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To: David C. Childs A-76comments/OMB/EOP@EOP

cc:

Subject: comment on OMB Circular A-76

> 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, D.C. 20503  
>  
> Dear Mr. Childs:  
>  
> I am pleased to comment on the proposed revisions to OMB Circular A-76. I  
> applaud your office for its positive efforts to restructure Circular A-76  
> to align it with Federal Acquisition Regulations (FAR). The proposed  
> revisions will pave the way for the Administration's competitive sourcing  
> policy, allowing the private sector to fairly compete for public  
> contracts.  
>  
> I am particularly supportive of the language to expand competition to now  
> include services provided under commercial interservice support agreements  
> (ISSA). In the past, these types of agreements were typically off-limits  
> to private industry, which has not allowed for efficiency, innovation and  
> best value to taxpayers.  
>  
> I also applaud your office's recognition of the importance of restricting  
> Federal agencies from displacing private sector firms by providing  
> services to state or local governments. Many Federal agencies continue to  
> aggressively market their services to state, local and tribal governments,  
> often by providing matching funds. Engineering companies simply cannot  
> compete with agencies that offer partial project funding.  
>  
> Lastly, I urge OMB to fully recognize qualifications-based selection (QBS)  
> procedures described in FAR Part 36 when writing the final rule for the  
> A-76 revisions. For many years there has been a conflict between Circular  
> A-76 procedures and Federal law that mandates QBS for architectural and  
> engineering ("A/E") services (40 USC § 541 et seq). This conflict should  
> be addressed in the revised circular to ensure that the government selects  
> the company that is most qualified to meet a project's needs. 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.  
>  
> Again, I commend OMB for the clarity with which these revisions to  
> Circular A-76 were developed and appreciate the opportunity to submit  
> these comments.  
>  
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