



"LEADERSHIP IN PUBLIC SCHOOL GOVERNANCE"

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TO: Senate Labor, Elections and Urban Affairs Committee
FROM: Sheri Krause, Legislative Services Coordinator
DATE: March 5, 2008
RE: Senate Bill 295, related to requiring local units of government to use the qualifications-based selection process for certain public works consulting contracts.

The **Wisconsin Association of School Boards (WASB)** opposes **Senate Bill 295** because it would mandate school boards to use a particular process for selecting certain public works consultants contracts and explicitly prohibit school boards from considering a consultant's costs or fees during the initial selection process.

Local school boards are elected to be the fiscal agents for their districts. They are very concerned that explicitly prohibiting them from seeking information on costs or fees during any hiring process and prohibiting them from varying a selection process based on local needs will interfere with their ability to govern in as fiscally responsible manner as possible.

When hiring a contractor or employee, school boards determine the process and take into consideration experience, competence, quality of work, cost and other criteria. Members have indicated that considering costs when evaluating contracts for services is often extremely valuable. It allows boards to gauge experience against fees and expedites the selection process.

School boards make every effort to ensure that the contracts they sign are written in the best interest of their students and their taxpayers. They are very concerned that statutorily precluding the consideration of costs during the initial selection process for a public works consultant and statutorily requiring a particular selection process for that consultant will not result in contracts that are in the best interest of students and taxpayers.

In addition, concerns have been raised by Milwaukee Public Schools (MPS) about the potential for SB 295 to impact its ability to comply with historically underutilized business (HUB) requirements. HUB requires that a certain percentage of total contract dollars be allocated for work to be done by firms that are owned, controlled and managed by minority, women or small business owners. There are concerns that many firms certified as HUBs will not have comparative experience to be competitive in a selection process based solely on the qualifications as described in this bill.

For these reasons, the WASB urges your opposition to SB 295. Thank you.