

Background

In the early 1970's COFPAES undertook a major campaign to secure legislation which would establish a method of professional selection and negotiation for obtaining the services of A/E's for federal projects. Such legislation was enacted in 1972 and remains as the law applicable to federal agencies. P.L. 92-582, is known as the Brooks Act, named after its primary author, Representative Jack Brooks, then Chairman of the House Committee on Government Operations, the law requires public announcement of requirements for A/E services, prescribes that federal agencies screen all interested firms for such services, select the best-qualified firm, all factors considered, and enter into negotiations with the highest ranked firm for all aspects of an agreement, including compensation arrangements.

Position

COFPAES supports the qualifications-based selection process as enacted by P.L. 92-582 (commonly referred to as the Brooks Act) as the established and proven method of obtaining ME design professional services of the highest quality at reasonable costs, and will vigorously defend this procedure as necessary. The coalition also supports the extension of the qualifications-based selection process to all federally funded grant programs such as the highway, transit, airport, housing, environmental and other similar grant programs.