

# Qualification Based Selection for Professional Services

## What is Qualification Based Selection (QBS)?

QBS is the manner in which professional design services in the State of Missouri are procured by basing selection of the firm performing these services solely on their qualifications and expertise to perform the work. After selection, a fair and reasonable fee for services to perform the work is negotiated between the professional and the government entity. State statutes RSMO 8.285- 8.291 prescribes this statutory procedure for the procurement of professional design services.

## A brief history of QBS

This year is the 50th anniversary of the Moynihan report to President Kennedy, a treatise on how good design in public buildings advances American values. This report resulted in the publication of the *“Guiding Principles of Federal Architecture”*. These guiding principles provided a vision and rationale for the federal government to deliver legacy-quality architecture, reflecting the appropriate dignity of our public institutions. It is of great importance that our public buildings must symbolically and functionally connect with our citizens.

As a result of the initiative by Patrick Moynihan, in 1972, Congress passed the Brooks Act, mandating the two-tier procurement process for the selection of design professionals. It is this Brooks Act that is the foundation for the Missouri statutory policy for a Qualification Based Selection process. The federal government, and many states thereafter, determined that in order to achieve the goals set out by the Moynihan report in service and connection with the American public, an agency cannot be constrained by a selection for professional services process based on price.

Missouri’s QBS statutes are commonly referred to as a “Mini-Brooks Act” statute because they are patterned after the Brooks Act, which states:

*The Congress hereby declares it to be the policy of the Federal Government to publicly announce all requirements for architectural and engineering services, and to negotiate contracts for architectural and engineering services on the basis of demonstrated competence and qualification for the type of professional services required and at fair and reasonable prices.*

## Why is QBS important?

To ensure the health, safety and welfare of the public our government has the responsibility to engage the most qualified professionals to design our infrastructure and public facilities. The consideration of price during that selection process should not interfere with the consideration of expertise and highest ability to perform the work to its utmost level and to protect the interests and values of its citizens.

A final statement of why QBS is important - **Qualification Based Selection is the law.**