

The QBS law: What does it really say?



Qualification-Based Selection (QBS) is a process used by public authorities to award contracts for engineering, architecture, and surveying services. The success of a public works project heavily relies on the design provided by these licensed professionals. A well-designed project ensures its smooth execution and minimizes problems and cost overruns. Unlike commodities, design services provided by Architects and Engineers require specialized knowledge, technical expertise, analytical skills, and experience that cannot be evaluated through a “*low bid*” process.

1. **Ohio’s QBS law:** Ohio Revised Code (153.65-.73) requires every “*public authority*” in Ohio to use QBS for the selection of engineering, architectural, and surveying services that do not meet the exceptions of ORC 153.71 or alternate pre-qualification requirements of ORC 153.68.
2. **Planning:** Each public authority contracting for professional design services shall publicly announce contracts available for such services. The announcement shall be made to allow qualified design firms adequate opportunity to submit a statement of interest. The announcement shall include how the design professional is to submit their qualifications and what information is required.
3. **Selection:** Public authorities shall evaluate firms based on qualifications, including factors like ability, past record, experience, and willingness to meet time requirements. The goal is to select the firm with the highest qualifications. The authority shall rank not fewer than three firms that is considers to be the most qualified.
4. **Negotiations:** After the selection of the highest ranked firm, negotiations occur to determine fair and reasonable compensation for the chosen firm. The negotiations shall ensure that the qualified design firm and the public authority have a mutual understanding of the required services. The negotiations will determine the timeline and availability of necessary personnel and, the negotiations will establish fair and reasonable compensation based on the value, scope, complexity and nature of the services.

In summary, QBS prioritizes expertise and technical competence over cost, ensuring that public works projects benefit from well-informed design professionals. For more information on QBS, you can contact AIA Ohio at 614-221-0338 or email us at AIAOhio@assnoffices.com



ArchED is a public service program of AIA Ohio, The Ohio Society of the American Institute of Architects. This program has been developed to inform and educate the public on issues affecting the built environment and the construction industry.