

Engineering Practice in Alabama

QBS Update




SAIN
associates

ENGINEERING BETTER PARTNERSHIPS

by Joe Meads, P.E.


March 2, 2017

White Papers by Board of Licensure



- 1. Quality Based Selection of Engineering and Surveying Services (Exhibit 1)**

- Federal Agency Process – The Brooks Act
- Alabama Agency Process



- 2. August 31, 2015 Memorandum to Professional Engineers and Land Surveyors (Exhibit 2)**

Background Information

ASCE Policy Statement
304 – Qualification Based
Selection of Professional
Engineers (Exhibit 3)

ACEC Issues Brief –
Qualification Based
Selection
(Exhibit 4)

Testimony by
Ronald Brenke, P.E.
– ACEC of Michigan
(Exhibit 5)



Key Events in Alabama Affecting QBS

- 🔑 Changes to Board of Licensure
- 🔑 August 31, 2015 Memo from Board of Licensure to Licensees (Exhibit 2)
- 🔑 ASPLS appealed to the Board of Licensure to become exempt from QBS for projects under \$15,000. The request was denied.
- 🔑 US Supreme Court decision North Carolina State Board of Dental Examiners v. Federal Trade Commission (2015)
- 🔑 2016 – Alabama Legislature establishes LRS Review of Boards and Commissions



Key Events in Alabama Affecting QBS (cont.)

- 🔑 June/July 2016 – ASPLS makes second appeal to the Board of Licensure for exemption. ASPLS votes on QBS position statement at their annual meeting. (Exhibit 6)
- 🔑 July 2016 – Administrative Rule pertaining to QBS submitted to Legislative Reference Service for review
- 🔑 August 10, 2016 – Board of Licensure notifies societies of Board Meeting on August 11, 2016
- 🔑 August 11, 2016 – Societies are notified that the Board of Licensure voted to repeal 330.x.14.05(f) and 330.15.06(A.14).
- 🔑 September 20, 2016 – Letter from ACEC attorney to ACEC Executive Director (Exhibit 7)



Key Events in Alabama Affecting QBS (cont.)

- September 21, 2016 - Proposed Rule draft prepared and agreed on by Engineering and Survey society stakeholders in collaboration with the Board of Licensure
- November 2, 2016 – Draft dismissed by Board of Licensure
- November 2016 – Board of Licensure votes to repeal QBS
- December 2016 – Board of Licensure votes to repeal and replace QBS
- January 10, 2017 – ACEC leadership met with LRS Special Council



Key Events in Alabama Affecting QBS (cont.)

- 🔑 January 30, 2017 - Board of Licensure Public Hearing
 - Board of Licensure votes to pursue Immunity Bill and suspend prior vote to repeal QBS
- 🔑 State Senator Clyde Chambliss, P.E. files SB171 and SB174
- 🔑 State Representative David Sessions files HB231 and HB232
- 🔑 February 22, 2017 –
 - HB231 and HB232 pass Committee
 - SB171 passed for second reading
 - SB174 carried over

What is our future response?

Personal relationships with Legislators

Organized to respond quickly and strategically

Join ACEC and other partners to promote legislation

Support engineers to run for public office

Participate in ASCE Legislative Day

Contact Legislators to support legislation (Exhibit 9)

Questions:



TRUSTWORTHY | EXPERIENCED | FOREHANDED | COLLABORATIVE