



June 6, 2023

Alabama Legislature
11 South Union Street
Montgomery, AL 36130

Re: Restore SB309 as introduced

Dear Members of the Alabama House of Representatives:

On behalf of the over 3500 members of the International Institute of Building Enclosure Consultants (IIBEC), located in the United States and Canada, and specifically the dozens of members located across the state of Alabama, please concur with the Governor's executive amendment to restore SB309 as introduced to put the language into the Code of Alabama as it was previously adopted.

IIBEC is an association of design professionals who specialize in building enclosure projects. IIBEC members design, investigate, and manage roofing, exterior wall, and waterproofing projects. IIBEC members act as advocates for the building on behalf of the owner or manager and ensure the building enclosure or roofing projects meet standards, codes, warranty requirements, and performance requirements. As such, IIBEC is well positioned to comment on the legislation.

This past year, the United States celebrated the 50th anniversary of the Brooks Act, which codified into law the principles of qualifications-based selection (QBS) of architects, engineers, and design professionals. The model has been proven effective in saving taxpayer money and producing quality results that QBS is included in the *ABA Model Procurement Code for State and Local Government* for architectural, engineering, and design procurement.

For these reasons, please concur with the Governor's executive amendment to restore SB309 to its original text and restore the QBS process. The bill language, as passed by the House, removed conflicts between the long-standing Alabama Law Section 34- 11-35.1(d) and the 2022 revised Section 41-4-133. The legislation was reviewed by the Department of Finance Legal Counsel, and they supported and agreed to the need to address the issue with a change in law.

Thank you for your attention to this small, but very important matter.

Sincerely,

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

Brian Pallasch, CAE
CEO/EVP