



**KANSAS SOCIETY OF PROFESSIONAL ENGINEERS**  
*A State Society of the National Society of Professional Engineers*

**To: House Federal & State Affairs Committee**  
**From: Keith Beatty, PE; Kansas Professional Society of Engineers**  
**Date: March 8, 2017**  
**Re: Opposition to HB 2201**

Mr. Chairman and members of the subcommittee,  
Thank you for the opportunity to voice our opposition to House Bill 2201.

The Kansas Society of Professional Engineers (KSPE) represents the individual licensed engineers across the state. For over 100 years, KSPE has worked to promote engineering by delivering professional development services, encouraging licensure, and advocating legislation and public policy for the betterment of human welfare and the industry.

A major concern to our membership is the bill's proposal change to our state's procurement system for state and local contracts. Our association supports the current state procurement laws, which directs the use of Qualifications Based Selection (QBS). Data shows the QBS procurement process results in savings through fewer change orders during construction, lower costs for preservation and sustainability, and ensuring the state gets exactly the project it wants and needs the first time. Kansas has used this process for decades. In fact, last year the Senate Transportation Committee and House Transportation & Public Safety Budget Subcommittee reviewed the state's use of QBS and recommended no change from this system. We are not aware of any state that does not use QBS. QBS is also the system used by federal law, known as the Brooks Act. We stand in strong opposition to the bill's intent to undo this system.

Another concern to our members in the private sector is the prohibition for state agencies to enter a contract with the private sector unless the cost is at least 10% less than the public agency. We are unsure what benefit this policy would bring the state. Moreover, it will cost the state more money to provide the same service. For example, if a private business is able to do a job at 8% less than the public agency, the bill would prohibit the state from entering an agreement with the private business, thus forcing the use of the public agency, which would be 8% higher in cost. We are also concerned with the cost to enforce such a requirement.

These provisions, among many others in the bill, will create much more cost for the state. The bill's fiscal note indicates the state government will have to grow in expenditures and personnel to be in compliance. Ultimately, we feel this bill creates more bureaucracy the state does not need.

Thank you again for the opportunity to speak on this matter.

Respectfully,

Keith Beatty, PE  
President  
Kansas Society of Professional Engineers