

September 17, 2025

The Honorable Rebecca Rausch
Senate Chair
The Honorable Jack Lewis
House Chair
Joint Committee on Municipalities and Regional Government
24 Beacon St.
Room 215
Boston, MA 02133

Re: H. 56, *Act empowering municipalities and local governments*.

Dear Chair Rausch and Chair Lewis:

On behalf of the International Institute of Building Enclosure Consultants (IIBEC), an association of design professionals specializing in building enclosure projects, I am writing to respectfully express strong opposition to H. 56, specifically Section 17, which would expand the definition of cooperative purchasing to include “services” and could be broadly interpreted to include construction design services.

IIBEC represents more than 3,900 members who design, investigate, and manage roofing, exterior wall, and waterproofing systems. Our members serve as trusted advocates for building owners, ensuring that projects meet applicable standards, codes, warranties, and performance expectations.

Expanding cooperative purchasing to cover construction design services, without clear limits, would overturn a procurement system that has worked well for decades. This change would allow state agencies and school districts to bypass the proven Qualifications-Based Selection (QBS) process and use price-driven procurement for complex design and construction services.

The RCI-IIBEC Foundation’s research study, *An Analysis of Unit-Price Procurement*¹, demonstrates that such programs frequently waste taxpayer dollars, reduce quality, and in some cases put public safety at risk. Recognizing these dangers, several states and local governments have restricted or prohibited unit-price procurement for design and construction services.

¹ [RCI-IIBEC Foundation Study: An Analysis of Unit-Price Procurement](https://iibec.org/wp-content/uploads/2024/08/Unit-Price-Procurement-Report.pdf)
<https://iibec.org/wp-content/uploads/2024/08/Unit-Price-Procurement-Report.pdf>



QBS is a well-established process that selects design professionals based on their qualifications and competence, ensuring the development of an appropriate scope of work and producing better project outcomes. QBS is fair, transparent, and open to public scrutiny. It has been the federal standard since the 1972 Brooks Act and is used by 46 states and numerous local governments because it consistently delivers better, more cost-effective projects when total life-cycle costs are considered.

Massachusetts citizens deserve safe, high-quality infrastructure, not lowest-bid design work. **I urge you and your colleagues to reject H. 56, or amend Section 17, and protect Massachusetts' proven QBS process. A vote against H. 56 is a vote for public safety, quality construction, and the responsible use of taxpayer dollars.**

Thank you for your consideration and for your service to the people of Massachusetts.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian".

Brian Pallasch, CAE
Executive Vice President & CEO

