



Looming Federal Security Clearance Problem



ACEC/CASE and its industry allies are seeking to head off a looming problem involving a new federal policy requiring security clearances for all government work.

Under a Homeland Security Presidential Directive (HSPD-12), all federal agencies will be required to have a new government-wide standard in place for identifying federal employees and contractors by October of 2007.

As part of this effort, all government contractors and their employees must undergo minimum security background screenings.

ACEC has raised concerns over the current backlog in the security clearance process, especially where contractors have waited two or more years to have their clearances processed.

It is estimated that there are approximately 30,000 backlogged applications as of this year. With the HSPD-12, this backlog is expected to increase significantly.

ACEC has met the Office of Personnel Management, as well as the Department of Defense, and General Accounting Office (GAO), on the industry's concern. The Council also has briefed the House Government Reform Committee and the Senate Homeland Security and Governmental Affairs Committee.

"If engineering firm employees cannot have background checks processed in a timely manner, our ability to compete for and carry out work for federal agencies is severely compromised," said Bill Wolfe of Edwards & Kelcey, Inc., and chairman of ACEC's Homeland Security Subcommittee.

ACEC will continue to work and monitor this issue until it has been resolved. ■

Risk Management Tip

Taking on Construction Management

There are as many variations of construction management as there are firms in the business. CM has been generally not contemplated as an assignment for the engineer. It entails a much deeper involvement in the construction process and a degree of participation in the means, methods, techniques and/or safety precautions, etc.

These are not functions for which the engineer has been ordinarily trained, nor are they associated with his or her license. They may also be considered beyond the protection of his or her professional liability policy. Engineers who feel they are qualified to carry out these responsibilities should give careful consideration to obtaining a special endorsement on their policy to cover these responsibilities. ■



3D-4D Building Information Modeling by GSA

Taken from the GSA website

Since 2003, the General Services Administration has established the 3D-4D-BIM Program. GSA has initiated 10 pilot projects in its current capital program, while assessing and supporting 3D-4D-BIM applications on over 20 ongoing projects across the nation. The power of visualization, coordination, simulation, and optimization from three-dimensional (3D), four-dimensional (4D), and building information modeling (BIM) computer technologies allow GSA to more effectively meet customer, design, construction, and program requirements. GSA is committed to a strategic and incremental adoption of 3D-4D-BIM technologies.

For all major projects (prospectus-level) receiving design funding in Fiscal Year 2007 and beyond, GSA requires spatial program BIMs be the minimum requirements for submission to the Office of the Chief Architect for Final Concept approvals by the PBS Commissioner. All GSA projects are encouraged to deploy mature 3D-4D-BIM technologies (spatial program vali-

ation and beyond) at strategic project phases in support of specific project challenges. The following bullets highlight the GSA National 3D-4D-BIM Program:

- Develop GSA-specific incentives for 3D-4D-BIM
- Establish policy to phase in 3D-4D-BIM adoption for all major projects
- Lead 3D-4D-BIM pilot application on current capital projects
- Provide expert support and assessment for ongoing capital projects to incorporate 3D-4D-BIM
- Assess industry readiness and technology maturity
- Partner with BIM authoring, viewing, and analysis vendors and open standard organizations
- Formulate the GSA BIM Guide--the first release will be focused on automated program validation and 3D laser scanning of existing conditions
- Develop contractual language for 3D-4D-BIM adoption ■



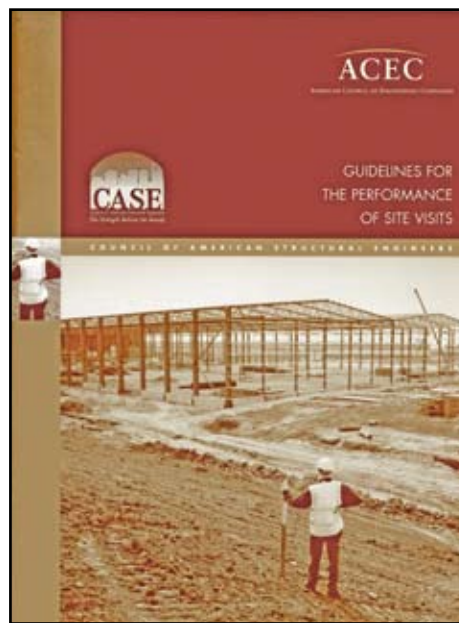
CASE Releases Site Visits Guideline

Structural engineers know that site visits are crucial to construction phase services. They help clarify and interpret the design. In the 1970s, a few well publicized claims against structurals started firms discouraging their staffs from conducting site visits. The thinking was that if you don't visit the site, you can avoid liability...nothing was further from the truth. Today, most engineering firms have a policy for appropriate construction phase services.

Much of what the engineer is able to do for the owner depends on the frequency and extent of visits to the site. The engineer is not expected to check every aspect of the work or make detailed inspections. Rather it is limited to selective sampling or similar methods of general observation using his professional judgment. Owners expect and are entitled to a certain degree of assurance (which does not rise to the level of a guarantee) as a result of the engineer's construction phase services. However they should be made to appreciate that the design professional is not involved in undertakings that necessitate supervision or control over the contractor's activities.

The CASE Guidelines for the Performance of Site Visits helps facilitate this process. CASE members received a free copy of this publication.

To purchase a copy go to www.acec.org and click on "Bookstore". ■



Policy Statement on Selection of Design Professionals On The Basis Of Qualifications

The cornerstone of ACEC policy on the procurement of services provided by design professionals is selection on the basis of qualifications. Design services involve the exercise of professional judgment and creativity that are vital to a project's success. Providers of such services must not be treated



as commodities to be selected on the basis of lowest price. Qualifications-based selection of design professional services allows public and private owners to achieve successful projects, reduces project life-cycle costs, and protects public health and safety.

In the design-bid-build delivery system, the qualifications-based selection process (QBS) for recruiting design professionals follows a well-established sequence. The owner issues a request for qualifications (RFQ); professional entities or individuals respond to the RFQ; the owner reviews the qualifications based upon past performance, technical competence, capacity to accomplish the work and related factors; the owner ranks the firms, with the best-qualified firm ranked first, the second most qualified second, and so on; the owner commences negotiations with the top-ranked firm to reach a mutual understanding of scope; and the parties negotiate a fair and reasonable price for the services required. If the owner and top-ranked firm cannot reach an agreement on scope, contract terms or price, the owner would then negotiate with the second-ranked firm, and so on. Caps on allowable costs and non-statutory based limitations on compensation are violations of the intent of the QBS process.

ACEC recognizes that owners frequently employ alternative project delivery methods. To help ensure that such projects receive the benefit of high-quality professional design services, ACEC recommends the following:

- The Owner should retain, or have on staff, a design professional selected on the basis of qualifications and not associated with the alternative delivery system prime contractor. This design professional should assist the owner in developing initial project scope, selecting the most appropriate project delivery system and assisting the owner throughout the project delivery process.
- Regardless of delivery method selected, the competence, experience, independent judgment and creativity of the design professional are major factors in a project's success. Thus, the qualifications and role of the project's design professional (A/E of Record) should be the major selection criteria for awarding an alternative delivery contract.
- When alternative project delivery methods are employed, ACEC supports the use of procurement methodologies for the prime contractors (who may be an A/E, contractor, developer or joint venture) that emphasize qualifications. These purchasing mechanisms include QBS (qualifications only) or best value source selection (the latter includes qualifications plus technical response and costs). Specifically, ACEC firmly supports the use of qualifications-based selection for all design professional services (e.g., for a design services subcontract) procured under an alternative delivery prime contract. ■