

June 3, 2009

The Honorable Robert Filner
U.S. House of Representatives
Washington, DC 20515

Dear Congressman Filner:

I write on behalf of the Construction Management Association of America, whose 5,500-plus members include both providers of professional Construction and Program Management services and construction owners in both public and private sectors. We are concerned that HR 2104, mandating that only public employees conduct inspections on federally funded transportation projects, misunderstands how these projects are executed, and this misunderstanding could have serious unintended consequences.

Inspections are just one of an extensive portfolio of professional services required by construction projects and programs. Major owners such as the U.S. Army Corps of Engineers, the U.S. General Services Administration, major school districts, ports, departments of transportation, and others have weighed their options and concluded that their needs are best served by being able to contract for some or all of these services from private sector providers. These agencies are all accountable for their results – to Congress, to their state legislatures and executives, to regional multi-government bodies, and to their citizens. Their experience and professional judgment tell them that the option of outsourcing services is valuable and should be available to them.

Throughout the design and construction industry today, one of the most important problems is a serious and persistent shortage of qualified, experienced professionals. Most, if not all, public agencies are suffering the consequences of this shortage. Depriving these agencies of the option of outsourcing may well mean severe additional delays or even an inability to move projects forward. Agencies have relied on the private sector to augment and extend their staff capabilities, and the overall track record for accomplishment and transparency has been excellent. Removing an important option – particularly isolating inspections as the only service on a diverse menu that *cannot* be contracted – will be unwise and self-defeating.

If you or your staff would like to discuss this matter further, please do not hesitate to contact me.

Sincerely,

Bruce D'Agostino, CAE, FCMAA
President & CEO