for implementing the proposed legislation.

Please take a few minutes to review the data available which I am sure will convince you to support HB 211 in the committee as well as on the floor of the Senate for action this session.

Regards,



James Sipman, AIA/CSI [District H]
JS/1

xc: Rick Halford
Tim Kelly

John E. McDonough, P.E.

CIVIL ENGINEER

1220 Glacier Ave. #210
Juneau, Alaska 99801

(907)586-6524

March 22, 1984

The Honorable Richard I. Eliason
Pouch V, Mail Stop 3100
Juneau, Alaska 99811

Re: HB 211-"Mini Brooks Bill"

Dear Senator Eliason:

I was not privileged to attend the Senate Committee hearing concerning HB 211. I am advised that at the conclusion of the hearing, you stated that you were not convinced of the merits of the bill and that the bill would remain in your committee until you were convinced of the bill's merit.

In an attempt to convince you to at least move the bill, I ask that you consider the following analogy. Let us assume that you decide that you want to become a full-time fisherman in the Aleutians-Bering Sea area, and that you desire to be able to fish for crab, long-line, and stern-trawl for bottom fish. Let us further assume that you want a new vessel, one that is to be designed and constructed to meet your requirements.

Would you advertise in the NATIONAL FISHERMAN or in WORKBOAT for a naval architect to submit proposals and then select on the basis of fee alone? I think not! I believe that you would first ascertain whether one of the yards in the northwest had a stock design that would either fulfil or could be reasonably modified to fulfil your requirements. Failing this, I think that you would contact one or more naval architects, who had proven designs actually working in the fishery. Then, after establishing to your satisfaction the competency of one or more designers, the element of design cost would enter into your negotiations.

In other words, the security of obtaining either a proven design or having the design work performed by a successful designer is more important than the mere cost of the design work. In either case you would end up with a vessel that was designed to perform specific tasks in a specific fishery rather than a "cookbook" design.

It is not my contention that all design work performed by designers selected on the basis of price will not be acceptable, or that all design work performed by designers selected by other means will be perfect. It is my belief that the best design work will be performed by persons having previous experience on similar types of projects and knowledge of local and regional conditions.

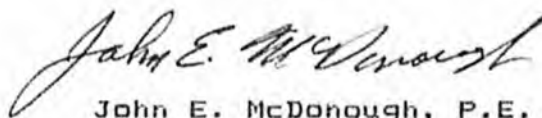
The old axiom, "you get what you pay for", has a very real meaning in the procurement of any kind of services. In my almost thirty-four years since college, it has been my experience that the first cost of anything is rarely the most significant cost element, especially in professional services.

Passage of this legislation would require consideration of criteria other than cost and, hopefully, thereby benefit the public welfare.

I have no personal gain interest in this bill, as I have performed no work for the state since my retirement from the DOT/PF over two years ago nor do I intend to perform any work for the state for several reasons which are not germane to this issue.

I hope that the ideas expressed herein will be of some use to you and at least provide you with the views of one member of the engineering profession.

Sincerely,

A handwritten signature in cursive script that reads "John E. McDonough". The signature is written in dark ink and is positioned above the printed name.

John E. McDonough, P.E.



ANCHORAGE BRANCH
AMERICAN SOCIETY OF CIVIL ENGINEERS

March 21, 1984

Senator Richard I. Eliason
Chairman, Labor and Commerce Committee
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Eliason,

As President of the 500-member Anchorage Branch of ASCE, I am urging you to move HB 211 through the Senate. This bill, currently residing in your committee, is very important to our profession. A recent poll indicates that more than 90% of the architectural and engineering community supports the bill. Any help you can give us will be greatly appreciated.

For further information on this legislation please refer to the material already provided to your office by the Consulting Engineers Council. If you have any questions of the members of ASCE specifically, please contact me at:

4920 Hartman Circle
Anchorage, Alaska
99507
PH. 563-8335

Thank you for your consideration.

Sincerely,

Sharen Walsh Linford, P.E.
Sharen Walsh Linford, P.E.
President

March 19, 1984

Senator Richard I. Eliason
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Eliason,

I'm writing to urge your support for HB 211. This bill would codify the procedure for the selection of architects and engineers by the State and local governments. It would use qualifications rather than price alone as the prime criteria for selection.

The architectural and engineering community has been working on this bill for three years. The bill has passed the House and currently resides in the Senate Labor and Commerce Committee. Your support for this bill is necessary to bring it out of committee.

The Federal government and twenty-nine other states have enacted similar legislation.

For further information on this legislation, please refer to the material previously provided to your office.

Your support and assistance in passage of this bill will be greatly appreciated.

Sincerely,



Jerry Ballantyne, Assoc. AIA
3062 West 42nd Place #4
Anchorage, Alaska 99503

JB/nnl

3131 Lark #4
Anchorage, Alaska 99508

March 19, 1984

Senator Richard I. Eliason
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Eliason,

I'm writing to urge your support for HB 211. This bill would codify the procedure for the selection of architects and engineers by the State and local governments. It would use qualifications rather than price alone as the prime criteria for selection.

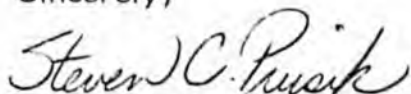
The architectural and engineering community has been working on this bill for three years. The bill has passed the House and currently resides in the Senate Labor and Commerce Committee. Your support for this bill is necessary to bring it out of committee.

The Federal government and twenty-nine other states have enacted similar legislation.

For further information on this legislation, please refer to the material previously provided to your office.

Your support and assistance in passage of this bill will be greatly appreciated.

Sincerely,



Steven C. Prusik
Graphics Coordinator

SCP/nnl

1836 Columbine St.
Anchorage, Alaska 99508

March 19, 1984

Senator Richard I. Eliason
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Eliason,

I'm writing to urge your support for HB 211. This bill would codify the procedure for the selection of architects and engineers by the State and local governments. It would use qualifications rather than price alone as the prime criteria for selection.

The architectural and engineering community has been working on this bill for three years. The bill has passed the House and currently resides in the Senate Labor and Commerce Committee. Your support for this bill is necessary to bring it out of committee.

The Federal government and twenty-nine other states have enacted similar legislation.

For further information on this legislation, please refer to the material previously provided to your office.

Your support and assistance in passage of this bill will be greatly appreciated.

Sincerely,



Mark S. Smedley
Intern Architect

MSS/nnl

1736-A West 11th Avenue
Anchorage, Alaska 99501
(907) 274-5414

March 19, 1984

Senator Richard I. Eliason
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Eliason,

I'm writing to urge your support for HB 211. This bill would codify the procedure for the selection of architects and engineers by the State and local governments. It would use qualifications rather than price alone as the prime criteria for selection.

The architectural and engineering community has been working on this bill for three years. The bill has passed the House and currently resides in the Senate Labor and Commerce Committee. Your support for this bill is necessary to bring it out of committee.

The Federal government and twenty-nine other states have enacted similar legislation.

Your support and assistance in passage of this bill will be greatly appreciated.

Sincerely,



Elizabeth G. Braun

EGB/nnl

BID CONTRACTS AS CRITERION:

- . Professionals must compete openly against each other.
- . Profession becomes secretive about methods and practices.
- . State may pay less \$ for projects.
- . Small firms get "break" and chance to work on new building types.
- . Free enterprise.
- . Lessening of professional services - Professional Services = Time = \$.
- . Decrease in quality of buildings and projects.
- . Decrease in salaries of professionals to compensate for low bids.
- . Professionals of quality leaving state for reasonable employment elsewhere.
- . Firms of little or no experience receiving jobs they cannot handle and are not qualified to do.

QUALIFICATIONS AS CRITERION:

- . State allowed to choose firm with best qualifications.
- . Full Service provided by professionals.
- . Projects managed by competent and experienced professionals.
- . State pays same \$ as now for work.
- . State draws well qualified people to live and work here.
- . Quality buildings and projects are produced.
- . Large firms train young professionals in certain construction types - They later branch out on their own after gaining experience.
- . Information concerning building practices is openly shared among professionals.

1835 Northwestern
Anchorage, Alaska 99504

March 19, 1984

Senator Richard I. Eliason
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Eliason,

I'm writing to urge your support for HB 211. This bill would codify the procedure for the selection of architects and engineers by the State and local governments. It would use qualifications rather than price alone as the prime criteria for selection.

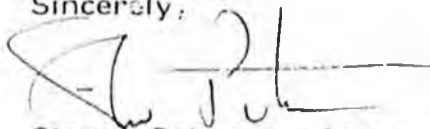
The architectural and engineering community has been working on this bill for three years. The bill has passed the House and currently resides in the Senate Labor and Commerce Committee. Your support for this bill is necessary to bring it out of committee.

The Federal government and twenty-nine other states have enacted similar legislation.

For further information on this legislation, please refer to the material previously provided to your office.

Your support and assistance in passage of this bill will be greatly appreciated.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Steven Peterson', written over a horizontal line.

Steven Peterson, Assoc. AIA
Architect

SP/nnl

SRA Box 6354
Wasilla, Alaska 99687

March 19, 1984

Senator Richard I. Eliason
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Eliason,

I'm writing to urge your support for HB 211. This bill would codify the procedure for the selection of architects and engineers by the State and local governments. It would use qualifications rather than price alone as the prime criteria for selection.

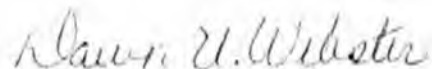
The architectural and engineering community has been working on this bill for three years. The bill has passed the House and currently resides in the Senate Labor and Commerce Committee. Your support for this bill is necessary to bring it out of committee.

The Federal government and twenty-nine other states have enacted similar legislation.

For further information on this legislation, please refer to the material previously provided to your office.

Your support and assistance in passage of this bill will be greatly appreciated.

Sincerely,



Dawn U. Webster
Construction Administrator

DUW/nnl

March 19, 1984

Senator Richard I. Eliason
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Eliason,

I'm writing to urge your support for HB 211. This bill would codify the current procedure whereby architects and engineers are chosen by the State and local governments. It would preclude price bidding for those services as the sole means of selection.

The architectural and engineering community has been working on this bill for three years. The bill has passed the House and currently resides in the Senate Labor and Commerce Committee. ~~The committee chairman has~~ ^{you} ~~has~~ ^{have} said that it will remain in ~~his~~ ^{your} committee until there is a substantial show of support for the bill by the rest of the Senate.

During a recent poll of 1,600 architects and engineers, more than 91% indicated they supported this bill.

The Federal government and twenty-nine other states have enacted similar legislation.

For further information on this legislation, please refer to the material previously provided to your office.

Thank you for your consideration. Any help you can give to move this bill will be greatly appreciated by our community.

Sincerely,



Sharon Davidoff
1335 Latouche
Anchorage, Alaska 99501

SD/nnl

P.O. Box 4817
Anchorage, Alaska 99509

March 19, 1984

Senator Richard I. Eliason
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Eliason,

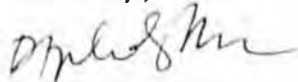
As a licensed architect, I'm writing to urge your support for HB 211. This bill would codify the procedure presently used by the State and local governments for the selection of architects and engineers. Qualifications rather than price alone would be the prime criteria for selection.

The architectural and engineering community has been working on this bill for three years. The bill has passed the House and currently resides in the Senate Labor and Commerce Committee. Your support for this bill is necessary to bring it out of committee.

The Federal government and twenty-nine other states have enacted similar legislation. For further information on this legislation, please refer to the material previously provided to your office.

Your support and assistance in passage of this bill will be greatly appreciated.

Sincerely,



Daphne E. Brown, AIA

DEB/nnl

FRANKLIN & ALLEN, INC.

Consulting Engineers

1813 East First Avenue
Suite 207
Anchorage, Alaska 99501
(907) 277-1631

March 14, 1984

Richard L. Eliason
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

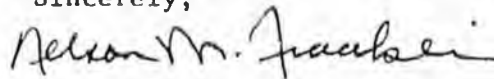
Dear Senator Eliason:

I'm writing to request your support for HB 211. This bill states, "The state shall select persons or firms for the performance of Architectural, Engineering or Land Surveying Services and award contracts for these services at fair and reasonable prices only on the basis of demonstrated competence and qualification for the type of professional services required." It would codify the current procedure whereby architects and engineers are chosen by the State and local governments.

The bill has passed the House and currently resides in the Senate Labor and Commerce Committee. It will likely remain in this committee until there is a substantial show of support for the bill by the rest of the Senate. During a recent poll of architects and engineers, more than 90% indicated they supported this bill. The Federal government and twenty-nine other states have enacted similar legislation.

If you have any questions or need further information concerning this bill or the required procedures please call. Thank you for your consideration. Please respond as I am interested in your position on this bill.

Sincerely,



Nelson M. Franklin, P.E.

Don't like it!



GOLDEN VALLEY ELECTRIC ASSOCIATION INC. Box 1249, Fairbanks, Alaska 99707, Phone 907-452-1151

February 29, 1984

Dear Legislator:

As a contracting owner that often requires the need of professional services and has recently had the pleasure of performing work for the State of Alaska through the Alaska Power Authority, GVEA would like to enlist your support in opposing HB 211.

Professional services are not something an owner expects to obtain solely on the basis of lowest responsive bidder. Neither should these services be selected solely on the basis of a long, detailed list of qualifications and past experience for projects performed by engineers that have long since left the employment of a large, long time engineering firm.

Any contracting owner must retain the flexibility to solicit professional engineering proposals on the basis of current qualifications together with a statement of hourly charges and reimbursable expenses. These components are both necessary to insure a quality selection at a reasonable price.

Please vote against HB 211.

Best regards,

Michael P. Kelly
General Manager

March 16, 1984

Stephen D. Shrader
1475 Essex Circle
Anchorage, Alaska

Senate Labor & Commerce Committee
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Gentlemen:

I'm writing to urge you to release HB 211 from committee. As you know, this bill would codify the current procedure whereby architects, engineers and land surveyors are selected for contract negotiations by the State and local governments based on experience and qualifications. It would preclude price bidding for those services.

The architectural and engineering community has been working on this bill for three years. The bill has passed the House and presently resides in your committee. I am taking this opportunity to show my support for this bill and urge you to allow it out of committee.

During a recent poll of Alaska's architects, engineers, and land surveyors 90 percent indicated they support this bill. Results of the poll are attached.

The Federal government and twenty-nine other states have enacted similar legislation.

Also, I have enclosed a copy of a recent editorial regarding Maryland's competitive price bidding on State projects. It simply is not prudent to bid a job with little or no well-defined scope of work.

Thank you for your consideration. Any help you can provide in moving this bill will be greatly appreciated by our community.

Sincerely,



Stephen D. Shrader, P.E.

Attachments

XC: CECA
c/o 3812 Spenard Road
Suite 100
Anchorage, Alaska 99503

As We See It

Maryland's Great Experiment: Is it Working?

In 1974, with procurement scandals washing over the State of Maryland, involving Vice President Agnew and ultimately Governor Mandel, state legislators suddenly got religion. In knee jerk fashion they designed and passed a bill mandating competitive price bidding for A/E services on all state projects.

This Great Experiment, fortunately, did not spread to other states. Fortunately, because it has not worked. Whether or not it has stopped the political machinations (read payoffs) is not ours to say. Our question is how the law has affected the A/E profession and design quality in the state.

Consulting Engineers Council of Metropolitan Washington, whose members practice in Washington, D.C., and its surrounding Virginia and Maryland suburbs, queried its members on the system late in 1982.

Sixty one percent of the 119 members replied. Of these, 36% have not sought work since the law went into effect. Of the 46 firms that have, more than one half have abandoned the effort, mostly because of the inability to do a good job for the low fees that regularly win jobs.

Both a technical and a price proposal are required and they do not come cheap, averaging \$2420 for all projects listed by respondents. Counting only those proposals submitted by firms still doing work for the state, the average is \$3428.

Although this is serious because it eliminates many small firms from the field, the real question is quality. What kind of work is the state getting for its money? Asked whether they got the job because of the technical merits of their proposal or a low fee, 68% of the successful bidders cited low fees. Asked to evaluate design quality, 30 of 42 respondents said it was being lowered, nine that it was being maintained, and three thought it was raised. Of these firms, only 13 still seek state work; six of these said quality has suffered, five said it is the same, and two that it had improved.

Almost 68% of the firms working for the state admitted that they either lost money or broke even on their projects. Then why take them? The answer is frightening in its naiveté: to gain a favorable reputation in expectation of future profitable work.

Jane Edmunds

Editorial Director

Editorial Staff

Estel (Bud) Reed	<i>Publisher</i>	Diana Samuels	<i>Associate Editor</i>
Jane Edmunds	<i>Editorial Director</i>	John K. Bowersox	<i>Washington Editor</i>
Stanley Cohen*	<i>Editor</i>	A. M. Steinmetz, P.E.	<i>Consulting Editor</i>
Marilyn Garbrecht	<i>Senior Editor</i>	Doris Angeline	<i>Editorial Secretary</i>
Rod Dickens	<i>Associate Editor</i>		
Pat Blanchard	<i>Associate Editor</i>		

*Stanley Cohen: 875 Third Ave., New York, N.Y. 10022, 212/605-9651

Coming Next Month

Computer room design, engineering models, and finance and accounting for small firms are a sampling of August features.

RESPONSE TO POLL OF THE PROFESSIONS OF ARCHITECTURE, ENGINEERING AND LAND SURVEYING
REGARDING THE ADOPTION OF HB 211 BY THE STATE OF ALASKA

Poll Conducted December, 1983

Returns as of 2/16/84

	Licensed Respondents			Non-licensed Respondents	TOTALS
	Architects	Engineers	Land Surveyors		
Government Administrators					
In Favor	8	36	7	15	66
Opposed		8	2	3	13
Indifferent		1			1
Private Consultants					
In Favor	38	114	24	11	187
Opposed		5	2	1	8
Indifferent		1			1
Other Respondents					
In Favor	7	46	6	20	79
Opposed	1	4	4	3	12
Indifferent		1		3	4
All Respondents					
In Favor	53	196	37	46	332
Opposed	1	17	8	7	33
Indifferent	0	3	0	3	6
Total Respondents	54	216	45	56	371

March 16, 1984

Stephen D. Shrader
1475 Essex Circle
Anchorage, Alaska

Richard I. Eliason
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator:

I'm writing to request your support for HB 211. This bill would codify the current procedure whereby architects, engineers, and land surveyors are selected for contract negotiations by the State and local governments based on experience and qualifications. It would preclude price bidding for those services.

The architectural and engineering community has been working on this bill for three years. The bill has passed the House and currently resides in the Senate Labor and Commerce Committee. It will likely remain in this committee until there is a substantial show of support for the bill by the rest of the Senate.

During a recent poll of Alaska's architects, engineers, and land surveyors 90 percent indicated they support this bill. Results of the poll are attached.

The Federal government and twenty-nine other states have enacted similar legislation.

I have enclosed a copy of a recent editorial regarding Maryland's competitive price bidding on State projects.

Thank you for your consideration. Any help you can provide in moving this bill will be greatly appreciated by our community.

Sincerely,



Stephen D. Shrader, P.E.

Attachments

XC: CECA
c/o 3812 Spenard Road
Suite 100
Anchorage, Alaska 99503

March 12, 1984

The Honorable Robert H. Ziegler, Sr.
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Ziegler:

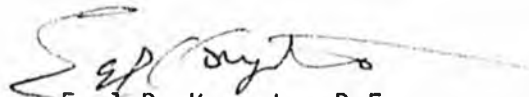
HB 211 would codify the current procedure whereby the State and local governments choose architects and engineers. It would preclude price bidding for their services.

A recent poll of architects and engineers indicated 91% supports this legislation.

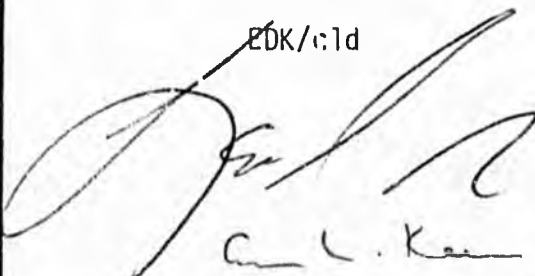
Unless there is a substantial show of support for this bill it will die in its current committee, Senate Labor and Commerce.

Any help you can give us to move this bill will be greatly appreciated by our community. Thank you for your consideration.


Very truly yours,


Earl D. Korynta, P.E.

EDK/cld


C. L. Ken PE

E. H. Riggs
Mark & Marty
Ken Bucko
L. L. Moore


Curtis K. Hall
Timothy Vign
Tommy K. O'Byrne
D. L. B.
Calvin K. Kujala
Tyrae J. Koelofs

going up!



March 12, 1984

The Honorable Richard I. Eliason
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Eliason:

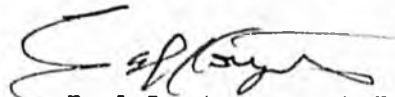
HB 211 would codify the current procedure whereby the State and local governments choose architects and engineers. It would preclude price bidding for their services.

A recent poll of architects and engineers indicated 91% supports this legislation.

Unless there is a substantial show of support for this bill it will die in its current committee, Senate Labor and Commerce.

Any help you can give us to move this bill will be greatly appreciated by our community. Thank you for your consideration.

Very truly yours,


Earl D. Korynta, P.E.

EDK/cld


Gordon D. Unwin
Leo von Scheben, Jr.
Ed Riggs
Mark J. Martz
Ken Guetsch
L. A. Brown


James A. Huotli
Teresa Nuttall
Timothy Vig
Tommy M. O'Byrne
Bob Berg
Calvin Keshujima
Tyrae L. Roelofs

March 14, 1984

Senator Richard I. Eliason
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Eliason:

Please register my support of H.B. 211, the Mini-Brooks Bill. The Federal Brooks Bill governs the selection of Architects and Engineers on Federal Projects, and has resulted in a fair selection process for design professionals. Some points to consider about F.B. 211 and the Consultant selection process:

- o The Brooks Law has not dampened competition among professionals. It has heightened it. The competition, however, is based on quality of service, rather than price.
- o Unlike other professions, Engineers have never sought to limit their competition by a vigorous "birth control program", limiting the number of seats in our professional schools. On the contrary most engineers support improvements in Engineering education. This is especially true here in Fairbanks, where our local engineers vigorously support the expansion of the University School of Engineering.
- o Engineering fees are only a small portion of the construction cost of a capitol project, and a very small portion of the total life cycle cost. Yet, good engineering is of the single most important factor in reducing the cost of the project.
- o When Engineers work for a fixed fee, this fee is usually based on a Scope of Work that is developed with the Client during the preliminary stages of the project. The Client needs the Engineer's expertise to decide exactly what work the Engineer is to do for his fee. In order to "bid" engineering work, the Client would have to be able to define exactly what work he wants done before he selects an Engineer.
- o In the state of Maryland, the only state that requires bidding for State work, the administrative work for the State in developing precise Scopes of Work for Engineers to bid on has been a great burden to the State.
- o Most Engineers enjoy their fiduciary relationship with their clients. The Maryland system has reduced that relationship, in some cases, to an adversary relationship similar to the relationship of Construction


Letter: HB211

Page 2

Contractor and Owners. This leads to claims and law suits, further adding to the administrative burden of the clients engineers.

Please vote for H.B. 211, and ask your colleagues to vote for it.

Very truly yours,



ROBERT A. PERKINS, P.E.

RAP:mp

April 4, 1984

Senator Richard I. Eliason
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Eliason:

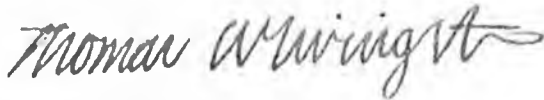
I am requesting that you give strong support to House Bill 211. This bill will clarify and provide the best process for public selection of Architects and Engineers. This bill needs your support to gain passage.

The bill is called the "Mini Brooks Bill" because it is patterned after the federal Brooks Bill. Twenty nine states have enacted very similar legislation. This bill will alleviate the current dispute with the federal Department of Justice regarding their suit that alleges non-competitive practices of Architectural/Engineer's with respect to selection for public projects based upon current state law.

The bill passed the House last session, and currently resides in the Senate Labor and Commerce Committee.

Thank you for your support. Any help you can give to move this bill will be greatly appreciated by me, the A/E community and the public.

Sincerely,



Thomas W. Livingston

TWL/srw

VERNON AKIN AND ASSOCIATES

CONSULTING ENGINEERS

P.O. BOX 1081

JUNEAU, ALASKA 99802

PHONE (907) 586-6622

March 13, 1984

Dear Legislator and Friend:

The selection of professional services for architects and engineers, for many years, has been done based upon the qualifications of the professional instead of on the lowest price for design. In the past there have been trends to base the selection upon cost only, but it was found by sad experience that the system was not satisfactory. It takes on a small amount of analysis to see why the selection based primarily on cost does not produce satisfactory results. The owner is the party who suffers when the finished product does not perform as intended or desired. The work of a designer of a building cannot be made analogous to the work of a contractor, as many people have tried to do. Some people have asked why a designer can not bid a job the same as a contractor does. When a contractor bids a job, he has the plans and specifications prepared by a design team, so he knows exactly what the scope of the work is and what is required. On the other hand, when an owner wants a building designed and hires an architect or engineer, all the design team has for scope is a concept of the purpose for which the building is going to be used, the monies available, and possibly the breakdown of the approximate square feet desired for each function. Before and during design, the design team confers with the owner and at that time the true scope of the work is set. Many times the full extent of the scope of the work is not fully set until well into the design phase. So at the time of bidding of services there is no way that the true extent of the scope can be enumerated. If it were, then there would be a complete set of plans and specifications required for bidding the services, which is impractical. With a negotiated contract, it leaves the design team latitude to include cost and energy saving features into the design, as well as cost saving maintenance features.

The least expensive initial-cost building is not necessarily the most economical to operate and maintain. Life cycle costing has shown that the initial cost of a building is about 4 to 5 percent of the total cost of the building for the life of the building. So it is a fallacy to try to save a few dollars on the initial cost of a building if the operating and maintenance costs are going to be high. If the design of a building is going to be based upon cost only for the design, this eliminates the chance of getting a good design. All the owner is getting by accepting the low bidder is a minimum design. And a minimum design will result in a minimum quality building, without concern for any energy saving features, esthetic features, quality of materials, or effective operating and maintenance features that will prolong the life of the building and equipment.

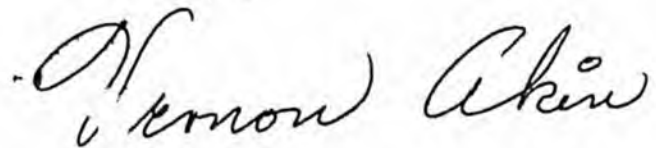
Some proponents of the bidding feature say that it will result in lower design costs. They are not evaluating correctly. Time costs money. The more time expended the more the cost. The only way lower design costs can be obtained is by spending less time on the design. But who suffers for this less time? It is not the design team, because their time is calculated and allotted at the time of the bidding. So it is the owner who gets exactly for what he is paying. There is no such thing as a "free lunch".

The proponents of the bidding arrangement say there is no competition. This is not correct. Under the present system, which has proven over the many decades to be the best method for the results desired, there is competition. The difference is that qualifications are the primary basis for selection--not cost for design. Under the present system used by the State of Alaska, the project is advertised for letters of interest. Any design team can put in their letter of interest. The applicants are then scored on a basis of 100 points related to the project. They are scored by the owner, which could consist of several agencies and departments of the state. From the scoring, the highest scoring team is interviewed first to see if there is an agreement on scope of the work, procedure, timing, and finally cost proposal. If there is no agreement, then negotiations are cancelled and the second highest scoring team is interviewed. This extends down the line of applicants until an agreement is reached. So the first team knows that their cost proposal must be acceptable to the owner or they are permanently out. There is no chance for competitive "price cutting" by the applicants. As stated previously, price cutting is to the detriment of the owner and not the designer.

Again, this bidding process on design work has been tried previously, and found that it was not successful. It resulted in poorly designed buildings lacking coordination in design, and the owner was the loser. There are all quality of designers from excellent to very poor, as in all fields of endeavor. If the selection is based upon qualifications, the owner will get the better designer. If the selection is based upon cost only, he will get the poor designer, because less time and coordination will be spent on the design. Details will be incomplete or totally missing which will cost more change orders and more time spent during construction. Remember that a design team in the selection process has reached an amicable agreement with the owner on cost to furnish the services the designer deems necessary for a satisfactory design, so the design team is working for the owner to see that the owner gets full value for his money. During construction the design team is the owner's representative, to protect the owner's interests. If the designer has to bid competitively for the job, the good design team who wants to put the extra time into the job to protect the owner's interests will not be the low bidder. So the owner is going to be the ultimate loser.

House bill 211 has passed the House committees and is now being held in the Senate Labor and Commerce committee. Some municipal governments oppose this bill because they are under the mistaken impression that they are going to get more for their design money. They are going to get less, both in quality of design and quality of finished building, and they will have a monument consisting of the finished building for the lifetime of the building to remind them of their decision. House bill 211 is patterned after the federal Brooks Act of 1972 which requires selection of architects and engineers "on demonstrated competence and qualification for the type of professional services required and at fair and reasonable prices". As of last year 21 states have adopted this policy with similar legislation. I strongly recommend that you do your utmost to get this HB 211 out of committee and vote favorably for its passage. We need this legislation in Alaska to insure that we will not be saddled with buildings of minimum design and maximum operating and maintenance costs.

Cordially,

A handwritten signature in cursive script that reads "Vernon Akin". The signature is written in dark ink and is positioned above the printed name.

Vernon Akin

DOWL Engineers

4040 "B" Street Anchorage, Alaska 99503
Telephone (907) 562-2000

March 12, 1984

Senator Richard L. Eliason
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator,

I'm writing to request your support for HB 211. This bill would codify the current procedure whereby architects and engineers are chosen by the State and local governments. It would preclude price bidding for those services.

The architectural and engineering community has been working on this bill for three years. The bill has passed the House and currently resides in the Senate Labor and Commerce Committee. It will likely remain in this committee until there is a substantial show of support for the bill by the rest of the Senate.

During a recent poll of 371 architects and engineers and land surveyors, more than 90% indicated they supported this bill.

The Federal government and twenty-nine other states have enacted similar legislation.

For further information on this legislation, please refer to the material we have provided to your office.

Thank you for your consideration. Any help you can give to move this bill will be greatly appreciated by our community.

Sincerely,



James E. Riley

JER:pok



DOWL Engineers

4040 "B" Street Anchorage, Alaska 99503
Telephone (907) 562-2000

March 12, 1984

Senator Richard L. Eliason
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator,

I'm writing to request your support for HB 211. This bill would codify the current procedure whereby architects and engineers are chosen by the State and local governments. It would preclude price bidding for those services.

The architectural and engineering community has been working on this bill for three years. The bill has passed the House and currently resides in the Senate Labor and Commerce Committee. It will likely remain in this committee until there is a substantial show of support for the bill by the rest of the Senate.

During a recent poll of 371 architects and engineers and land surveyors, more than 90% indicated they supported this bill.

The Federal government and twenty-nine other states have enacted similar legislation.

For further information on this legislation, please refer to the material we have provided to your office.

Thank you for your consideration. Any help you can give to move this bill will be greatly appreciated by our community.

Sincerely,



Robert L. McGill

RLM:pok



DOWL Engineers

4040 "B" Street Anchorage, Alaska 99503
Telephone (907) 562-2000

March 12, 1984

Senator Richard L. Eliason
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator,

I would like to request your support for HB 211. This bill would codify the current procedure whereby the State and local governments choose engineers and architects. It would preclude price bidding for their services.


The engineering and architectural community has been working on this bill for three years. The bill has passed the House and currently resides in the Senate Labor and Commerce Committee. Unless there is a substantial show of support for this bill by the rest of the Senate, it will die in its current committee.

During a recent poll of 371 engineers and architects and land surveyors, more than 90% indicated they supported this bill.

The Federal government and twenty-nine other states have enacted similar legislation.

Any help you can give us to move this bill will be greatly appreciated by our community. Thank you for your consideration. For further information on this legislation, please refer to the material we have provided to your office.

Cordially,


Leon J. Wilhelm, P.E.

LJW:pok

DOWL

Edwin B. Crittenden, FAIA
Principal



CCC Architects & Planners
431 W. Seventh Avenue, Suite 100
Anchorage, Alaska 99501
(907)272-3567

March 9, 1984

Senator Richard I. Eliason
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Eliason,

I'm writing to urge your support for HB 211. This bill would codify the current procedure whereby architects and engineers are chosen by the State and local governments. It would use qualifications rather than price as the prime criteria.

YOUR The architectural and engineering community has been working on this bill for three years. It is similar to that of the Federal government and 29 other states. The bill has passed the House and currently resides in the Senate Labor and Commerce Committee. Your support for this bill is necessary to bring it out of committee.

For further information on this legislation, please refer to the material previously provided to your office.


Your support and assistance in passage of this bill will be greatly appreciated.

Sincerely,



Edwin B. Crittenden, FAIA

EBC/nnl

I WORKED FOR THE FEDERAL LEGISLATION
(BROOK'S BILL) AND BELIEVE HB. 211
IS IN THE BEST INTEREST OF
THE STATE & PUBLIC. 



CCC Architects and Planners

March 9, 1984

Senator Paul A. Fischer
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Fischer,

I'm writing to urge your support for HB 211. This bill would codify the procedure for the selection of architects and engineers by the State and local governments. It would use qualifications rather than price alone as the prime criteria for selection.

The architectural and engineering community has been working on this bill for three years. The bill has passed the House and currently resides in the Senate Labor and Commerce Committee. Your support for this bill is necessary to bring it out of committee.

The Federal government and twenty-nine other states have enacted similar legislation.

For further information on this legislation, please refer to the material previously provided to your office.

Your support and assistance in passage of this bill will be greatly appreciated.

Sincerely,

Kenneth D. Cannon, AIA

cc: Senator Richard I. Eliason

KDC/nnl

March 5, 1984
P.O. Box 1112
Fairbanks, Alaska 99707

Dear Legislator:

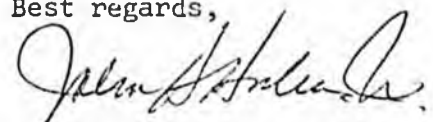
As a member of the Professional Engineering community I strongly urge you to oppose House Bill No. 211.

The cost of professional services must be considered by any client (including the State of Alaska) together with an engineering firms portfolio of current experience and qualifications as an integral part of the selection process. Information on both pricing and qualifications is required in order to make an objective decision. Any request for proposal process based solely on one or the other of these components would be invalid. Engineering fees need to be considered only on an hourly basis (including overhead charges), without a predetermined limit on hours guaranteed, together with a complete list of cost reimbursable expenses.

I cannot align myself professionally with legislation in restraint of free competition whether that legislation protects the old established close at hand engineering business with high overheads, or the distant engineering business with longer than needed lists of qualifications and high travel/room and board expenses.

Business, not government, must take the initiative to remain competitive on the free market. Please vote to allow reasonable flexibility in selection of engineering services. Vote against HB 211.

Best regards,



John H. Huber Jr., P.E.

DOWL Engineers

4040 "B" Street Anchorage, Alaska 99503
Telephone (907) 562-2000

March 9, 1984

Senator Richard L. Eliason
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator,

I would like to request your support for HB 211, which would codify the current procedure whereby the State and local governments choose engineers and architects. It would preclude price bidding for these services.

The engineering and architectural community has been working on this bill for three years. The bill has passed the House and currently resides in the Senate Labor and Commerce Committee. Unless there is a substantial show of support for this bill by the rest of the Senate, it will die in its current committee.

In a recent poll of 371 engineers, architects and land surveyors, more than 90% indicated they support this bill.

Similar legislation has been enacted by the Federal government and twenty-nine other states.

Any help you can give to move this bill will be greatly appreciated by our community. Thank you for your consideration. For further information on this legislation, please refer to the material we have provided to your office.

Respectfully,

DOWL ENGINEERS

John E. Paulson
John E. Paulson, P.E.
Partner

JEP:rb



DOWL Engineers

4040 "B" Street Anchorage, Alaska 99503
Telephone (907) 562-2000

March 8, 1984

Senator Richard L. Eliason
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator,

I would like to request your support for HB 211. This bill would codify the current procedure whereby the State and local governments choose engineers and architects. It would preclude price bidding for their services.


The engineering and architectural community has been working on this bill for three years. The bill has passed the House and currently resides in the Senate Labor and Commerce Committee. Unless there is a substantial show of support for this bill by the rest of the Senate, it will die in its current committee.

During a recent poll of 371 engineers and architects and land surveyors, more than 90% indicated they supported this bill.

The Federal government and twenty-nine other states have enacted similar legislation.

Any help you can give us to move this bill will be greatly appreciated by our community. Thank you for your consideration. For further information on this legislation, please refer to the material we have provided to your office.

Cordially,


Kenneth B. Walch, P.E.
Partner

KBW:pok



March 9, 1984

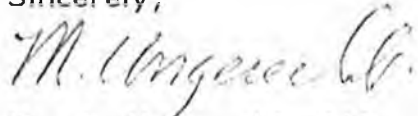
Senator Richard I. Eliason
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Eliason,

This letter is written to express my concern for HB 211 currently stalled in the Senate Labor and Commerce Committee. I strongly support HB 211 as do a substantial majority of the constituent members of the architectural and engineering community. Your show of support for this bill could be of great help in moving it out of committee.

Thank you for your consideration of HB 211.

Sincerely,

A handwritten signature in cursive script, appearing to read "M. Ungerecht".

Marvin Ungerecht, AIA

MU/nnl

March 9, 1984

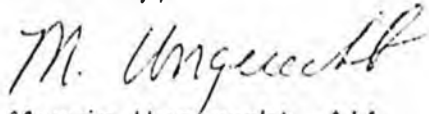
Senator Don Bennett
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Bennett,

This letter is written to express my concern for HB 211 currently stalled in the Senate Labor and Commerce Committee. I strongly support HB 211 as do a substantial majority of the constituent members of the architectural and engineering community. Your show of support for this bill could be of great help in moving it out of committee.

Thank you for your consideration of HB 211.

Sincerely,



Marvin Ungerecht, AIA

cc: Senator Richard I. Eliason

MU/nnl

ALASKA PROFESSIONAL DESIGN COUNCIL, INC.

POST OFFICE BOX 3115 D.T.
ANCHORAGE, ALASKA 99510
907-276-2834

March 8, 1984

Senator Richard Eliason
Alaska State Legislature
Pouch V (MS 3100)
Juneau, AK 99811

Dear Senator Eliason:

On behalf of the Alaska Professional Design Council, an organization comprised of five professional societies with over 1,700 members, I am writing this letter to request your support of House Bill 211, "An Act relating to contracts for architectural, engineering, and land surveying services; and providing for an effective date."

The bill has passed the House and is presently in the Senate Labor and Commerce Committee. The Alaskan architects, engineers, and land surveyors have spent many years working on this bill. A recent poll indicates that 90 percent of the architectural, engineering, and land surveying profession supports this bill--a bill that 29 other states have enacted because it is in the public's best interests!

Your assistance in moving this bill will be appreciated by our professional community.

Sincerely,



Kent B. Heppe, P.L.S.
President

ALASKA PROFESSIONAL DESIGN COUNCIL

bja:misc:08

REPRESENTING:

ALASKA CHAPTER, THE AMERICAN INSTITUTE OF ARCHITECTS (AIA), ALASKA CHAPTER, PROFESSIONAL ENGINEERS IN PRIVATE PRACTICE (IPEPP), ALASKA SECTION, AMERICAN SOCIETY OF CIVIL ENGINEERS (ASCE), ALASKA SOCIETY OF PROFESSIONAL ENGINEERS (ASPE), ALASKA SOCIETY OF PROFESSIONAL LAND SURVEYORS (ASPLS), THE INSTITUTE OF ELECTRICAL AND ELECTRONIC ENGINEERS (IEEE).

FEB 29 1984

Dear Senator, ELIASON (SITKA) —



I'm writing to request your support for HB 211. This bill would codify the current procedure whereby architects and engineers are chosen by the State and local governments. It would preclude price bidding for those services.

The architectural and engineering community has been working on this bill for three years. The bill has passed the House and currently resides in the Senate Labor and Commerce Committee. It will likely remain in this committee until there is a substantial show of support for the bill by the rest of the Senate.

During a recent poll of _____ architects and engineers, more than 90 % indicated they supported this bill.

371

The Federal government and twenty-nine other states have enacted similar legislation.

For further information on this legislation, please refer to the material we have provided to your office.

Thank you for your consideration. Any help you can give to move this bill will be greatly appreciated by our community.

Sincerely,

D. J. COOLIDGE - ARCHITECT
Box 1720
WASILLA, ALASKA 99687

REGISTERED PROF. ARCHITECT A-~~9777~~ 0470
REGISTERED PROF. ENGINEER CE-0323

RESPONSE TO POLL OF THE PROFESSIONS OF ARCHITECTURE, ENGINEERING AND LAND SURVEYING
REGARDING THE ADOPTION OF HB 211 BY THE STATE OF ALASKA

Poll Conducted December, 1983

Returns as of 2/16/84

	Licensed Respondents			Non-licensed Respondents	TOTALS		
	-----					-----	-----
	Architects	Engineers	Land Surveyors				
Government Administrators							
In Favor	8	36	7	15	66		
Opposed		8	2	3	13		
Indifferent		1			1		
Private Consultants							
In Favor	38	114	24	11	187		
Opposed		5	2	1	8		
Indifferent		1			1		
Other Respondents							
In Favor	7	46	6	20	79		
Opposed	1	4	4	3	12		
Indifferent		1		3	4		
All Respondents							
In Favor	53	196	37	46	332		
Opposed	1	17	8	7	33		
Indifferent	0	3	0	3	6		
Total Respondents	54	216	45	56	371		

h & b

SURVEYORS

3335 ARCTIC BLVD., ANCHORAGE, ALASKA 99503 PHONE 561-5257

March 5, 1984

Senator Richard I. Eliason
Alaska State Legislature
Pouch V (MS 3100)
Room 417-C
Juneau, Alaska 99811

Dear Senator:

HB 211 would codify the current procedure whereby the State and local governments choose architects and engineers. It would preclude price bidding for their services.

This bill has passed the House and currently resides in the Senate Labor and Commerce Committee. It will likely remain in this committee until there is a substantial show of support for the bill by the rest of the Senate.

The Federal government and twenty-nine other states have enacted similar legislation, and a recent poll indicates more than 90% of our community supports this bill. Any help you can give to move this bill will be greatly appreciated.

Sincerely,



Robert B. Mallahan
Chief Engineer

RBM:s1

nana-bell, inc.

engineers
and land
surveyors



3335 Arctic Boulevard, Suite 201, Anchorage, Alaska 99503
Telephone 907-561-5252

March 5, 1984

Senator Richard I. Eliason
Alaska State Legislature
Pouch V (MS 3100)
Room 417-C
Juneau, Alaska 99811

Dear Senator:

I'm writing to request your support for HB 211. This bill would codify the current procedure whereby architects and engineers are chosen by the State and local governments. It would preclude price bidding for those services.

HB 211 currently resides in the Senate Labor and Commerce Committee and unless there is a substantial show of support for this bill it will die in its current committee.

A recent poll indicates more than 90% of our community supports this bill. Any help you can give us will be greatly appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Dennis Gelvin".

Dennis Gelvin
Chief of Surveys

DG:sl

NANA surveying

surveyors-engineers

3335 Arctic Blvd.
Anchorage, Alaska
99503

(907) 561-5130

March 5, 1984

Senator Richard I. Eliason
Alaska State Legislature
Pouch V (MS 3100)
Room 417-C
Juneau, Alaska 99611

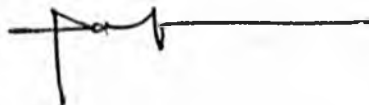
Dear Senator:

HB 211 would codify the current procedure whereby the State and local governments choose architects and engineers. It would preclude price bidding for their services.

Unless there is a substantial show of support for this bill it will die in its current committee, Senate Labor and Commerce.

Any help you can give us to move this bill will be greatly appreciated by our community. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "John Martin", written over a horizontal line.

John Martin
Operations Manager

JM:sl



ENGINEERS AND LAND SURVEYORS

3335 Arctic Boulevard, Anchorage, Alaska 99503 Telephone 561-5257
P.O. Box 73678, Fairbanks, Alaska 99707 Telephone 452-5198

March 5, 1984

Senator Richard I. Eliason
Alaska State Legislature
Pouch V (MS 3100)
Room 417-C
Juneau, Alaska 99811

Dear Senator:

I'm writing to request your support for HB 211. This bill would codify the current procedure whereby architects and engineers are chosen by the State and local governments. It would preclude price bidding for these services.

The architectural and engineering community has been working on this bill for three years. The bill has passed the House and currently resides in the Senate Labor and Commerce Committee. It will likely remain in this committee until there is a substantial show of support for the bill by the rest of the Senate.

The Federal government and twenty-nine other states have enacted similar legislation.

Thank you for your consideration. Any help you can give to move this bill will be greatly appreciated by our community.

Sincerely,

F. Robert Bell, P.E., L.S.
Principal

FRB:EL

Bell Lavalin

ENGINEERS, PLANNERS AND CONSTRUCTION MANAGERS

BELL LAVALIN, INC.
3335 ARCTIC BOULEVARD, SUITE 201
ANCHORAGE, ALASKA, U.S.A., 99503
TEL. (907) 561-5257

March 5, 1984

Senator Richard I. Eliason
Alaska State Legislature
Pouch V (MS 3100)
Room 417-C
Juneau, Alaska 99811

Dear Senator:

The Alaska Architectural and Engineering Community needs your support to move HB 211 through the Senate. This bill currently resides in the Senate Labor and Commerce Committee. A recent poll indicates more than 90% of our community supports this bill. Any help you can give us will be greatly appreciated.

Sincerely,



Doug Rorex, P.E.
Project Engineer

DR:sl

**Wirum
& Cash**
Architects

500 L Street Suite 500 Anchorage Alaska 99501-5998 Tel. 907/278-3400

March 2, 1984

Senator Robert Ziegler
State Capitol, Room 107
Pouch V
Juneau, AK 99811

Dear Senator,

I'm writing to request your support for HB 211. This bill would codify the current procedure whereby architects and engineers are chosen by the State and local governments. It would preclude price bidding for those services.

The architectural and engineering community has been working on this bill for three years. The bill has passed the House and currently resides in the Senate Labor and Commerce Committee. It will likely remain in this committee until there is a substantial show of support for the bill by the rest of the Senate.

During a recent poll of architects and engineers, more than 90% indicated they supported this bill.

The Federal government and twenty-nine other states have enacted similar legislation.

For further information on this legislation, please refer to the material we have provided to your office.

Thank you for your consideration. Any help you can give to move this bill will be greatly appreciated by our community.

Sincerely,



C. Harold Wirum, AIA

jb

DOWL Engineers

4040 "B" Street Anchorage, Alaska 99503
Telephone (907) 562-2000

March 7, 1984

Senator Robert H. Ziegler, Sr.
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator,

I'm writing to request your support for HB 211. This bill would codify the current procedure whereby architects and engineers are chosen by the State and local governments. It would preclude price bidding for those services.

The architectural and engineering community has been working on this bill for three years. The bill has passed the House and currently resides in the Senate Labor and Commerce Committee. It will likely remain in this committee until there is a substantial show of support for the bill by the rest of the Senate.

During a recent poll of 371 architects and engineers and land surveyors, more than 90% indicated they supported this bill.

The Federal government and twenty-nine other states have enacted similar legislation.

For further information on this legislation, please refer to the material we have provided to your office.

Thank you for your consideration. Any help you can give to move this bill will be greatly appreciated by our community.

Sincerely,



William P. Hamm, P.E.
Alaska Registration #3000E





engineers
planners
economists
scientists

March 5, 1984

Senator Richard Eliason
Alaska State Legislature
Pouch V (MS 3100)
Juneau, AK 99811

Dear Senator Eliason:

As a practicing professional engineer in Alaska, I urge your support of HB 211, "An Act relating to contracts for architectural, engineering, and land surveying services; and providing for an effective date."

This bill is in the public's best interest. If cost becomes a factor in the selection of professional services, quality will slide. Competitive bidding is only suitable for work that has a very definitive scope of work. In my 11 years of professional experience, I have not seen one request for proposals that had a clear enough scope of work suitable for bidding. When the request for proposals is issued, many details have not yet been considered by the client. Bidding will lead to unnecessary compromises. Our work involves the public's health and safety. We do not need compromises in these areas.

Those of us that know this business are urging your support of HB 211. This is not selfish interest, but true concern for the public's health and safety, and wise use of public funds.

Sincerely,

A handwritten signature in cursive script that reads 'Floyd J. Damron'.

Floyd J. Damron, P.E.
Projects Manager

bja:misc:07

CONSULTANTS

William L. Shannon, P.E.
Stanley D. Wilson, P.E.



SHANNON & WILSON, INC.
Geotechnical Consultants

2055 Hill Road, P.O. Box 843 • Fairbanks, Alaska 99707 • Telephone (907) 452-6183

March 5, 1984

Senator Richard I. Eliason
Alaska State Legislature
Pouch V (MS3100)
Juneau, Alaska 99811

Dear Senator:

HB 211 would codify the current procedure whereby the State and local governments choose architects and engineers. It would preclude price bidding for their services.

A recent poll of architects and engineers indicated more than 90% supports this legislation.

Unless there is a substantial show of support for this bill it will die in its current committee, Senate Labor and Commerce.

Any help you can give us to move this bill will be greatly be appreciated by our community. Thank you for your consideration. For further information on this legislation please refer to the material we have provided to your office.

Sincerely,
SHANNON & WILSON, INC.

By

A handwritten signature in black ink that reads "Rohn D. Abbott". The signature is written in a cursive style and is positioned above a horizontal line.

Rohn D. Abbott, P.E.
Vice President & Manager

RDA/mdi

Rohn D. Abbott, P.E.
Vice President and Manager

Seattle • Spokane • Portland • Fairbanks • St. Louis • Houston



engineers
planners
economists
scientists

March 5, 1964

Senator Richard Eliason
Alaska State Legislature
Pouch V (MS 3100)
Juneau, AK 99811

Dear Senator Eliason:

The Alaska Architectural and Engineering Community needs your support to move HB 211 through the Senate. This bill currently resides in the Senate Labor and Commerce Committee. A recent poll indicates more than 90 percent of our community supports this bill. Any help you can give us will be greatly appreciated.

For further information on this legislation, please refer to the material we have provided to your office.

Sincerely,

A handwritten signature in black ink, appearing to read 'John L. Aho'.

John L. Aho, Ph.D.
General Engineering Manager

bjm:misc:06

**Wirum
& Cash**
Architects

500 L Street Suite 500 Anchorage Alaska 99501-5998 Tel. 907/276-3400

March 2, 1984

Senator Richard Eliason
State Capitol, Room 417
Pouch V
Juneau, AK 99811

Dear Senator,

I'm writing to request your support for HB 211. This bill would codify the current procedure whereby architects and engineers are chosen by the State and local governments. It would preclude price bidding for those services.

The architectural and engineering community has been working on this bill for three years. The bill has passed the House and currently resides in the Senate Labor and Commerce Committee. It will likely remain in this committee until there is a substantial show of support for the bill by the rest of the Senate.

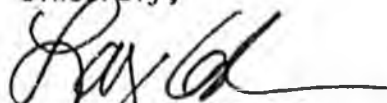
During a recent poll of architects and engineers, more than 90% indicated they supported this bill.

The Federal government and twenty-nine other states have enacted similar legislation.

For further information on this legislation, please refer to the material we have provided to your office.

Thank you for your consideration. Any help you can give to move this bill will be greatly appreciated by our community.

Sincerely,



Larr S. Cash, AIA

jb

March 1, 1984

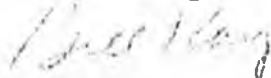
Arthur R. Jacobs
7060 Saturn Circle
Anchorage, Alaska 99504

Dear Mr. Jacobs:

This is to acknowledge receipt of your correspondence of February 25 concerning House Bill 211, relating to contracts for architectural engineering and land surveying services.

Please be assured that I will contact Senator Eliason and see if there are any problems with the bill.

Sincerely,



Bill Ray
Senator
District C

Anchorage 25 February 1984

Senator Bill Ray
Alaska State Legislature
Pouch V (MS3100)
Juneau 99811

Subject: HB 211, "An Act relating to contracts for architectural,
engineering and land surveying services"

Dear Senator Ray:

The subject bill, which passed the House during the past session and is now, and has been since last Spring, in Senator Eliason's Labor and Commerce committee, will mandate a uniform procedure for the selection of architects, engineers, and land surveyors thruout all public agencies in the State.

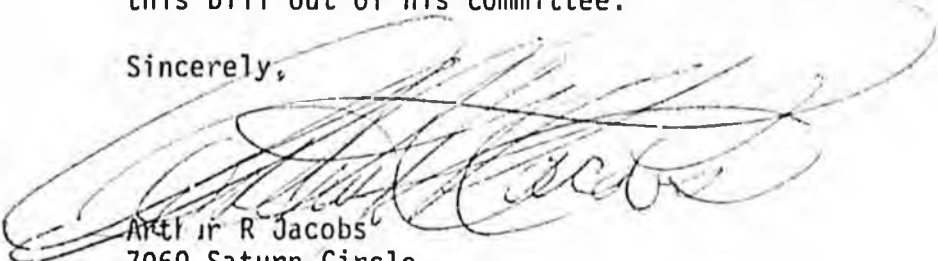
This bill is really a "consumer protection" measure, in that it is a safeguard against the misuse of public funds; and the procurement of professional service thru the bidding process can truly be a misuse of public funds.

Unlike construction bidding, wherein the bidders each have a full set of construction plans and specifications, telling them, in considerable detail, all the requirements they will be expected to meet, it is not possible to so define the extent of professional services that each architect or engineer will see the same picture. It is, instead, much like the story of the four blind men who were asked to describe an elephant. Each of the men had a different description, based on what he could feel.

The only really successful way to secure professional services is thru the competitive negotiation process, wherein the respondent firms are ranked in order of their experience and staff capabilities prior to any fee negotiations. This procedure assures the public that the most highly rated firm will be considered first, at least. It may not be possible, because of budget restraints, or time considerations, to consummate an agreement with that first-choice firm, but the attempt will have been made, and the next-rated firm will then be considered. Wouldn't you, as a taxpayer, prefer that approach to the "blind men and elephant" approach?

I urge you to talk with Senator Eliason and encourage him to move this bill out of his committee.

Sincerely,



Arthur R. Jacobs
7060 Saturn Circle
Anchorage 99504



engineers
planners
economists
scientists

February 29, 1984

Senator Richard Eliason
Alaska State Legislature
Pouch V (MS 3100)
Juneau, AK 99811

Dear Senator Eliason:

I am writing to urge your support of HB 211, "An Act relating to contracts for architectural, engineering, and land surveying services; and providing for an effective date."

The key provision of this bill is that political subdivisions of the state would be required to select architects, engineers, and land surveyors "on the basis of demonstrated competence and professional qualifications"--a policy which the federal government and 29 other states have enacted because it is in the public's best interests. There are numerous valid reasons why this is so; mainly, because the alternative selection process (competitive bidding) is so contrary to the public's best interests.

Alaskan architects and engineers have been working on formulation and passage of this bill for three years. The bill has passed the House and is presently in the Senate Labor and Commerce Committee. As borne out by a recent poll, 90 percent of the architectural and engineering profession (both in the public and private sectors) support this bill. Your assistance in moving it ahead for a Senate vote will be greatly appreciated by all of us.

Sincerely,

A handwritten signature in cursive script that reads "Dan M. Rowley".

Dan M. Rowley, P.E.
Vice President and
Alaska Regional Manager

bja:tue:516
Enclosure

P.S. Enclosed is a copy of a November 1983 article from the Magazine Consulting Engineer, "Facing the Realities of Competitive Bidding." I would recommend it to you for your reading and an explanation of the issues that are involved.



Facing the Competitive

David Lakamp

It happens every 10 years or so. There is a downturn in the economy, work grows scarce, and architects and engineers begin to find new virtues in old taboos. This time it is competitive bidding. But before we rush to embrace it as the wave of the future, or even resign ourselves to it as yet another of the inevitable burdens of professional life, it may be worthwhile to elevate our horizons just a bit. Then, perhaps, we will be in a better position to uncover reasonable ways to deal with competitive bidding, if not with it we must.

Take quality. Some who would advise you on how to bid insist that, where competitive bidding is concerned, the quality of your work is not an issue. Why would they take this position knowing, as they do, that whatever perception of quality you might have, it is one of the driving forces in professional life? They are simply being realistic. Quite apart from the obvious, they know that whenever quality comes into conflict with economic or political forces, it is usually quality that suffers first.

Quality is one of these elusive concepts, difficult to define and often most clearly (or at least most) universally perceived in its absence. It is basically an elitist notion, one that differentiates without equivocation between what is good and what is not. In an egalitarian society, it is easy to argue successfully that elitist notions must give way where there are more compelling social goals to be served — the protection of unwary clients, for example, against the anticompetitive practices of the professions.

We have a history of abandoning quality only to regret it later. We seem to be willing to absorb enormous costs

rather than struggle with the intense discomfort that comes of attempting to address issues of quality as a part of national debates. Only after the unanticipated consequences begin to sneak up on us do we discover we do not like them very much.

A Recent Analogy

Consider the accusatory finger now being pointed at public education in the United States, confirming what has been painfully obvious to parents for many years. We are threatened by — and it seems finally prepared to admit — "a rising tide of mediocrity" in our public schools. This is not news to most of us.

What is news is that at last we may be willing to acknowledge and begin to deal with the hidden costs of sacrificing quality in pursuit of remedies for a wide range of very real social ills. We have discovered that by discrediting the essential need to differentiate between what is good and what is not, we gained something of a hollow victory.

It will take years to unravel the mess we created. Our task is made all the more difficult by the fact that, largely through its own contribution to the process of change, a once-honored teaching profession has lost most of its credibility with the public.

What does all this have to do with competitive bidding among engineers and architects? Simply this: The hidden danger is that competitive bidding will first erode and eventually destroy public confidence and trust. What the profession stands to lose in the long run is the unique advantage it enjoys with society as the result of a contract deeply embedded in the Common Law.

The public is willing to acknowledge the fact that your services require the application of professional skill and judgment in situations in which the end result is some-

Mr. Lakamp is Managing Principal of Professional Practice Associates, liability loss prevention consultants to engineers and architects, Palo Alto, California

Realities of Bidding

times uncertain. It recognizes that you may make mistakes, and it generally will not hold you liable for those mistakes so long as you exercise a reasonable degree of care in what you do. This is why it is so very difficult to prove negligence.

For your part, as a professional there is an obligation to place the public interest ahead of your own, to do everything you can to keep the public safe from harm. Your concern with the quality of your work and the quality of the built environment is one of the indications the public has that you are meeting your end of the bargain.

Now comes competitive bidding and advice on learning how to bid to "insure your firm's future." Consider this advice in terms of the social contract you entered when you accepted your license to practice, a contract that makes you responsible for the public health, safety, and welfare.

You are cautioned not to do more than the minimum design job, because clients who ask you to compete solely on the basis of price do not deserve any better. You are advised to bid only what you see, even if you know important requirements may be omitted — this, presumably, so you can pounce upon changes later and leverage your fee. You are counseled, where there is no scope, to underscope the project. Otherwise someone slicker than you is likely to walk away with the job. It begins to sound more like a formula for disaster than a pathway to financial success.

About one thing, however, these advisors are absolutely right: There is no room for quality in all this. Nor is there room to meet the obligation you have to safeguard the public interest. Yet, if you fail to do so, and some will, how long do you think the public is going to be willing to continue to distinguish between what you do as a professional and what every other business enterprise does

in placing a product on the market or in hiring itself out to do work for a price?

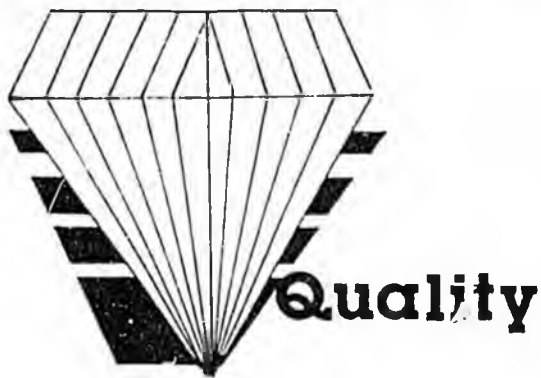
Is your next job worth this much risk in the long run? Probably not. But it is difficult to take the risk seriously when there are immediate and pressing issues of financial survival to be dealt with. The inclination is to discount the risk, to assume "it can't happen here," and to make decisions with far-reaching implications based on a field of vision that extends only as far as the next financial report. This is the model of Corporate America, and before we wax enthusiastic about how well it works, we should take a closer look.

Selling Less for More

Somewhere along the line a genius appeared on the Detroit scene. Rising costs and increased competition from foreign automobile manufacturers were the burning issues of the day. This particular genius had a solution: "Let's cheat on quality and pretend it's not so." The underlying assumption was that Madison Avenue could be relied upon to control the buying decisions of the American public forever.

We all know the result: A steady erosion in market share, a major corporation driven to the edge of bankruptcy, and the largest automobile manufacturer in the world turning to the Japanese for help in recapturing the credibility it once had. Less, it turned out, was indeed less.

Yet not even the obvious was sufficient to restrain the remaining competitor from one last try. It proclaimed its new-found dedication to quality by announcing it had produced a 40 percent improvement in a single year — a claim, judging from the brevity of its lifespan, that probably said more about how low the company had allowed quality to fall than it did about the "new and improved"



OR

Price



product. It simply was not believable. So it can happen here and it can happen in just a few short years. Quality goes first, then the public confidence and trust.

Assessing Short-Term Consequences

None of this is going to come about overnight. That explains why it is so difficult to evaluate the costs of making concessions that may seem to be the only reasonable way to pull yourself out of yet another economic downturn. There are, however, more immediate, completely predictable consequences of competitive bidding that, should you decide to bid, and should you decide to follow the advice you have been given, you might as well be prepared to face.

One of the assumptions underlying reliance on price as the principal criterion for selection of an engineer or architect is that it is the only appropriate way to keep you honest. You, in other words, are an adversary whose fuzzy-headed priorities, rank inefficiency, or consummate greed (it does not matter which) will lead you to take advantage of your clients if they are foolish enough to let you get away with it. Being prudent business people, this is something they are not about to let you do.

Think, for a moment, about the inherent risks involved in a project where you start out knowing your relationship with your client already is rotten — that it lacks the

essential element of trust you know you must have to bring an incredibly complex and difficult undertaking to a successful conclusion. The risks are substantial.

The problem has little to do with negligence. At their core, few professional liability claims really do. It has to do with the increased likelihood of conflict and the decreased likelihood that you will be in a position to do anything to keep it from escalating out of control. If you are not believable before you start work on a project, there is no reason to assume you suddenly will be when it comes time to explain why an extra is justified, whether the extra is yours or the contractor's.

Can you really accept the notion that clients who insist on bidding in the first place are going to graciously approve changes in the scope of your work to accommodate requirements they neglected to specify? Can you picture them stepping forward to assume responsibility for the end product of "minimum design?" Not without a fight.

Long before you have to face the consequences of a loss of public confidence, you are likely to have to put your deductible on the line many times over. And on the line with it will be the disruption of your practice that comes with litigation, the professional reputation you have worked so hard to establish over the years, and the morale of your professional staff.

This brings us back to the issue of quality, for your reputation depends on it and, however elusive a concept it might be, it is important both to you and to your staff. There are real costs involved in these considerations, costs that have to be taken into account in your evaluation of how your firm is going to respond to the rising tide of voices heralding a new day of tighter management, greater efficiency, and more realistic pricing for professional services.

Coping with Change

The conclusion that most readily might be drawn from all this is a simple one. Bidding is likely to prove to be a dangerous misadventure. It ought to be avoided. Nevertheless, it would be unrealistic not to recognize that, for some, competitive bidding has become a fact of professional life.

Is it possible to accommodate the increasing pressures for price competition without sacrificing quality and professionalism in the end? Many argue it is not.

Others are not so sure. The jury still is out on the long-range consequences and it will be for some time to come. But the immediate consequences loom large and for those who have elected to compete on the basis of price, the question is: How can the inherent risks be minimized? Certainly not through minimum design. Here are some alternative suggestions you might consider if you feel you have no choice but to bid:

- *Bid only on projects where there is a clearly defined scope of work.* The idea that you can bid against an inadequate scope and somehow recover it all later is naive. You have a legal obligation to perform at the prevail-

ing standard of care whether or not you get paid for your efforts. Most owners know this and, if they do not, their attorneys do. Your client could well be predatory enough, even foolish enough, to refuse to authorize work you know is required, but it is not going to absolve you of your professional responsibilities, nor of liability, in the event something should go wrong. Where there is no scope, or if you know it to be inadequate, you might be far better off to seek to define it for the owner on a time-and-materials basis. This way at least you will be paid for your work and you may have an inside track on the project. If the owner refuses, there may not be a project worth bringing in.

- *Bid only on projects where your experience would favor your selection in the absence of price competition.* Your budget is likely to be as tight as you can make it. If you are not among the most qualified firms for the project, you cannot live within a budget tight enough to be competitive. Knowing this, why bid?

- *Select your clients carefully.* You may be able to live with clients who prequalify engineers and architects and then take price into account as one of the factors governing their selection. But where price is the determining factor, bidding is a serious mistake. There is nothing you can do that someone else cannot offer to do for less, and someone else probably will. Clients who use the price of professional services as the principal basis for selection generally deserve what they get from the someone else out there. They are not going to pay for what you know you must deliver, at least not the first time through.

- *Evaluate your competition.* You can take a certain amount of comfort in the knowledge that those you are competing against operate with the same high standards you do. The rules of the game are relatively clear. Where, however, the competition includes firms you believe to be less than scrupulous in their dealings or less than professional in their performances, you might as well back off at the outset. You are going to get sand-bagged anyway.

- *Plan to use the most competent and qualified people you have.* They are the most productive, and even if they command the highest salaries, you will be better off in the end. It makes no sense to add the risk of cost overruns, born of inexperience, to an already difficult and uncertain undertaking. You can count on your best people to deliver what they promise; betting on the inexperienced is a risky gamble, at best.

- *Define your work with great precision.* Involve the people who will work on the project in the preparation of a thorough and detailed project plan. You will need it to estimate your costs and to manage the project. Then use your plan as a basis for defining your work in writing. You will have to be very specific about what it is you are going to do for your client and what it is you are not. The goal is not so much to position yourself for extras as it is to do everything you can to create realistic expectations and eliminate the possibility of later misunderstandings.

Recognize, too, that bidding is an expensive undertaking. It entails costs once built into your projects that you now are likely to have to absorb in your overhead. Unless you are prepared to absorb these costs, you are not prepared to bid.

- *Make detailed cost estimates.* There is little room for uncertainty and no room for error. If you have a clearly defined scope of work, prepare a detailed project work plan, and rely on the judgment of your most competent and experienced people, you just may be able to determine what your costs will be with a fair degree of accuracy. If not, don't guess. It is someone else's project.

Perhaps there are situations in which competitive bidding in some form may prove to be tolerable.

- *Know when to walk away and be prepared to do it.* It is a difficult thing to keep in mind when meeting the payroll is your most urgent concern, but the fact is not everyone with a project dancing about in his head is a client. Be wary of the unsophisticated, the underfinanced, the avaricious. Some clients and some projects are destined to fail. You can smell them coming — usually long before you commit energies and resources that might better be applied elsewhere. Go elsewhere. You have too much at stake not to.

Perhaps there are situations in which competitive bidding in some form may prove to be a tolerable, if far from ideal, alternative to the traditional selection process. If so, there clearly are others in which it poses both immediate and distant dangers. The dark side of competitive bidding is that it is altogether too easy for the weak, the foolhardy, and the unscrupulous few to blur the distinctions between what may be tolerable and what certainly is devastating — all by way of rationalizing fundamentally unacceptable practices in the name of better management.

Whose Interests Are Served?

Quality is an issue. It may be the only relevant issue, for your commitment to the quality of your work is inseparable from the profession's commitment to protect the public from harm.

The great challenge of competitive bidding lies not in finding more effective and efficient ways to manage your practice. There are too many other forces already pushing you in that direction to avoid it, even if you wanted to. The challenge lies in determining whether honesty of purpose and intensity of effort are going to continue to dominate professional life, or whether the future is to be given over to those who would substitute unenlightened self-interest for the interests of both the profession and the public. This is a challenge only you can meet. ΔΔ

MSG 84-00019098 PRTY 1 02/29/84 15:18:31 ORIG: LA00 IN= 0004 OUT= 0140
FROM: KAREN, ANC LIO TO: POM- JUNEAU INFO
TARGET: LJHK SUBJ: POM

TO: ALL SENATORS

FROM: FRED WALATKA
3933 BORLAND
ANCHORAGE, AK. 99503
248-1666

THE ALASKA ARCHITECTURAL AND ENGINEERING COMMUNITY NEEDS YOUR SUPPORT FOR HB 211. AS YOU KNOW, THIS BILL CURRENTLY RESIDES IN YOUR LABOR AND COMMERCE COMMITTEE.

A RECENT POLL INDICATES MORE THAN 90% OF OUR COMMUNITY SUPPORTS CONTRACTING FOR ARCHITECTURAL AND ENGINEERING SERVICES.

Horse
Manure

MSG 84-00019171 PRTY 1 02/29/84 16:14:28 ORIG: LA00 IN= 0006 OUT= 0154
FROM: KAREN, ANC LIO TO: POM - JUNEAU INFO
TARGET: LJHK SUBJ: POM

TO: ALL SENATORS

FROM: MARY DAVIS
3407 W. 80TH
ANCHORAGE, AK. 99502
H. 243-2389; W. 243-0727

SHERRY BELANGER
618 E. 75TH, APT. D
ANCHORAGE, AK. 99502
H. 349-7808; W. 243-0727

RETAIN HAIRDRESSERS STATE BOARD. AS OUTLINED IN SB 435.

Anchorage 25 February 1984

Senator Richard Eliason
Alaska State Legislature
Pouch V (MS3100)
Juneau 99811

Subject: HB 211, "An Act relating to contracts for architectural,
engineering and land surveying services"

Dear Senator Eliason:


I am writing to urge you to move the subject bill out of your committee, where it has been since last Spring.

This bill is really a "consumer protection" measure, in that it is a safeguard against the misuse of public funds; and the procurement of professional services thru the bidding process can truly be a misuse of public funds.

Unlike construction bidding, wherein the bidders each have a full set of construction plans and specifications, telling them, in considerable detail, all the requirements they will be required to meet, it is not possible to so define the extent of professional services that each architect or engineer sees the same picture. It is much like the story of the four blind men who were asked to describe an elephant. Each of them had a different description, depending on which part of the animal he felt.

The only really successful way to secure professional services is thru the competitive negotiation process, wherein the respondent firms are ranked in order of their experience and staff capabilities prior to any fee negotiations. This procedure assures the public that the most highly rated firm is considered first, at least. It may not be possible, because of budget restraints, to consummate an agreement with that first-choice firm, but the attempt will have been made. Wouldn't you, as a taxpayer, prefer that to the "blind men and elephant" approach?

Sincerely,



Arthur R Jacobs
7060 Saturn Circle
Anchorage 99504



February 20, 1984

Senator Dick Eliason
Pouch V
Juneau, Alaska 99811

Dear Senator Eliason:

A recent bulletin from the Alaska Municipal League (February 10th), has urged members to write you in opposition to moving HB 211 out of committee. This is the bill which essentially parallels the federal Brooks law, and bars selection of architects and engineers for public contracts solely on the basis of price.

Our firm, as you would assume, supports HB 211, and I will not repeat all of the arguments you have probably heard already on this subject.

For your information, however, I am enclosing a brief recent article which summarizes the effect that bidding has had on the pool of consultants willing to do public contract work in other states where bidding is the rule.

Bidding for professional services is already a fact of life in Alaska, and I can tell you where it is leading based upon our own firm's experience.

First, it is losing work for Alaskans to lower 48 consultants, many of whom do not know what they are getting into and end up defaulting on contracts, losing money, or otherwise performing poorly. Cases in point are some recent Bureau of Land Management contracts for boundary surveys of Sealaska selections.

Second, it is creating a lot of unhappy customers, many of whom expect the same level of service as before, and feel they are being "nickel and dimed" to death because the consultant must now insist on extra payment for the items he deleted from his scope of work in order to be the low bidder.

POOL ENGINEERING, INC.
CONSULTING ENGINEERS AND SURVEYORS

1225 TONGASS AVE., KETCHIKAN, ALASKA 99901 (907) 225-6626
2950 NORTHUP WAY, BELLEVUE, WASHINGTON 98004 (206) 822-6464

Third, project definition by public clients prior to bid is often horrible to nonexistent, with the result that no two consultants are really bidding on the same scope. Consultants must try to read between the lines in terms of what is wanted, and generally only consultants who have done a great deal of pre invitation marketing really know what is wanted. Increased proposal and marketing costs have added to our overhead, and we now focus more intensely on a much smaller market sector and bid on fewer projects.

Finally, the focus on cost virtually always overrides qualifications in the consultant selection process. In particular, for small municipalities and school districts with limited procurement expertise, one consultant looks much like another, and it is hard to resist award to the low bidder.

Our own firm is not likely to get out of public contracting entirely, but we are working hard to increase our private client base to reduce our dependence on public work.

If bidding for professional services remains a way of life, I think you will see the following impacts:

1. If the slow economy continues, you should see a significant short term reduction in prices as cut throat or uninformed bidders seek public contracts.

If the economy improves, more consultants will look elsewhere for work but you will still see a price reduction.

2. Many consultants are going to get burned on public contract jobs financially by bidding too optimistically. If this does not force them out of business, it will probably force them out of public contracting.
3. There will be some horror stories as level of service declines and consultants reduce level-of-effort. Mistakes and errors will multiply as a result of cost pressures. If you think the design professions have problems now, you "ain't seen nothin" yet.

The end result will probably be public pressure to "do something" about quality, through tougher licensing, increased litigation, and more restrictive contracting requirements.

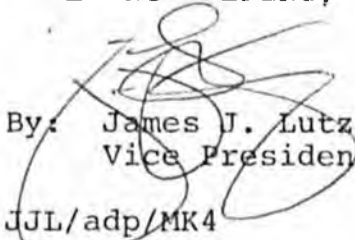
Senator Dick Eliason
Page -3-
February 20, 1984

This is going to drive even more professionals out of public contracting, reducing the pool of competitors, and increasing the demand for more in-house government design staffs. In the end, the public cost will go up, which is not the goal that opponents of h9 211 are seeking.

HB 211 is perceived as a piece of self serving legislation by its opponents, and its financial benefit to consultants is undeniable. I hope, however, this does not obscure the fact that a great deal more is at issue here, and that the public will also benefit from this legislation.

Sincerely,

POOL ENGINEERING, INC.


By: James J. Lutz, P.E.
Vice President

JJL/adp/MK4

cc: Bob Ziegler
Ron Wendte
Jack McBride

Enclosure

BUSINESS PRACTICES

(continued from page one)

Phil Scott of Holt Fatter Scott has sought productivity improvements by carefully examining hiring practices, by a regular meeting process to review and correct problems, and by assigning problem-solving to staff members. Matrix Technologies has developed an employee relations committee with the goal of finding methods to improve productivity.

Often, firms rely on computers to enhance productivity, although many managers find improvements don't equal the promises of computer vendors. Bill Tackabery, a principal of Psomas Engineers in Costa Mesa, California is one of these managers. This 120-person civil, structural and land planning firm makes extensive use of automated systems. Tackabery finds that although computers are a great help, individual contributions to productivity (and profit) improvement are more important.

Regular training programs, good information and control systems and standardization of procedures contribute to improved productivity. Nearly every firm interviewed noted they are making regular attempts to impress the importance of high productivity on their employees and managers.

COMPETITIVE BIDDING:

Competitive bidding situations, however disguised, are becoming a way of life for most design firms. Some public sector clients often use bidding as a method of selecting design services. And in 1984, even more private sector clients will utilize some form of competitive bidding. As Bill Aden of the 30-person Blacksburg, Virginia civil/survey firm of Draper-Aden Associates points out, even clients simply

requesting a fee estimate are engaging in a form of competitive bidding when using that estimate for comparison with other design firms.

Aden notes that often, clients think they are getting the best job at the lowest price when all too often, this isn't true. Although not a problem for his firm, the product delivered by the low bid A/E may suffer in an effort to preserve a profit margin. Fred Sielback, Jr. of 48-person civil and survey firm Christian Spring Sielback & Associates agrees. From his experience with his Billings, Montana-based firm, he finds that competitive bidding doesn't do anyone any good in that clients don't always know what they are buying. He also noted that bidding almost always creates an advisory relationship between the client and design firm.

Every person interviewed has recently participated in some form of competitive bidding. Some firms were involved in this process as a result of the type of work they seek. Lockwood, Kessler & Bartlett, a 140-person Syosset, New York, multi-disciplined engineering firm seeks mostly public sector work. Nearly all of their projects require submission of a fee estimate. Even firms like Whistler-Patri & Associates, most of whose clients are in the private sector, find a requirement for a fee quote in 7 out of 10 jobs.

COMPUTERS:

Next month, THE PROFIT CENTER will present its third article in this series of interviews with firm managers. Their current utilization of computers and 1984 hardware and software acquisition plans will be discussed. In addition, much of the March issue will be devoted to the subject of computer usage in design firms.

TPC

PROFESSIONAL LIABILITY

(continued from page three)

TABLE THREE

DEDUCTIBLE AMOUNT	PERCENT
\$5,000 or less	33
\$5,001-\$10,000	38
\$10,001-\$25,000	19
\$25,001-\$100,000	9
over \$100,000	1
	<u>100</u>

Table Four presents the limits of coverage carried by firms.

TABLE FOUR

LIMITS OF COVERAGE (in \$000's)	PERCENT
\$250 or less	12
\$250-\$499	16
\$500-\$999	23
\$1,000-\$2,499	42
\$2,500-\$9,999	5
\$10,000 and up	2
	<u>100</u>

ACEC also reports that during 1983, of claims reported in the survey, the average settlement cost was \$21,500 per claim. The average legal cost reported was \$7,725 per claim for a total cost of \$29,225. Of total claims reported, 76% were settled out of court, 3% through arbitration and 21% by court judgment.

Additional information on the AIA survey may be obtained from:

William Hooper, Director
Practice Division
The American Institute of Architects
1735 New York Avenue, N.W.
Washington, D.C. 20006
(202) 626-7532

Information on the ACEC survey may be

obtained from:

Bruce Vogelsinger, Managing Director
Administrative and Professional Services
American Consulting Engineers Council
1015 15th Street, N.W.
Washington, D.C. 20005
(202) 347-7474 TPC

COMPETITIVE BIDDING

Who wins in competitive bidding situations? No one, according to a report prepared by Nora Lea Reefe of Consultant Management Services, Inc. In an analysis of competitive bidding in Maryland and Georgia, the report, originally prepared in 1981, notes that almost 75% of consulting engineers in Washington, D.C. who have worked for Maryland since 1974, are no longer seeking work from the state. This clearly narrows the pool of qualified firms available to the state and may seriously affect the ability of Maryland to complete required projects.

In addition, 56% of firms surveyed suffered a financial loss on projects in Maryland. From a purely economic standpoint, the value of competitive bidding has been called into question by the analysis in this report. Copies may be obtained for \$20 from:

Consultant Management Services, Inc.
5445 Mariner Street #210
Tampa, FL 33609
(813) 870-0859

AIA STUDY:

The American Institute of Architects is currently conducting a study of competitive bidding in Maryland and competitive negotiation in Florida. This two-part study is expected to be completed and released by April or May. TPC

TRYCK NYMAN & HAYES

Head Office / 740 I Street Anchorage, Alaska 99501 / 907-279-0543 / Cable TNHANCAK / Telex 090-25332

ENGINEERS / PLANNERS / SURVEYORS

0000.0

February 6, 1984

The Honorable "Dick" Eliason
P. O. Box 143
Sitka, AK 99835

Dear Dick:

At our most recent consulting engineer council meetings, we were told that you are holding H.B. 211. That bill is patterned after the Federal Government Brooks bill which establishes a uniform procedure for selection of consulting engineering firms. This procedure is currently required for consultant selection on federal projects. (That procedure is currently mandated by law in 29 states and is utilized as policy by several other states.) I am sure that you have heard different sides to this story, but irrespective I believe that there is some common sense that supports my view.

There are no instances that I am aware of where the owner (city) has benefited from low bid or adversary relationships with their hired consultants. Most competent engineering firms serve as an extension of their clients' staff, and I believe that the bottom line works out much better for the owner where there is this sort of relationship.

I have never heard of an owner or firm calling for bids when hiring a staff person. I suspect that you may have a different point of view on this, but I wanted to let you know my view with the hope that you will consider both sides.

Dick, in spite of our apparent different viewpoints on this, I know that you are one of the better "common sense" legislatures and I hope that you will continue to serve our state because our legislature needs more people like you.

Very truly yours,

TRYCK, NYMAN & HAYES



Frank E. Nyman, P.E.
Senior Partner

:inn

CONSULTING ENGINEERS
COUNCIL OF ALASKA



3812 SPENARD ROAD
ANCHORAGE, ALASKA 99503
(907) 277-5605

May 25, 1983

Senator Dick Eliason, Chairman
Senate Labor and Commerce Committee
Pouch "V"
Juneau, AK 99811

Subject: CS HB 211

Dear Senator Eliason:

You have before you House Bill 211, which has passed the House after considerable testimony and deliberation. The bill, in its present form, is acceptable to the professional community as a whole, and represents a framework in which the parties subject to the contents of the bill can provide regulation for its use and implementation.

Twenty-one states have currently adopted laws calling for the selection of Architect/Engineers based on qualifications, and another twenty either prohibit or exempt Architect/Engineers from a general bidding requirement. One state only, Maryland, requires a price bidding procedure for selection of its professionals.

There are those who, due to their lack of understanding of what goes into the design process, advocate that price before negotiation, should be a criteria for selection. We emphasize that experience, innovation, alternatives and capabilities cannot be directly measured in terms of dollars as they apply to the design process. The professional A/E's today very definitely compete on the basis of their qualifications. There has been no mystery to users of professional services in utilizing the heretofore traditional methods of selection (by most agency users in Alaska) which we believe have served this state and 43 others quite well for many decades. There are many doubts as to the effectiveness of the Maryland experiment; however, even if we credit Maryland, in their effort as being inconclusive as a measure of effectiveness (which is the best that we can do), the system they are using has not proven to be advantageous over the traditional methods. Therefore, we believe that it is incorrect for this state to consider any attempt to get in step with the only state which is out of step, when the rest of the group (48) effectively marches on.

We believe that Architectural and Engineering services should be obtained through a selection process that ascertains the

PRESIDENT
VICE PRESIDENT
SECRETARY
TREASURER

W E Stege, CREWS, MACINNES & HOFFMAN/VITRO
C.W Tryck, TRYCK, NYMAN & HAYES
A R Jacobs, ANDERSEN-BJORNSTAD-KANE-JACOBS
S E Clark, ARCTIC ENVIRONMENTAL ENGINEERS

Senator Dick Eliason, Chairman
May 25, 1983
Page 2

qualifications and capabilities of interested A/E's to design public works projects. Fair and reasonable fees should be established by negotiation after selection and discussion of the scope of work. It is not in the best interest of the public and, in some cases, public safety to attempt to obtain these services prior to selection by either price proposals or competitive bidding. This concept does not provide appropriate consumer safeguards. Rather, it encourages poor use of public funds, since the importance of value received, initially, is subjugated to money spent. The risk of any selection on the basis of a lowest common denominator when the stakes are the highest, as they are here in Alaska, seems to us to be just converse to the results that must be achieved when considering, on the average, the higher difficulty of design for projects to be built in Alaska.

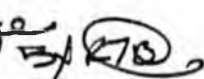
Many of the benefits of A/E services must be measured against final construction and operating costs of the facility or structure, costs that are not clearly determined until after the A/E services have been completed and, in fact, in operation. Injecting price in an initial selection may lower the initial A/E fee, which must translate directly to less time spent on the design, and consequently will surely then lower the quality of the final product. Price competition (as in bidding) can only inhibit the ability of the A/E to provide full cost-saving services. This will be a direct result due to inadequate compensation for innovative and thorough work. It further may even cause more talented A/E firms not to offer their services, thus further lowering the overall quality of the services available to the agency. The public cannot be well served by this approach.

We believe the process of competitive selection for Architect/-Engineer firms in the State of Alaska makes even more sense than the same considerations in any of the other 49 states. As you are all aware, our state has more unique and diverse needs than any of the other 49. Alaska has many varied climatological zones and sensitive environmental factors that must be considered during the design of any project. The environmental problems are significant enough and are further complicated by operation costs, maintenance complexities, and costs (especially in Bush areas), earthquake probability, foundation factors, severe cold and extreme operational limits. In order for these problems to be met effectively, the only rational method from which to make a selection of an A/E firm is by addressing the qualifications of the responding firms and selecting the highest ranked firm on the basis of those qualifications. Only then, based on the quality and experience of the selected A/E firm, can the project design objective be effectively met and the public resources most effectively protected.

Senator Dick Eliason, Chairman
May 25, 1983
Page 3

We believe that House Bill 211 provides for those measures and protection, insuring that the public need, through the use of competitive selection, will be most successfully met. I urge your positive consideration of House Bill 211.

Respectfully Submitted,

Walter E. Steige 

Walter E. Steige, P.E.
CECA President

WES/wlf

Alaska State Legislature



REPRESENTATIVE

FOUCH V
JUNEAU, ALASKA 99811

ROBERT H. "BOB" BETTISWORTH

211 CUSHMAN STREET
FARBANKS, ALASKA 99701

DATE: March 5, 1984

TO: Senator Richard Eliason, Chairman
Senate Labor & Commerce Committee

FROM: *RHB* Rep. Robert Bettisworth

SUBJECT: CSHB 211 (L&C)am

I have received support for the passage of the above referenced legislation. I understand that this bill has legislative support as well.

At this time, I would like to request that the bill be scheduled for hearings before your Committee. If you have any problems with the legislation, I would be happy to offer my assistance.

NOTE REGARDING THE FOLLOWING FRAME(S) ON MICROFILM:
COMPLETE DOCUMENT IS AVAILABLE IN ORIGINAL FILES.
TITLE PAGE ONLY HAS BEEN FILMED.

SENATE PROPOSES MAJOR CHANGES TO AE/LS BOARD

by Don Dent

One often wonders what inspires people to follow certain courses of action. It may be belief in a tenet, inspiration, or honest concern based on information received. It may be from a completely negative standpoint.

For whatever reasons, the AE's and the Registration Board have received more than their share of attention the past two years, ranging from a frivolous attack by the Department of Justice, a continuing adversarial and non-cooperative attitude by the State Attorney General and the Governor, to stonewalling and buttonholing a bill in Legislative committee.

Last month, I reported briefly that SB 438, for the extension of the termination date of the Registration Board, was in for passage—a formality in compliance with the Sunset statutes.

The latest edition of SB 438 is that Senator Eliason's committee, Labor and Commerce, held hearings on the bill on March 8th (notice of which was received here on March 13th). The Committee went the "extra mile" in its deliberations by proposing a Committee Substitute which includes amendments to four sections of AS 08.48. The Committee recommendation of the Substitute was a unanimous "do pass." Referral is to the Rules Committee. This would put the bill in position for an early floor action. The effect of this substitute bill would be to:

1. Extend the Board to June 30, 1988;
2. Remove one engineer member from the Board and replace with a *public member* (This reduced the effectiveness of the Board and would allow licensure decisions and determinations by the non-professional);
3. Reduce the term of appointment of Board members to *four years* (This would allow the Governor to "politicize" the Board. Present six-year term is to reduce politicizations, and to maintain continuity. Not so with a four-year term);

4. Limit terms on the Board to *two* consecutive terms with a four-year gap to lapse before any reappointment;

5. Remove *state residency requirement* for any *public member* (Allows Governor to "politicize" the Board);

6. Institute requirement for *proof of continued competence* for license renewal (This has been proven as restricting number of licensees in the profession, *in restraint of trade*, and is not cost effective on a mandatory basis).

** The extension of the Board for an additional four years, and the limitation of Board membership to two terms are acceptable and reasonable proposals.

The other proposals, it appears to me, to be negative and, ultimately, destructive. The Administration continues to show its disregard for competent advice given by people in the profession. It shows no grasp of the *lack* of cost effectiveness by such proposals, while preaching economy in the Board's operation—a Board that pays its way. A reduction in the Board's budget of 76%, a 400%-plus increase in statutory requirements of Board workload, a proposed, substantial, licensing fee increase being sought by Central Licensing, and the intended geographical diffusion of Board members, indicates a lack of comprehension by the Administration.

The Board President's response to, and explanation of, these suggested changes in May, 1983, to the Legislative Audit Division, clarified the Board's position. The result of the "public hearing" by the L&C Committee does not appear to have taken those responses into account.

The Governor's intention to politicize and reduce the Board to an ineffectual body would be served if this bill *in its present form* were to pass. The Design Professions are, once again, being backed against the wall by this "either/or" situation.

On other matters:

HB 211 is still being held in Senator Eliason's Committee.

SB 345, in regard to "Responsible Charge" changes in AS 08.48, is still in Senate State Affairs. Senator Faiks has indicated that there would be a Sponsor Substitute for this bill. She should be contacted about this.

Late Flash CS SB 438 (L&C) was considered in Rules Committee on March 14th, with floor action in the Senate on March 15th, passing 19 to 0 *as is*. Will now go to House, probably Labor & Commerce committee. Contact of the Majority members of that committee is urged. They are John Cowdery, Chairman, Walt Furnace, Rick Uehling, Sam Pestinger, and John Ringstad. This bill needs wholesale revision.

PROFESSIONALS URGED TO BECOME INVOLVED

by Woodrow Johansen

You as a professional and your professional organization together with the Board of Architects, Engineers and Land Surveyors are in litigation with the United States Department of Justice over the clause in your Code of Ethics preventing competitive bidding for Professional Services. We as professional organizations, do not agree with the stand taken by the Department of Justice and the result is a review and possible hearing in the Federal Court of District Judge von der Heydt in Anchorage any time after February 1, 1984. We are not hopeful of a favorable ruling by this Court. We, therefore, are making a concerted effort to pass House Bill No. 211 — The Mini Brooks Bill — now before the Labor and Commerce Committee of the House. This Bill outlines a procedure

Continued on page 3

Alaska Professional
Design Council
P.O. Box 103115
Anchorage, AK 99510

BULK RATE
U. S. Postage Paid
Permit #230
Anchorage, Alaska

RECEIVED
RICHARD ELIASON

CALENDAR OF EVENTS

APRIL 1984

- 3 APDC Board Meeting
5:30 p.m., Federal Building
Room C 122
- 6 ASPE Fairbanks
12:00 noon, Travelers Inn
Rampart Room
- 10 AIA Fairbanks
- 11 PEPP Anchorage
7:00 a.m., Denny's
Northern Lights
- 11 ASCE/ASPE Juneau
- 12 Intern Architects
7:30 p.m., Lane, Knorr, Plunkett
Office, 600 Barrow Street
- 13 AIA Anchorage
- 14 ASPE Anchorage
12:00 noon, Beef and Sea
- 17 ASCE Anchorage
12:00 noon, Travelers Inn
Rampart Room
- 20 ASCE Fairbanks
12:00 noon,
International Banquet House
- 26 ASPLS Anchorage
12:00 noon, Beef and Sea

MAY 1984

- 1 APDC Board Meeting
- 4 ASPE Fairbanks
- 8 AIA Fairbanks
- 9 ASCE/ASPE Juneau
- 9 PEPP Anchorage
- 10 Intern Architects
- 11 AIA Anchorage
- 12 ASPE Anchorage
- 15 ASCE Anchorage
- 18 ASCE Fairbanks
- 31 ASPLS Anchorage

ACKNOWLEDGMENTS

CCC

WIRUM & CASH,
Architects

ELLERBE ALASKA

MAYNARD AND PARTCH

TABLE OF CONTENTS

APDC Board	3
AIA	12
ASCE	6, 12
ASPE	5
PEPP	12
ASPLS	7, 8, 9
What's Going On	2
Resumes	3
U of A	4, 13

PROFESSIONAL SERVICES DIRECTORY



3134 Street, Suite 2
Anchorage, Alaska 99501
Telex: 09075168

Anchorage
Barrow

Leland A. Johnson, P.E.
President Telephone (907) 276-0511
Home (907)

KBA INC.

Consultants in Mechanical Systems

Kurt Hittingmaier, P.E.

Wx (907) 561-1127
HAM (907) 145-1215

3900 Arctic Blvd., Suite 204
Anchorage, Alaska 99503

2502 West Northern Lights Blvd. Anchorage, Alaska 99503

Telephone (907) 248-3888
Telex 26 485

Gary R. Bock, P.E.
President



OceanTech

Engineering
Construction
Project Management

To: APDC Member

The Consulting Engineers Council of Alaska, the American Institute of Architects, and the Alaska Society of Professional Engineers, with the support of other Engineering and Land Surveying organizations, has been working to secure the passage of HB 211 by the Alaska State Legislature. Some legislators have raised a question as to how widespread support is for this legislation among the professions.

A copy of HB 211 is enclosed.

HB 211, if enacted, would require that all agencies and political subdivisions of the State acquire professional architectural, engineering and land surveying services on the basis of professional qualifications, in a manner similar to that mandated for the U. S. Government by the Brooks Bill.

Could you take a few minutes of your time to complete this questionnaire and return it to APDC? (Please fold and staple once.) The results of this survey will assist your society officers when this legislation is considered by the Alaska State Senate in 1984. Please return by January 6, 1984.

Thank you for your response.

With regard to the adoption of HB 211 by the State of Alaska, are you?

In Favor Opposed Indifferent

Are you currently licensed in the State of Alaska to practice?

Architecture Land Surveying
 Engineering None

Do you frequently or regularly do professional work for the State of Alaska or its political subdivisions, on a contractual basis?

Yes No

Are you employed by a government agency, in a position where your duties include the selection of consultants and/or the administration of consultant contracts?

Yes No

VERNON AKIN AND ASSOCIATES

CONSULTING ENGINEERS

P.O. BOX 1081

JUNEAU, ALASKA 99802

PHONE (907) 586-6022

March 13, 1984

Dear Legislator and Friend:

The selection of professional services for architects and engineers, for many years, has been done based upon the qualifications of the professional instead of on the lowest price for design. In the past there have been trends to base the selection upon cost only, but it was found by sad experience that the system was not satisfactory. It takes only a small amount of analysis to see why the selection based primarily on cost does not produce satisfactory results. The owner is the party who suffers when the finished product does not perform as intended or desired. The work of a designer of a building cannot be made analogous to the work of a contractor, as many people have tried to do. Some people have asked why a designer can not bid a job the same as a contractor does. When a contractor bids a job, he has the plans and specifications prepared by a design team, so he knows exactly what the scope of the work is and what is required. On the other hand, when an owner wants a building designed and hires an architect or engineer, all the design team has for scope is a concept of the purpose for which the building is going to be used, the monies available, and possibly the breakdown of the approximate square feet desired for each function. Before and during design, the design team confers with the owner and at that time the true scope of the work is set. Many times the full extent of the scope of the work is not fully set until well into the design phase. So at the time of bidding of services there is no way that the true extent of the scope can be enumerated. If it were, then there would be a complete set of plans and specifications required for bidding the services, which is impractical. With a negotiated contract, it leaves the design team latitude to include cost and energy saving features into the design, as well as cost saving maintenance features.

The least expensive initial-cost building is not necessarily the most economical to operate and maintain. Life cycle costing has shown that the initial cost of a building is about 4 to 5 percent of the total cost of the building for the life of the building. So it is a fallacy to try to save a few dollars on the initial cost of a building if the operating and maintenance costs are going to be high. If the design of a building is going to be based upon cost only for the design, this eliminates the chance of getting a good design. All the owner is getting by accepting the low bidder is a minimum design. And a minimum design will result in a minimum quality building, without concern for any energy saving features, esthetic features, quality of materials, or effective operating and maintenance features that will prolong the life of the building and equipment.

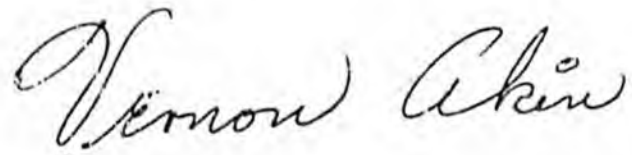
Some proponents of the bidding feature say that it will result in lower design costs. They are not evaluating correctly. Time costs money. The more time expended the more the cost. The only way lower design costs can be obtained is by spending less time on the design. But who suffers for this less time? It is not the design team, because their time is calculated and allotted at the time of the bidding. So it is the owner who gets exactly for what he is paying. There is no such thing as a "free lunch".

The proponents of the bidding arrangement say there is no competition. This is not correct. Under the present system, which has proven over the many decades to be the best method for the results desired, there is competition. The difference is that qualifications are the primary basis for selection--not cost for design. Under the present system used by the State of Alaska, the project is advertised for letters of interest. Any design team can put in their letter of interest. The applicants are then scored on a basis of 100 points related to the project. They are scored by the owner, which could consist of several agencies and departments of the state. From the scoring, the highest scoring team is interviewed first to see if there is an agreement on scope of the work, procedure, timing, and finally cost proposal. If there is no agreement, then negotiations are cancelled and the second highest scoring team is interviewed. This extends down the line of applicants until an agreement is reached. So the first team knows that their cost proposal must be acceptable to the owner or they are permanently out. There is no chance for competitive "price cutting" by the applicants. As stated previously, price cutting is to the detriment of the owner and not the designer.

Again, this bidding process on design work has been tried previously, and found that it was not successful. It resulted in poorly designed buildings lacking coordination in design, and the owner was the loser. There are all quality of designers from excellent to very poor, as in all fields of endeavor. If the selection is based upon qualifications, the owner will get the better designer. If the selection is based upon cost only, he will get the poor designer, because less time and coordination will be spent on the design. Details will be incomplete or totally missing which will cost more change orders and more time spent during construction. Remember that a design team in the selection process has reached an amicable agreement with the owner on cost to furnish the services the designer deems necessary for a satisfactory design, so the design team is working for the owner to see that the owner gets full value for his money. During construction the design team is the owner's representative, to protect the owner's interests. If the designer has to bid competitively for the job, the good design team who wants to put the extra time into the job to protect the owner's interests will not be the low bidder. So the owner is going to be the ultimate loser.

House bill 211 has passed the House committees and is now being held in the Senate Labor and Commerce committee. Some municipal governments oppose this bill because they are under the mistaken impression that they are going to get more for their design money. They are going to get less, both in quality of design and quality of finished building, and they will have a monument consisting of the finished building for the lifetime of the building to remind them of their decision. House bill 211 is patterned after the federal Brooks Act of 1972 which requires selection of architects and engineers "on demonstrated competence and qualification for the type of professional services required and at fair and reasonable prices". As of last year 21 states have adopted this policy with similar legislation. I strongly recommend that you do your utmost to get this HB 211 out of committee and vote favorably for its passage. We need this legislation in Alaska to insure that we will not be saddled with buildings of minimum design and maximum operating and maintenance costs.

Cordially,

A handwritten signature in cursive script that reads "Vernon Akin". The signature is written in dark ink and is centered on the page.

Vernon Akin

ALASKA STATE SENATE

JOE P. JOSEPHSON
DISTRICT G - ANCHORAGE
1526 F STREET
ANCHORAGE, ALASKA 99501
(907) 277-4419

WHILE IN JUNEAU
POUCH V
JUNEAU, ALASKA 99811
(907) 465-4907
(907) 465-4525

COMMITTEES
HEALTH, EDUCATION & SOCIAL SERVICES (CHAIR)
JUDICIARY (VICE-CHAIR)
FINANCE
MAJORITY CAUCUS (CHAIR)

April 11, 1984

The Honorable Richard Eliason
Chairman
Senate Labor and Commerce
Committee
Alaska State Senate
Pouch V
Juneau, Alaska 99811

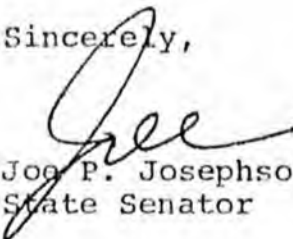
Dear Senator Eliason:

Many of my constituents have contacted me about HB 211, "An Act relating to contracts for architectural, engineering, and land surveying services; and providing for an effective date." In their communications, they urged me to request that the matter be considered by your Committee and brought out of Committee so that the Rules Committee may calendar the bill.

Before making that request, I wanted to study the issue for myself and reach my own conclusion. I have now done that. I support HB 211. In the event that you have been wondering what other senators may be thinking on the subject, I wanted to take this opportunity to share my views with you.

With best wishes, I am

Sincerely,



Joe P. Josephson
State Senator

JPJ:rak

March 12, 1984

Senator Richard I. Eliason
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Eliason,

As a licensed Architect practicing in Alaska, I'm writing to urge your support for HB 211. This bill would codify the procedure for the selection of architects and engineers by the State and local governments. It would use qualifications rather than price alone as the prime criteria for selection.

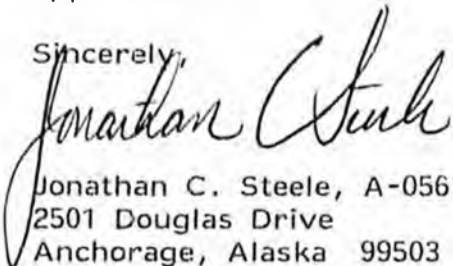
The architectural and engineering community has been working on this bill for three years. The bill has passed the House and currently resides in the Senate Labor and Commerce Committee. Your support for this bill is necessary to bring it out of committee.

The Federal government and twenty-nine other states have enacted similar legislation.

For further information on this legislation, please refer to the material previously provided to your office.

Your support and assistance in passage of this bill will be greatly appreciated.

Sincerely,



Jonathan C. Steele, A-05616
2501 Douglas Drive
Anchorage, Alaska 99503

JCS/nnl

March 12, 1984

Senator Don Bennett
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Bennett,

As a licensed Architect practicing in Alaska, I'm writing to urge your support for HB 211. This bill would codify the procedure for the selection of architects and engineers by the State and local governments. It would use qualifications rather than price alone as the prime criteria for selection.

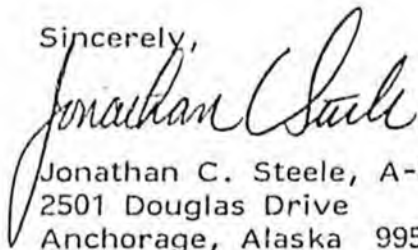
The architectural and engineering community has been working on this bill for three years. The bill has passed the House and currently resides in the Senate Labor and Commerce Committee. Your support for this bill is necessary to bring it out of committee.

The Federal government and twenty-nine other states have enacted similar legislation.

For further information on this legislation, please refer to the material previously provided to your office.

Your support and assistance in passage of this bill will be greatly appreciated.

Sincerely,



Jonathan C. Steele, A-05616
2501 Douglas Drive
Anchorage, Alaska 99503

cc: Senator Richard I. Eliason

JCS/nnl