

The Honorable Eliot Spitzer
New York State Governor
State Capitol
Albany, New York 12224

October 24, 2007

Dear Governor Spitzer,

On behalf of the New York Chapter of the American Institute of Architects and its more than 4,000 architect and public members, we would like to urge you and the State Legislature to move forward with bill A. 5933/S. 2162. As you know, the bill would extend quality-based selection (“QBS”) requirements for the procurement of architectural, engineering and/or surveying services to public authorities and public benefit corporations. We were disappointed to hear of the bill’s veto on August 1st, and believe that the issues raised in the veto note—from minor drafting errors to allowing specific exemptions from procurement laws in emergency situations— can and should be addressed promptly so that this important bill can become law.

QBS is already used universally in the procurement of architectural and engineering services in our jurisdiction, the City of New York, as well as for many State agencies in New York. Both theoretically and practically sound, QBS has proved to be an innovative, cost-effective way to ensure that New York’s public projects are built well. Beginning the selection process from the standpoint of quality, and not lowest price, ensures that the infrastructure we are building today will perform at top standards. QBS also saves taxpayer dollars by encouraging innovative design at fair market value, resulting in lower operating and ownership costs and minimizing construction delays and litigation.

New York State relies on its architects and engineers to design transportation systems, public buildings, bridges, tunnels, and other public facilities used by millions of New Yorkers. We feel it is crucial for State public authorities and public benefit corporations to be able to choose the most qualified design professionals to provide the highest level of excellence for public projects. There is no reason to apply different procurement requirements to public authorities and public benefit corporations, when the QBS is already so successfully applied to other State agencies.

With the amount of construction activity underway and planned in New York in the coming years, the time is now for the State to avail itself of every available opportunity for ensuring the development of high-quality projects with lower overall costs. Such an opportunity has presented itself in A.5933/S.2162, and we hope you can move forward to correct the issues with the current bill, and sign a revised version into law. We respectfully urge you to act now, to avoid delaying such an important and useful piece of legislation.

Sincerely,

Joan Blumenfeld, FAIA, IIDA
2007 President, AIA New York Chapter

Fredric Bell, FAIA
Executive Director