

HCS HB 2314 -- STATE CONTRACTS FOR CERTAIN SERVICES

SPONSOR: Brown (149)

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on General Laws by a vote of 15 to 0. Voted "Do Pass" by the Standing Committee on Rules- Administrative Oversight by a vote of 9 to 0.

The following is a summary of the House Committee Substitute for HB 2314.

This bill authorizes the Division of Facilities Management, Design, and Construction within the Office of Administration to establish "master agreements" for architecture, engineering, or land surveying services on an as-needed basis for indefinite projects over a defined period. These agreements, not exceeding \$100,000 per project, are established through a qualification-based selection process outlined in a request for qualifications.

This bill specifies that the evaluation criteria include specialized experience, technical competence, past performance, and factors like cost control and adherence to schedules. Multiple master agreements may be awarded based on specified criteria, each with a duration not exceeding two years and a total value not exceeding \$1 million per year.

This bill also specifies the terms, conditions, and fee schedules for these agreements, with project details established through task orders issued by the Division.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that this legislation is designed to cut through the unnecessary red tape that currently bogs down the master agreement selection process. This bill would save the Division a great deal of time that is currently dedicated to the antiquated process of having to interview each applicant for a contract. Typically, the Division already has an applicant in mind that they would like to select, but they have to wait to award the contract because each applicant has to be given consideration. This legislation allows for a qualified vendor list from which the Division can quickly select applicants. This ensures that projects will begin promptly and contracts will be given to the strongest applicant without having to waste the time of both the Division and unqualified applicants.

Testifying in person for the bill were Representative Brown; American Council of Engineering Companies - Missouri; Hannah Swan, Office of Administration; and the American Institute of Architects Of Missouri

OPPONENTS: Those who oppose the bill say that this legislation is bad for taxpayers. A lot of engineering projects can become runaway projects and can end up costing more than what original cost projections indicated. This legislation also allows for favoritism. An engineering company that is favored above other engineering companies would enjoy an unfair rate of selection for choice contracts. Taxpayers want the current contract negotiation process to continue to take place because this process ensures that the ultimate contract recipient receives the contract based on merit rather than partisanship.

Testifying in person against the bill was Arnie Dienoff.

OTHERS: Others testifying on the bill say public notices regarding master agreements should be placed in local newspapers.

Testifying in person on the bill was the Missouri Press Association.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.