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To: David C. Childs A-76comments/OMB/EOP@EOP
cc:
Subject: Comments on Revisions to OMB Circular A-76

Following are comments I would like considered in the final revisions to OMB Circular A-76. The attachment is a Word format letter with the same comments.

December 10, 2002

Mr. David C. Childs
Office of Federal Procurement Policy
Office of Management and Budget
725 17th Street, NW
New Executive Office Building-Room 9013
Washington, DC 20503

Dear Mr. Childs:

Re: Proposed Revisions to OMB Circular A-76

On behalf of Braun Intertec Corporation, a consulting engineering company of approximately 400 people, I want to offer the following comments on the proposed revisions to Circular A-76. Generally, I am pleased with the increased opportunities the revisions provide for our firm to compete with government agencies for work that should be open to public competition.

We are particularly affected when federal government agencies provide services we could provide to state, local and tribal governments. We strongly support the revisions that open these services to competition. Similarly, commercial interservice support agreements (ISSA) that have allowed federal government agencies to provide engineering, testing and research activities to other agencies without competition have affected our opportunities. The revisions to make these services open to competition will increase efficiency, innovation and best value to taxpayers.

To provide the best efficiency, innovation and true best value to taxpayers it is important to fully recognize qualifications-based selection (QBS) procedures described in FAR Part 36 when writing the final rule for the A-76 revisions. The conflict between Circular A-76 procedures and Federal law that mandates QBS for architectural and engineering ("A/E") services (40 USC § 541 et seq) should be eliminated in the revised circular. Since the proposed A-76 revisions are largely based on the FAR, inclusion of an exemption for direct conversion of A/E services would align the new A-76 process more closely with FAR Part 36. Our experience with contracting with the federal government for engineering and research activities has demonstrated that selections based on low price only often result in the selection of the least qualified bidder and ultimate highest total project costs.

Thank you for the opportunity to submit these comments. If you have questions, I can be reached at the address above, direct dial (952) 995-2230, or e-mail at ckruse@braunintertec.com.

Sincerely,

Braun Intertec Corporation

A handwritten signature in black ink, reading "C. G. Kruse". The signature is written in a cursive style with a large initial "C" and "K".

Cameron G. Kruse, PE
Associate Principal, Senior Engineer

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