

HOUSE BILL NO. 4774

August 20, 2025, Introduced by Reps. Fairbairn, Pavlov, Fox, Markkanen, Cavitt, Roth, Prestin, Bohnak, Steckloff, Borton, Aragona, Linting, Hoadley and VanderWall and referred to Committee on Regulatory Reform.

A bill to amend 1984 PA 431, entitled
"The management and budget act,"
by amending section 237b (MCL 18.1237b), as added by 2002 PA 504.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 237b. **(1)** The selection of architects **for architectural**
2 **services**, professional engineers **for engineering services**,
3 professional surveyors **for land surveying services**, and qualified
4 firms ~~shall~~**must** be made in accordance with competitive,
5 qualifications-based selection processes and procedures for ~~the~~

~~type of professional service required by the department.~~the
department and all state agencies as provided in this section.

(2) If a proposed project by a state agency requires architectural services, engineering services, or land surveying services, the department or state agency shall publish a notice requesting a statement of interest in the proposed project by any qualified firm, along with a statement of qualifications and performance data from the qualified firm. The published notice must state the general scope and nature of the proposed project for which services are required and must include contact information for a representative of the department or state agency who can provide further details of the proposed project.

(3) In procuring architectural services, engineering services, or land surveying services for a proposed project, the department or state agency shall evaluate the statements of interest, statements of qualifications, and performance data submitted by qualified firms. In evaluating a qualified firm for the proposed project, the department or state agency shall consider all of the following:

- (a) Qualifications of the qualified firm.
 - (b) Ability of the professional personnel of the qualified firm.
 - (c) Past record and experience of the qualified firm.
 - (d) Any other qualifications-based factors that the department or state agency determines are applicable.
- (4) The department or state agency may conduct discussions with and require presentations by any qualified firm that the department or state agency is considering to provide the required architectural services, engineering services, or land surveying

1 services for the proposed project.

2 (5) Based on the evaluations, discussions, and presentations,
3 the department or state agency shall select the qualified firms
4 that the department or state agency considers to be the most highly
5 qualified to provide the required architectural services,
6 engineering services, or land surveying services for the proposed
7 project. The department or state agency shall rank the qualified
8 firms selected in order based on the qualifications set forth in
9 this section.

10 (6) The department or state agency shall enter into contract
11 negotiations with the highest-ranked qualified firm at compensation
12 that the department or state agency determines to be fair and
13 reasonable. The department or state agency shall take into account
14 the estimated value, scope, complexity, and professional nature of
15 the services to be rendered.

16 (7) If the department or state agency is unable to negotiate a
17 satisfactory contract with the highest-ranked qualified firm,
18 negotiations with the qualified firm must be formally terminated.
19 The department or state agency shall begin negotiations with the
20 next-highest-ranked qualified firm and continue until an agreement
21 is reached or the process is terminated.

22 (8) If the department or state agency is unable to negotiate a
23 satisfactory contract with any of the selected qualified firms, the
24 department or state agency shall reevaluate the architectural
25 services, engineering services, or land surveying services
26 requested, including the estimated value, scope, complexity, and
27 fee requirements.

28 (9) The department or state agency may waive the requirements
29 of this section under either of the following conditions:

1 (a) The department or state agency determines that an
2 emergency situation exists and a qualified firm must be selected in
3 an expeditious manner.

4 (b) The cost of the architectural services, engineering
5 services, or land surveying services for a project is less than
6 \$250,000.00.

7 (10) As used in this section:

8 (a) "Architectural services" means the practice of
9 architecture as that term is defined in section 2001 of the
10 occupational code, 1980 PA 299, MCL 339.2001.

11 (b) "Engineering services" means the practice of professional
12 engineering as that term is defined in section 2001 of the
13 occupational code, 1980 PA 299, MCL 339.2001.

14 (c) "Land surveying services" means the practice of
15 professional surveying as that term is defined in section 2001 of
16 the occupational code, 1980 PA 299, MCL 339.2001.

17 (d) "Qualified firm" means a sole proprietorship, partnership,
18 corporation, or limited liability company through which a person
19 licensed as an architect, professional engineer, or professional
20 surveyor under article 20 of the occupational code, 1980 PA 299,
21 MCL 339.2001 to 339.2014, offers or provides architectural
22 services, engineering services, or land surveying services to the
23 public.