



AB-8612

WISCONSIN ASSOCIATION OF CONSULTING ENGINEERS

131 W. Wilson St., Suite 502 Madison, WI 53703 (608) 257-WACE FAX: (608) 257-0009
(9223)

February 20, 1998

Assembly Committee on Environment
Representative Marc Duff, Chairman
P O Box 8952
Madison, WI 53708

Dear Representative Duff and Members of the Committee:

This organization would like to be placed on record as being opposed to the proposed PECFA legislation, LRB 4981/1, in its current language.

The Wisconsin Association of Consulting Engineers (WACE) represents 58 firms throughout the state and employ more than 4000 people. While a portion of our membership does engage in environmental clean up activities, including PECFA projects, those revenues by far do not represent the majority of consulting work done by WACE members. Thus we are commenting on this proposed legislation as professionals concerned with the public's welfare and not to "line members' pockets."

We are in agreement with the DNR's position on prioritization and are pleased that Representative Johnsrud will be meeting this week with DNR officials. In its current writing, qualified professionals are not given the option to look at alternatives and exercise professional judgement before a remedial plan is established. We strongly believe a full evaluation of the site is required prior to establishment of the plan.

This evaluation should include consideration on natural attenuation as an option; however, natural attenuation should not be assumed to be the best remedial option until it has met the test of evaluation against all other feasible and cost effective options.

The other item of major concern is competitive bidding. Although there is a record of experience cleaning up sites, in this type of work it is difficult to determine the scope or extent of services required. Using a bidding process would make it impossible to define the scope. WACE would recommend the use of Qualifications Based Selection (QBS) to select the professional to oversee the project. The actual remedial work, the most expensive part of site clean up, can be bid under the oversight of the professional who would act in the best interest of the owner. Several brochures that discuss QBS are enclosed for the committee's purview.

Advantage to using QBS include:

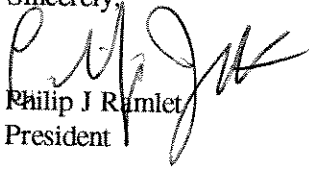
- ❖ **A well qualified firm is selected.** This process allows the owner to select the most experienced and qualified firm for the *particular* project.

- ❖ **A partnership is created between the owner and the consultant**, not unlike an attorney/client relationship. The consulting engineer works and represents the client assuring both parties have an interest in the project's success.
- ❖ **It is cost effective for the state.** It has been proven price competition requires a larger administrative staff and budget in order to adequately define the scope of the project so it can be accurately bid. (State of Maryland)
- ❖ **It alleviates cost over runs.** Fee bidding encourages poor design and poor design is far more likely to result in problems and consequently additional costs in closing sites.

During Tuesday's testimony, Don Gallo, Petroleum Marketers Association of Wisconsin, mentioned PECFA bidding should be handled the same as it is within the Department of Transportation. This confirms our justification for using QBS. WisDOT uses QBS to select consulting engineers for projects which, Mr Gallo noted, has saved the state a tremendous amount of money. We support his recommendation.

WACE would welcome the opportunity to discuss this issue with members of the committee. Thank you for allowing WACE to express its opinion on this proposed piece of legislation.

Sincerely,


Philip J Ramlet
President

cc: Mark Giesfeldt, DNR
Jay Hochmuth, DNR
Lydia Quinn, ACEC

enclosures Bidding is Not the Solution
Qualification Based Selection