



February 23, 2009

California GIS Council  
Michael Byrne, Chair  
1616 Capital Ave.  
Sacramento, CA 95814  
cc: Robert Yoha

Dear Michael:

I would like to thank the California GIS Council for providing comments regarding the ASPRS Procurement Guidelines document. The drafting committee has carefully considered these comments and suggestions, as well as those submitted by other groups. We have paraphrased all key comments from the different responders and have prepared a single response with a detailed explanation of our conclusions as well as specific proposed action items. That response is attached and will be posted on the committee's web page and forwarded on to the ASPRS Board for their consideration.

In summary, the committee has proposed the following specific revisions and actions to address issues that were raised:

- 1) Add an additional section (or sections) to provide guidance on the specific technical implementation of procuring professional photogrammetric mapping services.
- 2) Finalize a glossary
- 3) Expand the existing section discussing products and technical services to further explain the role / value of mapping products.
- 4) Coordinate with your "participating firms" group to facilitate development of a companion guidelines document for the procurement of geospatial mapping products.
- 5) Develop an additional attachment of detailed justifications for the QBS process to address key concerns that were raised.

The committee wants to emphasize that while the Guidelines *recommend* QBS methods be used for the procurement of professional services, the intent was not to state or in any way imply that QBS procurement should be *required* for all professional mapping services. Nowhere does the document suggest expanding the Brooks Act and this is not the intent.

In fact, the Guidelines specifically state that Brooks Act procurement is not required for all mapping services and guidance is provided for an alternative approach. Language to this affect is included in bullets 5, 6, 14 and 17 of the Executive Summary and related sections of the full text. Further, the Guidelines in no way encourage licensing of all survey tasks. The Guidelines adopt the NCEES Model Rules approach to distinguish between surveying and non-surveying tasks, and include a detailed matrix breakdown clarifying this distinction.

The intent of the Guidelines is to state that: 1) Qualifications based selection processes are *recommended* (not necessarily required) for procurement of professional services; 2) The NCEES Model Law/Model Rules and State Law should be used to distinguish between survey and non-survey tasks when determining whether or not FAR or State QBS procurement requirements apply; 3) QBS is not always required by law and QBS laws do not apply to all mapping services; and 4) If cost based methods are to be used by an organization, ASPRS *recommends* that cost be considered secondary to qualifications according the alternative process outlined in the document.

It is important to us that the Guidelines be well understood. Therefore, we hope that your group will identify any specific language in the Guidelines that you believe is confusing or misleading. In particular, we would be interested in learning what specific parts of the Guidelines, if any, you believe do not fairly represent the NCEES Model Rules interpretation of surveying.

The committee plans to make the changes summarized above and submit a final document to the ASPRS Board for their consideration at their meeting March 13. In the absence of any specific recommendations with regards to language on licensing and QBS, no substantial changes to those parts of the document are as of yet proposed. I have talked briefly with Robert Yoha. Given our deadline to submit a document at the Board meeting and Robert's other commitments and sick leave, we have not yet been able to schedule a time to meet to discuss any specific revisions your group may propose. If you, Robert or anyone else in your organization can be available to meet with me in Baltimore during the ASPRS conference, I will schedule the time to do that. Otherwise, I would need any further comments or suggestions via telecom or e-mail prior to March 3. Any proposals for further action or other comments you or Robert wish to provide prior to the Board meeting will be provided to the Board for consideration.

Again, thank you and the California GIS Council very much for your detailed consideration of this effort. The Guidelines committee is committed to considering all viewpoints on this complex subject and very much appreciates your group's input.

Sincerely,



Douglas L. Smith  
Procurement Guidelines Committee Chair  
Professional Practice Division Director