



January 18, 2021

RE: Senate Bill 213

Good Afternoon. More than 40% of ACEC/MD's member firms are either Small or Minority Owned Firms. I work for a small, woman-owned business in Howard County, established in 1996. Over the past 18 years, I have had the pleasure of witnessing and helping to grow my company from 15 to over 80 diverse employees. The majority of our work is located within Maryland, and we are committed to our mission, which is advancing sustainable and resilient communities. My firm provides a variety of professional services, either a prime on smaller contracts or as a valued subconsultant on others.

As a small business, we are disproportionately affected by contract provisions that require us to assume an uninsurable liability to defend unnamed parties in a "Duty to Defend, clause" in order to bid on an otherwise profitable contract.

These contracts present an ominous choice, either turning away work or taking on this uninsurable risk that could mean going bankrupt. A company of my size cannot reasonably take on an inequitable level of liability, indemnity, and defense costs for things that we did not cause and are beyond our control.

We provide high quality professional services and want to make sure the citizens of Maryland continue to enjoy this high quality of service. If firms like mine, and the dozens of others doing business in Maryland, continue to have to make the aforementioned choice, I am afraid the quality of services will be impacted. Because more stable firms, like mine could cease to exist, leaving these services to less stable firms that are willing to assume the uninsurable risk.

Like larger firms, we are proud of the professional services we provide and completely stand behind the technical design work we perform. We remain committed to continue to provide our clients, partners, and the citizens of Maryland the highest quality professional services.

Sincerely,

Chimere Lesane-Matthews
Deputy Director of Environmental Planning
Straughan Environmental, Inc.