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Mr. Keller
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COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

B-183079

MAR 7 1979

The Honorable Lawton Chiles
Chairman, Subcommittee on
Federal Spending Practices
and Open Government, Commit-
tee on Governmental Affairs
United States Senate

Dear Mr. Chairman:

On February 7, 1979, you requested our comments on a proposed amendment to Senate bill 57, the Federal Acquisition Reform Act. The purpose of the proposed amendment (No. 54) is to permit firms other than architectural and engineering firms to compete for certain jobs through negotiated bidding procedures.

The proposed amendment would extend the coverage of 40 U.S.C. Sec. 541 et seq. (1976) beyond the services provided by professional architectural and engineering firms. The statute defines these services as "those professional services of an architectural or engineering nature as well as incidental services that members of these professions and those in their employ may logically or justifiably perform."

We do not look favorably on the proposed amendment for two reasons. First, we are not aware of any valid reasons why the statute should be amended to cover other than professional architectural and engineering services. Secondly, the procedures prescribed in the legislation preclude consideration under any circumstance of price as a factor in selecting an architectural and engineering firm. We see no advantage to the Government allowing additional services to be procured without being able to consider price as one of the factors of the competitive negotiation procedure, although we recognize that price may not be governing in a great majority of cases.

Sincerely yours,

(SIGNED) ELMER B. STAATS

Comptroller General
of the United States

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