

**From:** [Biedermann, Cynthia@DGS](mailto:Biedermann_Cynthia@DGS)  
**To:** ["Day, Kevin@DGS"](mailto:Day_Kevin@DGS) [Kevin.Day@dgs.ca.gov](mailto:Kevin.Day@dgs.ca.gov)  
**Date:** 6/23/2015 11:27:38 AM  
**Subject:** RE: Review contracts

All good; in the meantime, I will try to do some initial review

C

CYNTHIA BIEDERMANN      ASSOCIATE GOVERNMENTAL PROGRAM ANALYST      CALIFORNIA BUILDING STANDARDS  
COMMISSION      916.263.1330



---

From: Day, Kevin@DGS  
Sent: Tuesday, June 23, 2015 9:24 AM  
To: Biedermann, Cynthia@DGS  
Subject: Review contracts

Cynthia, today's meeting with Assembly Member Gatto's office is a go so I'll have to reschedule this afternoon's meeting to review our contracts. Would it be okay if I reschedule for Thursday from 1:30-2:30 (and have follow-up meetings as needed)

**Kevin Day**  
Staff Services Manager I (Specialist)  
California Building Standards Commission  
**Phone** 916.263.0355  
**Fax** 916.263.0959

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**From:** [Biedermann, Cynthia@DGS](mailto:Biedermann_Cynthia@DGS)  
**To:** "[Day, Kevin@DGS](mailto:Day, Kevin@DGS)" [Kevin.Day@dgs.ca.gov](mailto:Kevin.Day@dgs.ca.gov)  
"[Benny, Katrina@DGS](mailto:Benny, Katrina@DGS)" [Katrina.Benny@dgs.ca.gov](mailto:Katrina.Benny@dgs.ca.gov)  
**Date:** 6/30/2015 4:15:21 PM  
**Subject:** RE: oh crud....publication contracts

I'm reviewing the files now and will update them with final language

CYNTHIA BIEDERMANN

ASSOCIATE GOVERNMENTAL PROGRAM ANALYST  
STANDARDS COMMISSION 916.263.1330

CALIFORNIA BUILDING



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From: Day, Kevin@DGS  
Sent: Tuesday, June 30, 2015 4:14 PM  
To: Benny, Katrina@DGS  
Cc: Biedermann, Cynthia@DGS  
Subject: RE: oh crud....publication contracts

Yes, but Cynthia mentioned that what we have saved in the PROCUREMENT folder may not be the final approved contracts. Should Cynthia and I identify the most appropriate electronic versions to share with DGS

**Kevin Day**  
916.263.0355

---

From: Benny, Katrina@DGS  
Sent: Tuesday, June 30, 2015 4:10 PM  
To: Day, Kevin@DGS  
Subject: RE: oh crud....publication contracts

Do you know where the electronic versions are

## Katrina Benny

Manager, CBSC

Phone 916-263-1350

---

From: Day, Kevin@DGS  
Sent: Tuesday, June 30, 2015 4:10 PM  
To: Benny, Katrina@DGS; Biedermann, Cynthia@DGS  
Cc: Nearman, Michael@DGS; McGowan, Jim@DGS  
Subject: RE: oh crud....publication contracts

Understood, thanks for the heads-up Katrina.

### Kevin Day

916.263.0355

---

From: Benny, Katrina@DGS  
Sent: Tuesday, June 30, 2015 4:09 PM  
To: Day, Kevin@DGS; Biedermann, Cynthia@DGS  
Cc: Nearman, Michael@DGS; McGowan, Jim@DGS  
Subject: oh crud....publication contracts  
Importance: High

Good news first .DGS PD/OBAS has approved our NCB's and they have been routed all the way to Agency for their signature.

Bad news . OBAS wants to issue \$0.00 official contracts for the publishing agreements. This means that they have specific requirements that need to be met (I have asked for them) and language. They have asked for electronic versions of the previous contracts for their review.

I knew, this was going to happen now that we are under them.

We have a scheduled meeting to discuss the overall process tomorrow, and we can discuss this new *twist* then.

## Katrina Benny, Manager

CA Building Standards Commission  
2525 Natomas Park Dr. Ste. 130

Sacramento, CA 95833  
916.263.1350 Phone  
916.263.0959 Fax



**CODE ZONE AHEAD:**  
**2015 TRIENNIAL CYCLE**

**From:** [Biedermann, Cynthia@DGS](mailto:Biedermann_Cynthia@DGS)

**To:** ["Benny, Katrina@DGS \(Katrina.Benny@dgs.ca.gov\)"](mailto:Benny_Katrina@DGS) [katrina.benny@dgs.ca.gov](mailto:katrina.benny@dgs.ca.gov)

**Date:** 6/30/2015 4:33:37 PM

**Subject:** ICC 2013 Code Agreements

**Attachments:** [2012\\_Final\\_Pub\\_Agmt\\_ICC\\_Pt\\_2\\_2\\_5\\_9\\_10\\_11-7-12.docm](#)  
[2012\\_Final\\_Pub\\_Agmt\\_ICC\\_Pt\\_1\\_6\\_8\\_11\\_12\\_11-7-12.docm](#)

These are the final drafts that the two ICC executed agreements were based on. Note that they include mark-ups throughout, and that all of the exhibits require updating on our end.

CYNTHIA BIEDERMANN

ASSOCIATE GOVERNMENTAL PROGRAM ANALYST  
STANDARDS COMMISSION 916.263.1330

CALIFORNIA BUILDING



**From:** [Biedermann, Cynthia@DGS](mailto:Biedermann_Cynthia@DGS)  
**To:** [mjohnson@icc-es.org](mailto:mjohnson@icc-es.org)  
**Date:** 7/6/2015 11:31:07 AM  
**Subject:** 2016 California Codes

Hi Mark,

Hope you had a fun 4<sup>th</sup> of July weekend

We have started to look at the contract language for the 2016 California Codes. By way of introduction, I have copied Kevin Day who will be managing the contract process for CBSC this time around. You may remember meeting Kevin at some point. He was in this office in the past and recently returned. He is very knowledgeable and a pleasure to work with.

I will continue to be in the contract loop assisting Kevin as necessary and will remain the primary contact for the publication review process. Needless to say, Mike and Jim will be overseeing each step along the way.

Please let us know your preferred next steps in moving forward with the contracts. In the meantime, we are updating the many exhibit/attachment documents to the contracts. And we have already started dialog with Dianna Hallmark concerning the 2016 cover artwork.

Regards,  
C

CYNTHIA BIEDERMANN

ASSOCIATE GOVERNMENTAL PROGRAM ANALYST  
COMMISSION 916.263.1330

CALIFORNIA BUILDING STANDARDS



**From:** ["Mark Johnson" mjohnson@icc-es.org](mailto:mjohnson@icc-es.org)  
**To:** ["Biedermann, Cynthia@DGS" Cynthia.Biedermann@dgs.ca.gov](mailto:Cynthia.Biedermann@dgs.ca.gov)  
**Date:**  
**Subject:** RE: 2016 California Codes

Cynthia,

This is good news. I would love to get an early start on the agreement and get it nailed down. I look forward to working with Kevin and yourself. I am out this week on travels. Any time next week is good for a quick call to kick things off. Hope you and the CBSC staff had a great 4th.

Mark

Mark A. Johnson

Executive Vice President & Director of Business Development

International Code Council

Western Regional Office

3060 Saturn Street, Suite 100

Brea, CA 92821

888-422-7233 x3248

From: Biedermann, Cynthia@DGS [mailto:Cynthia.Biedermann@dgs.ca.gov]

Sent: Monday, July 06, 2015 11:31 AM

To: Mark Johnson

Cc: Day, Kevin@DGS; Dave Walls; McGowan, Jim@DGS; Nearman, Michael@DGS; Benny, Katrina@DGS;

12/17/2016

Casey Thomas  
Subject: 2016 California Codes

Hi Mark,

Hope you had a fun 4th of July weekend

We have started to look at the contract language for the 2016 California Codes. By way of introduction, I have copied Kevin Day who will be managing the contract process for CBSC this time around. You may remember meeting Kevin at some point. He was in this office in the past and recently returned. He is very knowledgeable and a pleasure to work with.

I will continue to be in the contract loop assisting Kevin as necessary and will remain the primary contact for the publication review process. Needless to say, Mike and Jim will be overseeing each step along the way.

Please let us know your preferred next steps in moving forward with the contracts. In the meantime, we are updating the many exhibit/attachment documents to the contracts. And we have already started dialog with Dianna Hallmark concerning the 2016 cover artwork.

Regards,

C



CYNTHIA BIEDERMANN ASSOCIATE GOVERNMENTAL PROGRAM ANALYST CALIFORNIA BUILDING STANDARDS COMMISSION 916.263.1330

ICC Plan Review Services Delivers the Most Detailed and Precise Plan Reviews in the Building Industry. Also, take advantage of our new e-Plan cloud-based ProjectDox, powered by Avolve software, to streamline the document submittal process. <http://go.iccsafe.org/l/25182/2015-04-29/ysjdm> Learn more.

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**From:** [Biedermann, Cynthia@DGS](mailto:Biedermann_Cynthia@DGS)

**To:** ["Day, Kevin@DGS"](mailto:Day_Kevin@DGS) [Kevin.Day@dgs.ca.gov](mailto:Kevin.Day@dgs.ca.gov)

**Date:** 7/7/2015 8:45:59 AM

**Subject:** FW: 2016 California Codes

**Attachments:** [RE: 2016 California Codes.msg](#)

Per Mark's email, you can set up the suggested conference call through Casey who will include any additional ICC folks.

Here we go

J

CYNTHIA BIEDERMANN

ASSOCIATE GOVERNMENTAL PROGRAM ANALYST  
STANDARDS COMMISSION 916.263.1330

CALIFORNIA BUILDING



**From:** [Biedermann, Cynthia@DGS](mailto:Biedermann_Cynthia@DGS)  
**To:** ["Day, Kevin@DGS"](mailto:Day, Kevin@DGS) [Kevin.Day@dgs.ca.gov](mailto:Kevin.Day@dgs.ca.gov)  
**Date:** 8/18/2015 1:39:20 PM  
**Subject:** RE: Call w/IAPMO today

Kevin,  
Should we make the call to IAPMO in Katrina's office

CYNTHIA BIEDERMANN

ASSOCIATE GOVERNMENTAL PROGRAM ANALYST  
STANDARDS COMMISSION 916.263.1330

CALIFORNIA BUILDING



---

From: Day, Kevin@DGS  
Sent: Tuesday, August 18, 2015 1:28 PM  
To: Nearman, Michael@DGS  
Cc: Biedermann, Cynthia@DGS; McGowan, Jim@DGS  
Subject: RE: Call w/IAPMO today

Understood, thanks Mike. If you will be in with Jim would it be okay if Cynthia and I use your office for the call, or maybe Katrina's

**Kevin Day**  
916.263.0355

---

From: Nearman, Michael@DGS  
Sent: Tuesday, August 18, 2015 1:26 PM  
To: Day, Kevin@DGS  
Cc: Biedermann, Cynthia@DGS; McGowan, Jim@DGS  
Subject: RE: Call w/IAPMO today

Yes additionally I will likely be in a meeting with Jim during that discussion but you and Cynthia can handle it and we can debrief after your call. The good part is that IAPMO is really good and we typically don't have any issues with their contracts.

Lastly, we can always follow up with them again after our debriefing if anything comes up we feel needs their attention.

Thanks,

Michael L. Nearman  
Deputy Executive Director  
California Building Standards Commission  
(916) 263-5888



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---

From: Day, Kevin@DGS  
Sent: Tuesday, August 18, 2015 8:53 AM  
To: Nearman, Michael@DGS  
Cc: Biedermann, Cynthia@DGS  
Subject: Call w/IAPMO today

Hi Mike,

I just wanted to touch base on this afternoon's call with IAPMO. Is it okay if you, Cynthia and I proceed with the call in Katrina's absence

**Kevin Day**

Staff Services Manager I (Specialist)  
California Building Standards Commission

**Phone** 916.263.0355

**Fax** 916.263.0959

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**From:** [Biedermann, Cynthia@DGS](mailto:Biedermann_Cynthia@DGS)  
**To:** "[Benny, Katrina@DGS](mailto:Benny_Katrina@DGS)" [Katrina.Benny@dgs.ca.gov](mailto:Katrina.Benny@dgs.ca.gov)  
["Day, Kevin@DGS"](mailto:Day_Kevin@DGS) [Kevin.Day@dgs.ca.gov](mailto:Kevin.Day@dgs.ca.gov)  
**Date:** 12/7/2015 11:40:34 AM  
**Subject:** RE: ICC Code Publication and Exhibits

Works for me

CYNTHIA BIEDERMANN      ASSOCIATE GOVERNMENTAL PROGRAM ANALYST      CALIFORNIA BUILDING  
STANDARDS COMMISSION      916.263.1330



---

From: Benny, Katrina@DGS  
Sent: Monday, December 07, 2015 11:32 AM  
To: Day, Kevin@DGS  
Cc: de la Motte, Leann@DGS; Biedermann, Cynthia@DGS  
Subject: RE: ICC Code Publication and Exhibits

Okay.

**Katrina Benny**

Manager, CBSC  
Phone 916-263-1350

---

From: Day, Kevin@DGS  
Sent: Monday, December 07, 2015 11:22 AM  
To: Benny, Katrina@DGS  
Cc: de la Motte, Leann@DGS; Biedermann, Cynthia@DGS  
Subject: RE: ICC Code Publication and Exhibits

Agreed -- would everyone be able to review Bruce's changes (summarized below and attached) and meet tomorrow morning at 9am to discuss I realize this would be short notice, but if this works we could brief Mike and Mia during Senior Staff at 10am then schedule a call with Bruce with proper direction.

If more time is needed, I will schedule later this week, just let me know.

**Kevin Day**  
916.263.0355

---

From: Benny, Katrina@DGS  
Sent: Monday, December 07, 2015 8:58 AM  
To: Day, Kevin@DGS  
Cc: de la Motte, Leann@DGS; Biedermann, Cynthia@DGS  
Subject: RE: ICC Code Publication and Exhibits

I would suggest a meeting to go over his changes listed below. I cannot agree to all of them, especially the 2 year contract term, because of our 3 year process for one.

**Katrina Benny**  
Manager, CBSC  
Phone 916-263-1350

From: Day, Kevin@DGS  
Sent: Monday, December 07, 2015 8:21 AM  
To: Benny, Katrina@DGS  
Cc: de la Motte, Leann@DGS; Biedermann, Cynthia@DGS  
Subject: FW: ICC Code Publication and Exhibits

Hi Katrina,

Bruce Betts (OBAS) provided a revised draft of the Statement of Work for the first ICC contract (see below, attached). I've also copied Leann and Cynthia for their information. It appears Bruce is recommending some pretty comprehensive changes to our contract and process. Following review of this material, perhaps we should discuss with Mike and schedule a follow-up call with Bruce (and maybe Laura Frost) to discuss before we process the other contracts

**Kevin Day**  
916.263.0355

---

From: Betts, Bruce@DGS  
Sent: Wednesday, December 02, 2015 11:12 AM  
To: Day, Kevin@DGS  
Subject: ICC Code Publication and Exhibits

Good morning Kevin,

I have attached a draft of the SOW and Exhibits for your review. Most of the changes I made are format changes to get the package within the standardized format we use. Here is a summary of the more significant changes I am recommending:

- Contract Length: I adjusted the term to two years. A longer term would require a justification from CSBC for approval by OLS. SCM Vol. 1 7.80 B.
- General Terms and Conditions: We are required to use GTC 610 (see Exhibit C). I removed any of the terms and conditions in the draft SOW that are duplicated in GCT 610. SCM Vol. 1 4.08 A.1.d.1).
- \$ Consideration: I added a paragraph in Exhibit B (B.6.) that requires ICC to collect and report data CBSC on the sales of the code manuals. The contract has significant \$ consideration going both ways. The state receives several hundred copies of the manuals with a value of a little over \$1000 each. The contractor is selling the manuals for a little over a \$1000 each and I am assuming they are selling hundreds, if not thousands of copies of the manual at this pricing. Because of this, SCM Vol. 1 para 7.45 applies and the contract will require OLS review. I am committed to giving them a document they will sign off on the first time to reduce administrative delay but I will need your assistance and guidance in this.



- Schedule: I would also consider adding the attached schedule as an exhibit. If we called it “anticipated schedule” we would not have to amend if the schedule changes. It may better clarify those areas where we have said “WITHIN a reasonable time. I wanted to get your thoughts on that.

## Bruce Betts

Acquisition Analyst

Service Contract Section (*Team 3*)

**Office of Business and Acquisition Services Administration Division**

Department of General Services State of California

707 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, 2-300, West Sacramento, CA 95605

<http://inside.dgs.ca.gov/ad/obas.aspx>

**Phone** 916.441-9636

**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

**From:** [Biedermann\\_Cynthia@DGS](mailto:Biedermann_Cynthia@DGS)  
**To:** ["Day, Kevin@DGS"](mailto:Day_Kevin@DGS) [Kevin.Day@dgs.ca.gov](mailto:Kevin.Day@dgs.ca.gov)  
**Date:** 12/14/2015 11:40:04 AM  
**Subject:** RE: 2016 California Codes

Perfect

CYNTHIA BIEDERMANN    ASSOCIATE GOVERNMENTAL PROGRAM ANALYST    CALIFORNIA BUILDING STANDARDS COMMISSION    916.263.1330



From: Day, Kevin@DGS  
Sent: Monday, December 14, 2015 11:38 AM  
To: Mark Johnson  
Cc: Biedermann, Cynthia@DGS; Benny, Katrina@DGS; de la Motte, Leann@DGS  
Subject: RE: 2016 California Codes

Hi Mark,

I hope the holiday season finds you well. I just wanted to provide an update on the status of our publication contracts. We are working with the Department of General Services' Office of Business and Administrative Services (DGS-OBAS) and hope to have the final drafts for both ICC contracts ready in the next 2-3 weeks. We just wanted to give you a heads-up that an OBAS representative will be sending the contracts directly to you for review and signature during this timeframe. Just a reminder that, while the formatting will look slightly different, the content of the contract terms has been preserved. I could send you a draft version of the first contract to give you an idea of the formatting changes if that would help, just let me know.

Sincerely,

**Kevin Day**  
Staff Services Manager I (Specialist)  
California Building Standards Commission  
**Phone** 916.263.0355  
**Fax** 916.263.0959



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**From:** [Biedermann, Cynthia@DGS](mailto:Biedermann_Cynthia@DGS)  
**To:** ["de la Motte, Leann@DGS"](mailto:de la Motte, Leann@DGS) [Leann.deLaMotte@dgs.ca.gov](mailto:Leann.deLaMotte@dgs.ca.gov)  
**Date:** 2/9/2016 8:58:13 AM  
**Subject:** RE: ICC 2016 Code SOW

Here 'ya go

Mark Johnson  
Executive Vice President and Director of Business Development  
International Code Council  
3060 Saturn Street, Suite 100  
Brea, California 92821

CYNTHIA BIEDERMANN      ASSOCIATE GOVERNMENTAL PROGRAM ANALYST      CALIFORNIA BUILDING  
STANDARDS COMMISSION      916.263.1330

**NEW YEAR, NEW CODE**  
Publication Date: July 1, 2016      Effective Date: January 1, 2017

---

From: de la Motte, Leann@DGS  
Sent: Tuesday, February 09, 2016 8:53 AM  
To: Biedermann, Cynthia@DGS  
Subject: FW: ICC 2016 Code SOW

Hi Cynthia,

Can you provide me with Mark Johnson's contact info

Thanks

**Leann de la Motte**  
**Associate Governmental Program Analyst**  
**Building Standards Commission**  
**2525 Natomas Park Drive, Suite 130**  
**Sacramento, CA 95833**  
**(916)263-0677**



---

From: Betts, Bruce@DGS  
Sent: Monday, February 08, 2016 11:49 AM  
To: de la Motte, Leann@DGS  
Subject: FW: ICC 2016 Code SOW

Hello Leann,

Do you have contact information for Mark Johnson of ICC I need that to move the process forward. Thank you

Bruce Betts

Acquisition Analyst

**Contract Services Section** (Team 3)

**Office of Business and Acquisition Services Administration Division**

Department of General Services State of California

707 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, 2-300, West Sacramento, CA 95605

<http://inside.dgs.ca.gov/ad/obas.aspx>

**Phone** 916.441-9636  
**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

---

From: Betts, Bruce@DGS  
Sent: Friday, February 05, 2016 8:14 AM  
To: Day, Kevin@DGS  
Subject: RE: ICC 2016 Code SOW

Hi Kevin,

When you have a chance could you please forward the contact information (email & phone number) for Mark Johnson of ICC. The SOW only lists his address and fax. Thanks

Bruce Betts

Acquisition Analyst

**Contract Services Section** (*Team 3*)

**Office of Business and Acquisition Services Administration Division**

Department of General Services State of California

707 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, 2-300, West Sacramento, CA 95605

<http://inside.dgs.ca.gov/ad/obas.aspx>

**Phone** 916.441-9636  
**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

---

From: Day, Kevin@DGS  
Sent: Thursday, January 21, 2016 10:41 AM  
To: Betts, Bruce@DGS  
Cc: Frost, Laura@DGS; Benny, Katrina@DGS; de la Motte, Leann@DGS; Biedermann, Cynthia@DGS  
Subject: RE: ICC 2016 Code SOW

Good morning Bruce,

I hope all is well. Attached to this email are the two contracts between the International Code Council (ICC) and the Building Standards Commission (first contract covers Parts 2, 2.5, 9, 10; second contract covers Parts 1, 6, 8, 11, 12). I apologize for the delay. I just wanted to confirm that you will be sending the final versions of these contracts directly to Mark Johnson (ICC), then follow up with us shortly thereafter.

Thanks,

**Kevin Day**

Staff Services Manager I (Specialist)  
California Building Standards Commission  
**Phone** 916.263.0355  
**Fax** 916.263.0959



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---

From: Benny, Katrina@DGS  
Sent: Thursday, December 31, 2015 12:24 PM  
To: Betts, Bruce@DGS; Day, Kevin@DGS  
Cc: de la Motte, Leann@DGS; Biedermann, Cynthia@DGS  
Subject: RE: ICC 2016 Code SOW

Hello Bruce,

First off our apologizes, with the holidays, our triennial code cycle and some unfortunate family matters, we have been stretched quite thin. Our goal is to have the first 2 ICC SOW back to you today, or at least COB Monday January 4<sup>th</sup>.

Thank you for your consideration.

**Katrina Benny**

Manager, CBSC  
Phone 916-263-1350

From: Day, Kevin@DGS  
Sent: Thursday, December 31, 2015 7:57 AM  
To: Benny, Katrina@DGS  
Cc: de la Motte, Leann@DGS; Biedermann, Cynthia@DGS  
Subject: FW: ICC 2016 Code SOW

Hi Katrina,

Bruce Betts just emailed to check the status of the ICC contracts (see below). Would you or Leann be able to respond to him in my absence

**Kevin Day**

Staff Services Manager I (Specialist)  
California Building Standards Commission

**Phone** 916.263.0355

**Fax** 916.263.0959

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---

From: Betts, Bruce@DGS  
Sent: Thursday, December 31, 2015 7:52 AM  
To: Day, Kevin@DGS  
Subject: RE: ICC 2016 Code SOW

Good morning Kevin,

Just a note to check in and ask how the review of the SOW is coming along. Happy New Year

**Bruce Betts**

Acquisition Analyst  
Service Contract Section (Team 3)  
**Office of Business and Acquisition Services Administration Division**  
Department of General Services State of California  
707 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, 2-300, West Sacramento, CA 95605  
<http://inside.dgs.ca.gov/ad/obas.aspx>

**Phone** 916.441-9636  
**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

---

From: Betts, Bruce@DGS  
Sent: Monday, December 14, 2015 12:07 PM  
To: Day, Kevin@DGS  
Subject: ICC 2016 Code SOW

Hi Kevin,

I updated the SOW per our discussion this morning (and used the track changes function). There are a couple of highlighted areas that CBSC will need to fill in – the format for the “sales report” and the date that the publication front matter will be completed by. I also added information in para I.1.e. that references us attaching the Code Adoption Cycle as attachment F. Since this is a PDF file, once we finalize the document we can attach the PDF. Please let me know if there is anything else that I need to do with this. Once I receive it back from you I will put the package together and forward it to ICC for signature. Have a great afternoon

**Bruce Betts**

Acquisition Analyst  
Service Contract Section (*Team 3*)  
**Office of Business and Acquisition Services Administration Division**  
Department of General Services State of California  
707 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, 2-300, West Sacramento, CA 95605  
<http://inside.dgs.ca.gov/ad/obas.aspx>

**Phone** 916.441-9636  
**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)



**From:** [Biedermann, Cynthia@DGS](mailto:Biedermann_Cynthia@DGS)

**To:** ["de la Motte, Leann@DGS"](mailto:de la Motte, Leann@DGS) [Leann.deLaMotte@dgs.ca.gov](mailto:Leann.deLaMotte@dgs.ca.gov)

**Date:** 2/9/2016 9:04:22 AM

**Subject:** RE: ICC 2016 Code SOW

I almost included it :)

o e 22- 233 e e o 32

e o e 5 2 331- 0

CYNTHIA BIEDERMANN      ASSOCIATE GOVERNMENTAL PROGRAM ANALYST      CALIFORNIA BUILDING  
STANDARDS COMMISSION      916.263.1330

**NEW YEAR, NEW CODE**

Publication Date: July 1, 2016      Effective Date: January 1, 2017

---

From: de la Motte, Leann@DGS  
Sent: Tuesday, February 09, 2016 9:02 AM  
To: Biedermann, Cynthia@DGS  
Subject: RE: ICC 2016 Code SOW

Thank you,

Do you have a phone number and Email too

**Leann de la Motte**  
**Associate Governmental Program Analyst**

**Building Standards Commission**  
**2525 Natomas Park Drive, Suite 130**  
**Sacramento, CA 95833**  
**(916)263-0677**



---

From: Biedermann, Cynthia@DGS  
Sent: Tuesday, February 09, 2016 8:58 AM  
To: de la Motte, Leann@DGS  
Subject: RE: ICC 2016 Code SOW

Here 'ya go

Mark Johnson  
Executive Vice President and Director of Business Development  
International Code Council  
3060 Saturn Street, Suite 100  
Brea, California 92821

CYNTHIA BIEDERMANN

ASSOCIATE GOVERNMENTAL PROGRAM ANALYST  
STANDARDS COMMISSION 916.263.1330

CALIFORNIA BUILDING

12/17/2016

**NEW YEAR, NEW CODE**

Publication Date: July 1, 2016    Effective Date: January 1, 2017

---

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Sent: Tuesday, February 09, 2016 8:53 AM  
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Thanks

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Acquisition Analyst

**Contract Services Section** *(Team 3)*

**Office of Business and Acquisition Services Administration Division**

Department of General Services State of California

707 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, 2-300, West Sacramento, CA 95605

<http://inside.dgs.ca.gov/ad/obas.aspx>

**Phone** 916.441-9636

**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

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From: Betts, Bruce@DGS

Sent: Friday, February 05, 2016 8:14 AM

To: Day, Kevin@DGS

Subject: RE: ICC 2016 Code SOW

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**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

From: Day, Kevin@DGS  
Sent: Thursday, January 21, 2016 10:41 AM  
To: Betts, Bruce@DGS  
Cc: Frost, Laura@DGS; Benny, Katrina@DGS; de la Motte, Leann@DGS; Biedermann, Cynthia@DGS  
Subject: RE: ICC 2016 Code SOW

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Thanks,

**Kevin Day**

Staff Services Manager I (Specialist)  
California Building Standards Commission

**Phone** 916.263.0355

**Fax** 916.263.0959



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From: Benny, Katrina@DGS  
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## Katrina Benny

Manager, CBSC

Phone 916-263-1350

---

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Staff Services Manager I (Specialist)

California Building Standards Commission

**Phone** 916.263.0355

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Good morning Kevin,

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Bruce Betts

Acquisition Analyst  
Service Contract Section *(Team 3)*  
**Office of Business and Acquisition Services Administration Division**  
Department of General Services State of California  
707 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, 2-300, West Sacramento, CA 95605  
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Bruce Betts

Acquisition Analyst  
Service Contract Section *(Team 3)*  
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707 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, 2-300, West Sacramento, CA 95605  
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**From:** [Biedermann, Cynthia@DGS](mailto:Biedermann_Cynthia@DGS)  
**To:** ["de la Motte, Leann@DGS"](mailto:de la Motte, Leann@DGS) [Leann.deLaMotte@dgs.ca.gov](mailto:Leann.deLaMotte@dgs.ca.gov)  
**Date:** 2/9/2016 9:05:44 AM  
**Subject:** RE: ICC 2016 Code SOW

And

Mark Johnson: [mjohnson@icc-es.org](mailto:mjohnson@icc-es.org)

CYNTHIA BIEDERMANN      ASSOCIATE GOVERNMENTAL PROGRAM ANALYST      CALIFORNIA BUILDING  
STANDARDS COMMISSION      916.263.1330

**NEW YEAR, NEW CODE**

Publication Date: July 1, 2016      Effective Date: January 1, 2017

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From: de la Motte, Leann@DGS  
Sent: Tuesday, February 09, 2016 9:05 AM  
To: Biedermann, Cynthia@DGS  
Subject: RE: ICC 2016 Code SOW

Perfect Thank you :)

**Leann de la Motte**  
**Associate Governmental Program Analyst**  
**Building Standards Commission**  
**2525 Natomas Park Drive, Suite 130**  
**Sacramento, CA 95833**  
**(916)263-0677**



---

From: Biedermann, Cynthia@DGS  
Sent: Tuesday, February 09, 2016 9:04 AM  
To: de la Motte, Leann@DGS  
Subject: RE: ICC 2016 Code SOW

I almost included it :)

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CYNTHIA BIEDERMANN      ASSOCIATE GOVERNMENTAL PROGRAM ANALYST      CALIFORNIA BUILDING  
STANDARDS COMMISSION      916.263.1330

**NEW YEAR, NEW CODE**

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**Phone** 916.263.0355

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**From:** [Biedermann, Cynthia@DGS](mailto:Biedermann_Cynthia@DGS)  
**To:** ["de la Motte, Leann@DGS"](mailto:de la Motte, Leann@DGS) [Leann.delaMotte@dgs.ca.gov](mailto:Leann.delaMotte@dgs.ca.gov)  
**Date:** 2/11/2016 9:10:37 AM  
**Subject:** FW: ICC 2016 Code SOW

Leann,

This is the email that I was referring to. It sounds like you have already addressed, correct

Thanks

CYNTHIA BIEDERMANN      ASSOCIATE GOVERNMENTAL PROGRAM ANALYST      CALIFORNIA BUILDING  
STANDARDS COMMISSION      916.263.1330

**NEW YEAR, NEW CODE**

Publication Date: July 1, 2016      Effective Date: January 1, 2017

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From: Day, Kevin@DGS  
Sent: Thursday, February 11, 2016 8:00 AM  
To: Benny, Katrina@DGS  
Cc: de la Motte, Leann@DGS; Biedermann, Cynthia@DGS  
Subject: Fwd: ICC 2016 Code SOW

oo mor      Ar A      o Ave      AreA      o e o o      o eA e ro v e Br e Be      Ar o o      o e m er A  
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Se rom m      o e

Be or Ar e me A e

From: Be Br e S [Br\\_e.Be](mailto:Br_e.Be@...) . A ov

Date: Fe r Ar 5 201 A 1 13 A S

To: A ev S [ev . A](mailto:ev.A@...) . A ov

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**Office of Business and Acquisition Services Administration Division**  
Department of General Services State of California  
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#### LEGEND

In the ICC published versions, marginal markings are provided to distinguish between text that is part of the International Codes and text that is part of the state regulations. Double vertical lines in the margins within the body of the codes indicate state amendments to the International Codes. These margin rules are shown as **Text in Red**. As in the standard printings of the International Codes, a single vertical line in the margins within the body of the code indicates a technical change from the previous edition of the International Codes. These margin rules are shown as **Text in Blue**.

#### Legend for Change Indicators

**Text in Red**, indicates state changes or deletions.

**Text in Blue**, indicates ICC changes or deletions.

Limited search can be accomplished on the page by:

Windows computer: Control+Key+F 

Macintosh computer: Apple Key+F 

**From:** [Biedermann, Cynthia@DGS](mailto:Biedermann_Cynthia@DGS)  
**To:** ["Nearman, Michael@DGS"](mailto:Nearman, Michael@DGS) [Michael.Nearman@dgs.ca.gov](mailto:Michael.Nearman@dgs.ca.gov)  
**Date:** 2/29/2016 9:38:34 AM  
**Subject:** NFPA Contract Inquiry

Mike,

I left a message for Ray and he called me back within just a few minutes. As I thought, he called you and Deb Rose reached out to me regarding the contract last week. He did not realize that Bill Mahoney already has everything he needs to work on the 2016 CEC or that we had alerted Deb (and their counsel) some time ago that we were 1) actively working on the contracts; and 2) that it was going to take longer due to the new DGS requirements.

C

CYNTHIA BIEDERMANN      ASSOCIATE GOVERNMENTAL PROGRAM ANALYST      CALIFORNIA BUILDING  
STANDARDS COMMISSION      916.263.1330

**NEW YEAR, NEW CODE**

Publication Date: July 1, 2016      Effective Date: January 1, 2017

**From:** [Biedermann, Cynthia@DGS](mailto:Biedermann_Cynthia@DGS)  
**To:** ["Mark Johnson" mjohnson@icc-es.org](mailto:Mark Johnson)  
**Date:** 3/1/2016 12:20:09 PM  
**Subject:** CBSC 2016 Code Contracts

Mark,

Have you received the California contracts yet Just checking as you should have them but

Thanks,

Cynthia

CYNTHIA BIEDERMANN      ASSOCIATE GOVERNMENTAL PROGRAM ANALYST      CALIFORNIA BUILDING  
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Publication Date: July 1, 2016      Effective Date: January 1, 2017



**From:** [Biedermann\\_Cynthia@DGS](mailto:Biedermann_Cynthia@DGS)  
**To:** ["Mark Johnson"](mailto:Mark Johnson) [mjohnson@icc-es.org](mailto:mjohnson@icc-es.org)  
**Date:** 3/1/2016 1:10:15 PM  
**Subject:** RE: CBSC 2016 Code Contracts

Thank you

Cynthia

CYNTHIA BIEDERMANN    ASSOCIATE GOVERNMENTAL PROGRAM ANALYST    CALIFORNIA BUILDING STANDARDS COMMISSION    916.263.1330

**NEW YEAR, NEW CODE**

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From: Mark Johnson [mailto:mjohnson@icc-es.org]  
Sent: Tuesday, March 01, 2016 1:10 PM  
To: Biedermann, Cynthia@DGS  
Cc: Casey Thomas; Day, Kevin@DGS  
Subject: Re: CBSC 2016 Code Contracts

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CYNTHIA BIEDERMANN    ASSOCIATE GOVERNMENTAL PROGRAM ANALYST    CALIFORNIA BUILDING STANDARDS COMMISSION    916.263.1330

**NEW YEAR, NEW CODE**

Publication Date: July 1, 2016    Effective Date: January 1, 2017

[Register now](#) for the International Code Council's 2016 Committee Action Hearings, April 17 - 27 in Louisville. Reminder - ICC Governmental Memberships must be current by March 18, to participate in the Online Governmental Consensus Vote which follows the hearings. [www.iccsafe.org/EVDS](http://www.iccsafe.org/EVDS).

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**From:** [Biedermann\\_Cynthia@DGS](mailto:Biedermann_Cynthia@DGS)  
**To:** ["Benny\\_Katrina@DGS \(Katrina.Benny@dgs.ca.gov\)"](mailto:Benny_Katrina@DGS) [katrina.benny@dgs.ca.gov](mailto:katrina.benny@dgs.ca.gov)  
["Marvelli\\_Mia@DGS" Mia.Marvelli@dgs.ca.gov](mailto:Marvelli_Mia@DGS)  
["Nearman\\_Michael@DGS" Michael.Nearman@dgs.ca.gov](mailto:Nearman_Michael@DGS)  
**Date:** 3/1/2016 1:12:06 PM  
**Subject:** FW: CBSC 2016 Code Contracts

FYI- ICC received the two contracts and are currently reviewing them

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**NEW YEAR, NEW CODE**

Publication Date: July 1, 2016    Effective Date: January 1, 2017

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From: Mark Johnson [mailto:mjohnson@icc-es.org]  
Sent: Tuesday, March 01, 2016 1:10 PM  
To: Biedermann, Cynthia@DGS  
Cc: Casey Thomas; Day, Kevin@DGS  
Subject: Re: CBSC 2016 Code Contracts

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Se rom m o e

O Ar 1 201 A 1 20 B e ermA A S [A B e ermA . A ov](#) ro e

Mark,

Have you received the California contracts yet Just checking as you should have them but

Thanks,

Cynthia

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**From:** [Biedermann\\_Cynthia@DGS](mailto:Biedermann_Cynthia@DGS)  
**To:** "[Day\\_Kevin@DGS](mailto:Day_Kevin@DGS)" [Kevin.Day@dgs.ca.gov](mailto:Kevin.Day@dgs.ca.gov)  
**Date:** 3/8/2016 3:19:48 PM  
**Subject:** RE: 2016 CPC/CMC Agreement

Sorry Kevin, I just saw your email

Alma is busy working on the publications. And while she knows that the contracts are 'in progress' we haven't discussed status. And no, I haven't talked with Leticia.

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**NEW YEAR, NEW CODE**

Publication Date: July 1, 2016    Effective Date: January 1, 2017

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From: Day, Kevin@DGS  
Sent: Tuesday, March 08, 2016 1:59 PM  
To: Biedermann, Cynthia@DGS  
Subject: FW: 2016 CPC/CMC Agreement

Hi Cynthia,

Thanks so much for all your hard work on the emergency supplement and the publication contracts in my absence, and for keeping me in the loop on both:)

I received an email from Leticia Gallegos on Thursday requesting a status update on the IAPMO contract (see below). Have you already spoken with Leticia or Alma since last Thursday to let them know that OBAS is currently reviewing the new contract

**Kevin Day**  
916.263.0355

---

From: Leticia Gallegos [mailto:[leticia.gallegos@iapmo.org](mailto:leticia.gallegos@iapmo.org)]  
Sent: Thursday, March 03, 2016 11:27 AM  
To: Day, Kevin@DGS  
Cc: Alma Ramos  
Subject: 2016 CPC/CMC Agreement

Dear Kevin,

Do you know when we'll be receiving the new agreement

Thank you,

Leticia Gallegos  
Executive Assistant



**Leticia Gallegos**  
Executive Assistant  
The IAPMO Group  
4755 E. Philadelphia Street  
Ontario, CA 91761-2816  
P: (909) 472-4217  
F: (909) 472-4241  
[leticia.gallegos@iapmo.org](mailto:leticia.gallegos@iapmo.org)

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12/17/2016

## Publication contracts summary:

Historically, an NCB (non-competitive bid) justification has been submitted for approval to use the three separate publishing entities for the California Building Standards Code triennial publication and subsequent supplements and errata. The publication NCB's have routinely been approved as the State licenses intellectual property from these sole sources and amends it, where appropriate, with California language.

Contracts for the 2007 and 2010 publications were prepared by CBSC and sent directly to the respective publishers for review and signature. If memory serves correct, Jim consulted with Alex Holtz concerning OLS review/approval of the 2010 contracts and was advised that they didn't need to be reviewed since they were pretty much boiler-plate, **no-dollar value/exchange**.

### 2013 Contracts:

IAPMO: Executed July 26, 2012

NFPA/BNI: Executed October 23, 2012

ICC: Executed November 7, 2012

### 2016 Contracts:

Factors:

- CBSC commenced discussions with publishers concerning 2016 agreements in June 2015;
- NCB justification(s) was submitted and approved for all agreements by  
(date) .
- CBSC was advised of the new OBAS requirement (additional step; new terms) in late June/early July 2015.
  - **ICC** contracts were submitted to OBAS on January 21, 2016, which specified a contract start date of **January 1, 2016**;
  - **IAPMO** and **NFPA** contracts were submitted to OBAS on February 23, 2016, which specified contract start dates of **January 1, 2016**.

## Current Issues:

1. **0 of 4** contracts have been executed to date and much of the work has been done (estimate  $\geq$  50 %);
2. OBAS proposed that all four publication agreements need to reflect a start date of May 1, 2016. A great deal of the contracted work has been completed.
3. CBSC has a definitive publication date of **July 1, 2016**. Pushing the start date of these agreements will not reflect the reality of the process.

**From:** [Biedermann, Cynthia@DGS](mailto:Biedermann_Cynthia@DGS)

**To:** "[Marvelli, Mia@DGS](mailto:Marvelli_Mia@DGS)" [Mia.Marvelli@dgs.ca.gov](mailto:Mia.Marvelli@dgs.ca.gov)  
"[Benny, Katrina@DGS](mailto:Benny_Katrina@DGS) ([Katrina.Benny@dgs.ca.gov](mailto:Katrina.Benny@dgs.ca.gov) )" [katrina.benny@dgs.ca.gov](mailto:katrina.benny@dgs.ca.gov)  
"[de la Motte, Leann@DGS](mailto:de_la_Motte_Leann@DGS)" [Leann.delaMotte@dgs.ca.gov](mailto:Leann.delaMotte@dgs.ca.gov)

**Date:** 3/28/2016 6:29:23 PM

**Subject:** Publication Summary

**Attachments:** [2016 Publication contracts summary 3-28-16.docx](#)

As discussed, I drafted a quick summary of past contract processes (attached; hard copy on your desk). It's not as comprehensive as I would have liked but I didn't have all the old files available.

For discussion

CYNTHIA BIEDERMANN      ASSOCIATE GOVERNMENTAL PROGRAM ANALYST      CALIFORNIA BUILDING  
STANDARDS COMMISSION      916.263.1330

**NEW YEAR, NEW CODE**

Publication Date: July 1, 2016      Effective Date: January 1, 2017

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Historically, an NCB (non-competitive bid) justification has been submitted for approval to use the three separate publishing entities for the California Building Standards Code triennial publication and subsequent supplements and errata. The publication NCB's have routinely been approved as the State licenses intellectual property from these sole sources and amends it, where appropriate, with California language.

Contracts for the 2007 and 2010 publications were prepared by CBSC and sent directly to the respective publishers for review and signature. If memory serves correct, Jim consulted with Alex Holtz concerning OLS review/approval of the 2013 contracts and was advised that they didn't need to be reviewed since they were pretty much boiler-plate, **no-dollar value/exchange**.

### 2013 Contracts:

IAPMO: Agreement date- July 26, 2012

NFPA/BNI: Agreement date- October 23, 2012

ICC: Agreement date- November 7, 2012

All of these contracts have a start date (noted above) but no end date, however, the contracts only specific what CODE are being produced (2013 Codes).

### 2016 Contracts (CBSC moves under DGS in 2014):

Factors:

- NCB justification(s) was submitted and approved for all agreements by CBSC on May 28, 2015 , approved by Procurement on June 26, 2015
- CBSC was advised of the new OBAS requirement (additional step; new terms) on June 30, 2015.

(While I was in Montana dealing with mom's funeral a few emails were going back and forth regarding the NCB's approval)

- Email from Laura Frost noting that once the NCB's were approved, they would be able to start working on issuing the contracts.
- CBSC commenced discussions with publishers concerning 2016 agreements/contracts in June 2015;

- July 1, 2015: CBSC submitted ICC 2013 agreements (2) to Laura Frost for her review and instructions on how to proceed.
- July 10, 2015: Laura states OLS requires CBSC to prepare contracts for zero \$
- Sept 15, 2015: OBAS advised CBSC where to submit statement of work (SOW)
- October 7, 2015: CBSC forwards draft SOW to OBAS for first ICC contract
- December 14, 2015: CBSC/OBAS conference call regarding ICC SOW
- January 7, 2016: OBAS returned SOW for CBSC review/edit
- January 21, 2016: Final SOW for **ICC** contracts were submitted to OBAS, which specified a contract start date of **January 1, 2016**;
- February 23, 2016: First IAPMO and NFPA(BNi) SOW was submitted to OBAS, which specified contract start dates of **January 1, 2016**
- March 1, 2016: ICC confirmed receipt of contracts and were reviewing;
- March 25, 2016: Final NFPA SOW submitted to OBAS March 25, 2016

### **Current Issues:**

1. OBAS is stating that contract terms cannot exceed the approved NCB terms, July 1, 2015 – **December 31, 2019**, which would happen if we keep with the current language of a four (4) year term due to the delay in processing contracts.
2. OBAS proposes that all four publication agreements need to reflect a start date of **May 1, 2016**.



3. Problem: A great deal of the contracted work has already been completed.
4. **0 of 4** contracts have been executed to date and much of the work has been done (estimate  $\geq 50$  );
5. CBSC has a definitive publication date of **July 1, 2016**. Pushing the start date of these agreements will not reflect the reality of the process.
6. Elevate priority for CBSC contracts with OBAS

### **Options:**

1. Have a justification signed off by Director Kim, stating that it is ok to back-date our contracts to January 1, 2016. (Laura Frost to provide template for justification letter). **Pros:**
  - a. Aligns with NCB terms;
  - b. Accurately projects work-in-progress
2. Assign a May 1, 2016 start date to our contracts.

**Cons: not a viable option**

**From:** [Biedermann, Cynthia@DGS](mailto:Biedermann_Cynthia@DGS)

**To:** ["Marvelli, Mia@DGS"](mailto:Marvelli_Mia@DGS) [Mia.Marvelli@dgs.ca.gov](mailto:Mia.Marvelli@dgs.ca.gov)

**Date:** 3/29/2016 1:33:03 PM

**Subject:** Updated summary

**Attachments:** [2016 Publication contracts summary.docx](#)

CYNTHIA BIEDERMANN      ASSOCIATE GOVERNMENTAL PROGRAM ANALYST      CALIFORNIA BUILDING  
STANDARDS COMMISSION      916.263.1330

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Publication Date: July 1, 2016      Effective Date: January 1, 2017

**From:** [Biedermann, Cynthia@DGS](mailto:Biedermann_Cynthia@DGS)

**To:** ["Marvelli, Mia@DGS"](mailto:Marvelli_Mia@DGS) [Mia.Marvelli@dgs.ca.gov](mailto:Mia.Marvelli@dgs.ca.gov)

["Benny, Katrina@DGS \(Katrina.Benny@dgs.ca.gov\)"](mailto:Benny_Katrina@DGS) [katrina.benny@dgs.ca.gov](mailto:katrina.benny@dgs.ca.gov)

**Date:** 4/1/2016 1:57:15 PM

**Subject:** ICC Contracts

FYI- Casey with ICC called to say that they returned the contracts to Bruce Betts. They have a few questions for him but he's out until Monday. According to Casey, Mark made a few changes but nothing that will affect the integrity of the contracts.

C

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Publication Date: July 1, 2016      Effective Date: January 1, 2017

**From:** [Biedermann, Cynthia@DGS](mailto:Biedermann_Cynthia@DGS)  
**To:** ["Rose, Debra" drose@nfpa.org](mailto:Rose,Debra)  
**Date:** 4/4/2016 4:30:32 PM  
**Subject:** CBSC 2016 CEC: Contract Update

Hi Deb

The contract will be sent via email tomorrow. Can you let me know how quickly your staff will be able to review it We have been working closely with the new contracts unit in an effort to get the agreements sent ASAP

Our apologies for the delay,

Cynthia

CYNTHIA BIEDERMANN      ASSOCIATE GOVERNMENTAL PROGRAM ANALYST      CALIFORNIA BUILDING  
STANDARDS COMMISSION      916.263.1330

**NEW YEAR, NEW CODE**

Publication Date: July 1, 2016      Effective Date: January 1, 2017

**From:** [Biedermann, Cynthia@DGS](mailto:Biedermann_Cynthia@DGS)  
**To:** ["Rose, Debra" drose@nfpa.org](mailto:Rose,Debra)  
**Date:** 4/5/2016 8:52:12 AM  
**Subject:** RE: CBSC 2016 CEC: Contract Update

Thank you so much

Cynthia

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**NEW YEAR, NEW CODE**

Publication Date: July 1, 2016      Effective Date: January 1, 2017

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From: Rose, Debra [mailto:[drose@nfpa.org](mailto:drose@nfpa.org)]  
Sent: Tuesday, April 05, 2016 6:45 AM  
To: Biedermann, Cynthia@DGS  
Subject: RE: CBSC 2016 CEC: Contract Update

Hi Cynthia

I've set up a meeting with Dennis to review the contract tomorrow. I'll let you know how it goes.

Thanks!

Debra

Best regards,

Debra  
617-984-7595  
[drose@nfpa.org](mailto:drose@nfpa.org)

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From: Bernadette S. Moore [Bernadette.S.Moore@nfpa.org](mailto:Bernadette.S.Moore@nfpa.org)  
Sent: October 31, 2016  
To: Rose A. [Rose.A@nfpa.org](mailto:Rose.A@nfpa.org)  
Cc: Andrew S. [Andrew.S@nfpa.org](mailto:Andrew.S@nfpa.org); Bernadette S. [Bernadette.S@nfpa.org](mailto:Bernadette.S@nfpa.org)  
Subject: BS 201 - 10/31/16

Hi Deb

The contract will be sent via email tomorrow. Can you let me know how quickly your staff will be able to review it. We have been working closely with the new contracts unit in an effort to get the agreements sent ASAP

Our apologies for the delay,

Cynthia

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**From:** [Biedermann, Cynthia@DGS](mailto:Biedermann_Cynthia@DGS)  
**To:** ["Marvelli, Mia@DGS"](mailto:Marvelli_Mia@DGS) [Mia.Marvelli@dgs.ca.gov](mailto:Mia.Marvelli@dgs.ca.gov)  
**Date:** 4/5/2016 9:14:40 AM  
**Subject:** IAPMO - NFPA Contracts

Both organizations have acknowledged that they plan to review the contracts ASAP.

NFPA plans to review today. Russ/IAPMO is out of town but will have the agreements reviewed and assuming all is acceptable will sign the agreement on Friday.

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STANDARDS COMMISSION      916.263.1330

**NEW YEAR, NEW CODE**

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**From:** [Biedermann, Cynthia@DGS](mailto:Biedermann_Cynthia@DGS)  
**To:** ["Betts, Bruce@DGS"](mailto:Betts_Bruce@DGS) [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)  
**Date:** 4/5/2016 9:17:27 AM  
**Subject:** FW: IAPMO - NFPA Contracts

Good morning Bruce

I intended to include you on the following update concerning the publishing contracts

We'll keep you posted.

C

CYNTHIA BIEDERMANN    ASSOCIATE GOVERNMENTAL PROGRAM ANALYST    CALIFORNIA BUILDING STANDARDS COMMISSION    916.263.1330

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From: Biedermann, Cynthia@DGS  
Sent: Tuesday, April 05, 2016 9:15 AM  
To: Marvelli, Mia@DGS  
Cc: Benny, Katrina@DGS (Katrina.Benny@dgs.ca.gov); Day, Kevin@DGS; de la Motte, Leann@DGS  
Subject: IAPMO - NFPA Contracts

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**From:** [Day, Kevin@DGS](mailto:Day, Kevin@DGS)  
**To:** ["Biedermann, Cynthia@DGS" Cynthia.Biedermann@dgs.ca.gov](mailto:Cynthia.Biedermann@dgs.ca.gov)  
["Marvelli, Mia@DGS" Mia.Marvelli@dgs.ca.gov](mailto:Mia.Marvelli@dgs.ca.gov)  
**Date:** 4/5/2016 9:26:38 AM  
**Subject:** RE: IAPMO - NFPA Contracts

Hi Cynthia,

I'm sorry I wasn't able to participate in yesterday's teleconference with OBAS. Thanks so much for your continued hard work and diligence on the contracts, and for keeping us in the loop

**Kevin Day**  
916.263.0355

---

From: Biedermann, Cynthia@DGS  
Sent: Tuesday, April 05, 2016 9:15 AM  
To: Marvelli, Mia@DGS  
Cc: Benny, Katrina@DGS; Day, Kevin@DGS; de la Motte, Leann@DGS  
Subject: IAPMO - NFPA Contracts

Both organizations have acknowledged that they plan to review the contracts ASAP.

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# California

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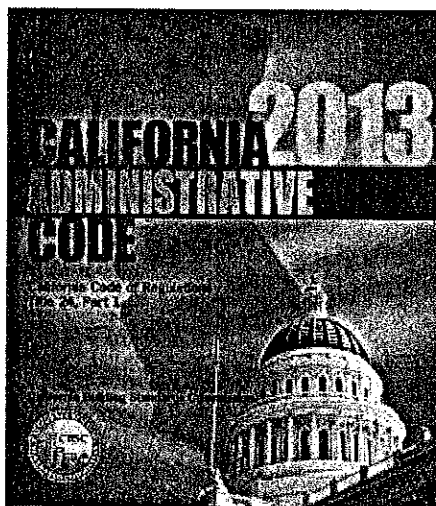
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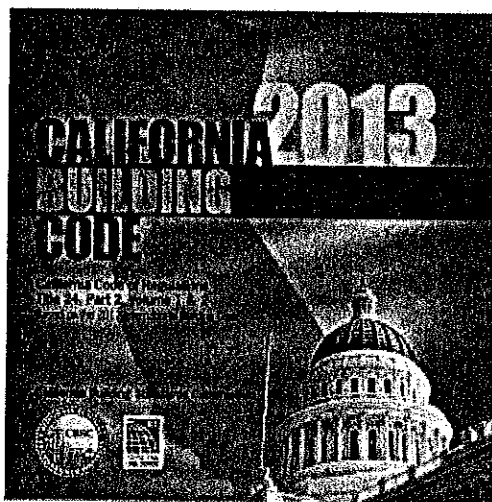
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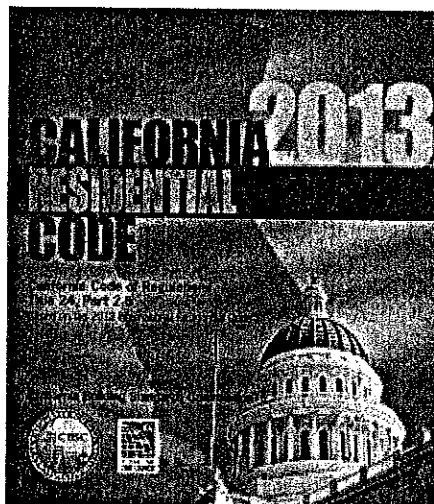
2013 California Administrative Code, Title 24, Part 1

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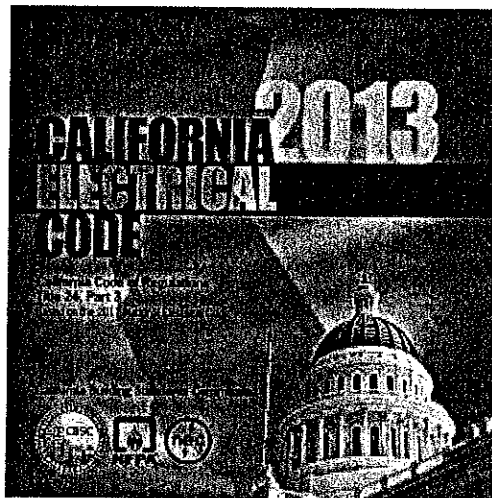
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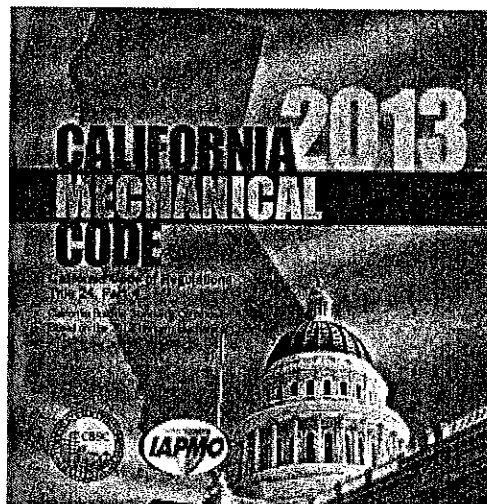
2013 California Residential Code, Title 24, Part 2.5

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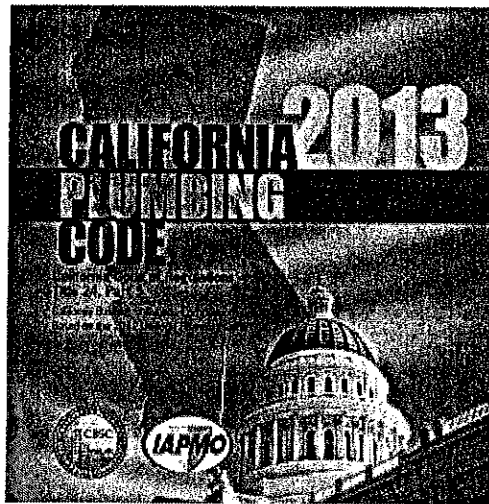
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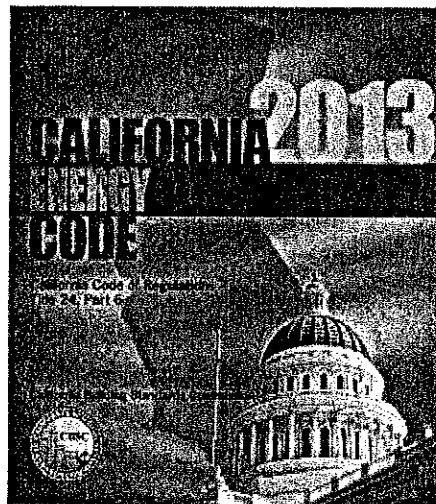
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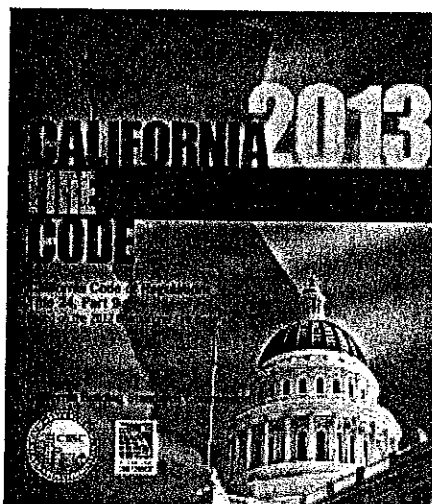
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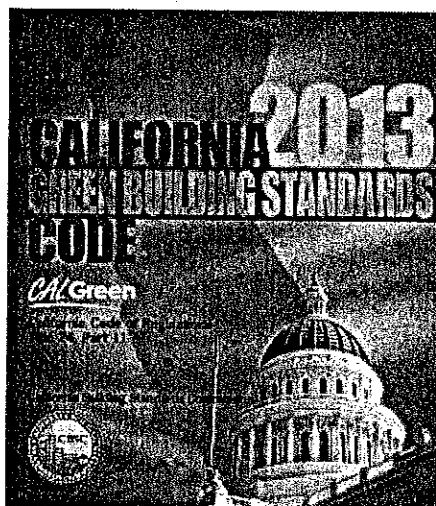
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2013 California Fire Code, Title 24, Part 9

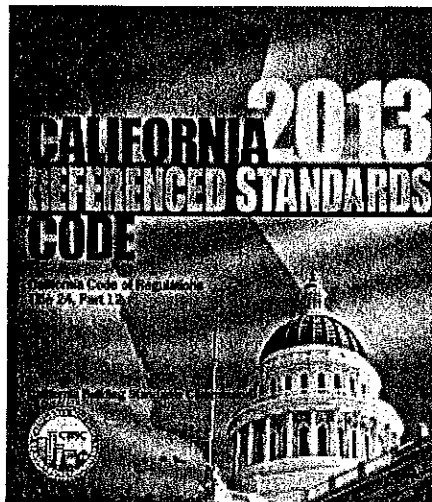
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2013 California Green Building Standards Code, Title 24, Part 11 (CALGreen)

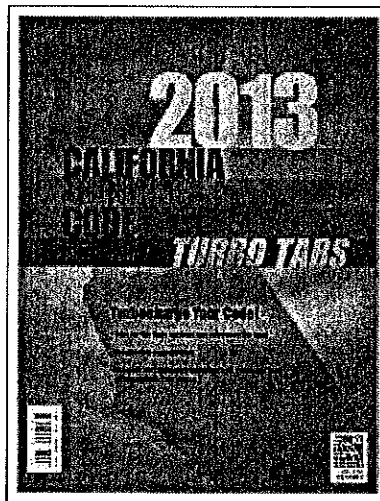
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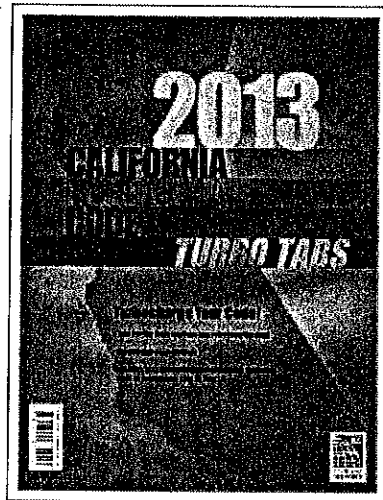
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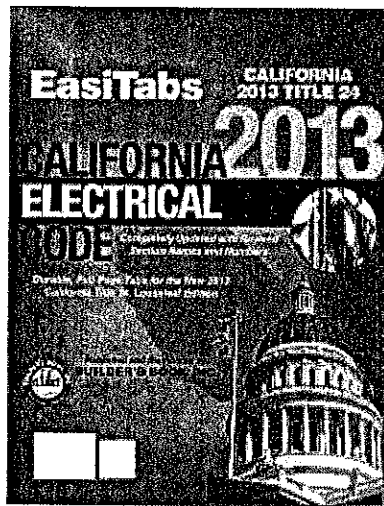
Turbo Tabs: 2013 California Building Code, Title 24, Part 2

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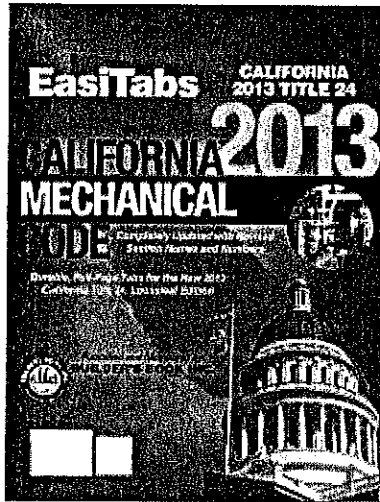
Turbo Tabs: 2013 California Residential Code, Title 24, Part 2.5

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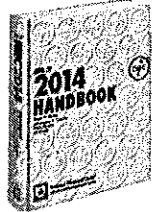
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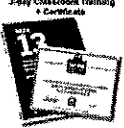
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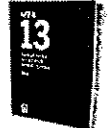
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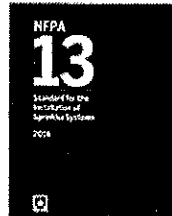


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**Updates in the 2016 NFPA 13: Standard for the Installation of Sprinkler Systems help designers, engineers, contractors, and installers develop the best fire sprinkler defense for any occupancy.**

Fire protection challenges have changed along with construction materials and types of storage. Get equipped for today's hazards by getting up-to-code with the new industry standard for the automatic sprinkler system design, installation, and acceptance testing; hanging and bracing systems; underground piping; and seismic protection.

**Revisions to commodity classification tables in the 2016 NFPA 13 present the most significant update to the tables in over 30 years.**

Updated classification tables in Chapter 5 Annex based on today's materials help sprinkler system designers avoid common errors in classifying commodities. The new tables improve accuracy and reduce the risk for mistakes that could prove catastrophic in a fire.

**A task group addressed the costly problem of corrosion in piping.**

In a major change that impacts installers, the 2016 NFPA 13 adds a new requirement that a single air vent be installed for each wet sprinkler system to help reduce potential corrosion activity due to trapped air. A task group concluded that venting the trapped air in a wet system can decrease water delivery time, reduce alarm ring delay, reduce water flow alarm cyclic ringing, and reduce corrosion activity.

**Other changes provide more flexible options for sprinkler design:**

- A new protection scheme for exposed bay plastics in racks has been added to Chapter 17, in response to the potential for serious fires.
- New language added to Chapter 8 based on studies done by the Fire Protection Research Foundation allows sprinklers to be omitted above certain cloud ceiling configurations.
- Conversions to metric have switched from an exact conversion into an approximate conversion to make the Standard more usable and cost effective on a global scale.
- A new provision requires listed window sprinklers to be used where glazing assemblies are used as an alternative to fire-resistance-rated construction.
- Revisions in Chapter 9 address the use of concrete anchors
- An alternative storage protection scheme has been added for certain storage arrangements, similar to the Scheme A allowance in NFPA 30: *Flammable and Combustible Liquids Code*.

**Gain the edge in sprinkler protection to prevent fire deaths and property loss.**

NFPA 13: *Standard for the Installation of Sprinkler Systems* advances how sprinkler system designers, installers, maintainers, and AHJs can safeguard people and property against fire. Improve automatic fire sprinkler effectiveness and avoid errors using the new research-based 2016 edition of *NFPA 13: Installation of Sprinkler Systems*. (Softbound, 488 pp., 2016)



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Youth sport events are a terrific place to reach hundreds of families in one place, ready to interact with their local firefighters!

Whether you're at a sports complex, the neighborhood center or at the football, baseball, or soccer fields -- there will be loads of opportunity to reach families in your community. NFPA's *Fire Safety Sports Box* is filled with all kinds of cool stuff kids will love -- "Team Up for Fire Safety" Soft Slap Bracelets, Sparky's Team Up for Fire Safety Water Bottles, temporary Sparky the Fire Dog® Tattoos, Team Up for Fire Safety Flag, and more! It contains everything you need to attract a crowd and get them focused on fire safety. Everything comes inside this colorful, eye-catching box -- you just grab 'n go.

NFPA's *Fire Safety Sports Box* makes it a snap to organize your Fire Prevention Week efforts because everything is already put together for you in one big box!

Fire safety educators, make the most of your captive audience at youth sporting events with the *Fire Safety Activities for Your Team Sports Brochure*. It's packed with races, games, and activities for everyone -- with step-by-step instructions. A special bonus: receive home fire drill flash cards that show what to do if the smoke alarm sounds.

Every item is durable and rugged, crafted from the finest materials, and of course, 100% kid-friendly! Everyone's a winner with our new *Fire Safety Sports Box*, available in quantities of 100, 150, and 200. Order now.

### 2015 Fire Safety Sports Box for 200 includes:

- 1 Sparky's Team Up For Fire Safety Flag (4' x 6')
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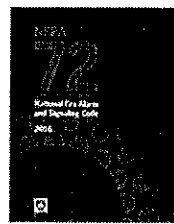
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**State-of-the-art coverage in the 2016 NFPA 72®: National Fire Alarm and Signaling Code reflects new technologies and applications.**

The traditional role of fire alarm systems is rapidly evolving. Now, the benchmark for fire alarm systems has changed to give designers, engineers, contractors, installers, and inspectors rules that reflect the current state of the field. An industry milestone, the 2016 edition of *NFPA 72: National Fire Alarm and Signaling Code* has the most advanced provisions ever developed for the application, installation, location, performance, and inspection, testing, and maintenance of fire alarm and emergency communications systems -- including Mass Notification Systems (MNS).

**New NFPA 72 facilitates interconnections using networks.**

A special task group on networks addressed the risk analysis, design, application, installation, and performance of networks and networking equipment in fire alarm systems, fire EVACS, and MNS. As a result of their findings, *NFPA 72* includes a new circuit designation called Class N pathways permitting the use of networks and Ethernet when interconnecting a fire alarm system.

**Other changes help you avoid the loss of critical coverage and ensure system interfaces function correctly, such as:**

- Significant revisions in Chapter 21, Emergency Control Function Interfaces and Chapter 24, Emergency Communications Systems
- Revisions to Level 2 and Level 3 pathway survivability requirements revised to provide greater flexibility of use and to address other "fire-resistive" methods
- A new Annex on Guidelines for Emergency Communication Strategies for Buildings and Campuses

**Hundreds of other revisions make the 2016 NFPA 72 indispensable.**

New and updated definitions bring the Code up-to-date and put all users on the same page. The 2016 edition of *NFPA 72: National Fire Alarm and Signaling Code* covers new ground from beginning to end. Order direct from NFPA®, the Code source. (Softbound, 369 pp., 2016)



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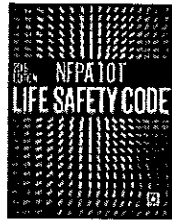
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The updated *NFPA 101®: Life Safety Code®* raises occupant safety to a new level.

Protect people where they live, work, and play with NFPA's *Life Safety Code* -- the most widely used source for strategies for occupant safety throughout the life cycle of a building. As the built environment and risks evolve, so do the challenges to protect people from fire and related hazards. The 2015 *Life Safety Code* provides a flexible approach that adapts to nontraditional use of buildings; innovative designs; and new technologies, materials, and construction practices. It is the only document that addresses life safety in both new and existing structures.

**There's no substitute for the latest NFPA 101 in any occupancy -- from assembly to health care, industrial, and residential.**

Essential for architects, engineers, building owners and building managers, hospital administrators, and AHJs, *NFPA 101* covers it all: Egress, sprinklers, alarms, emergency lighting, smoke barriers, and special hazard protection.

**Changes advance safety and improve options for building design:**

- Atrium walls are now permitted to serve as part of the separation for creating separated occupancies, offering greater flexibility in building design.
- New requirements enhance public safety, such as calculating occupant load for business uses that better represents how the space is used.
- Requirements permitting the use of alcohol-based hand-rub (ABHR) dispensers are included in more occupancy chapters, reflecting their widespread use.
- New mandates for carbon monoxide detection and alarm are included for new educational and new day care facilities for greater safety to life where CO might be generated.
- Expanded provisions concerning the responsibilities, training, and duties of crowd managers help ensure emergency readiness in places such as sports arenas, nightclubs, and concert halls.
- Revised rules permit door locking in new and existing residential board and care facilities, based on clinical needs to secure residents for their own safety.

**Other changes help provide for safer, more homelike health care facilities:**

- Health care occupancy provisions allow nursing home minimum corridor width to be reduced within small smoke compartments.
- Provisions added to permit doors to be disguised with murals for settings like dementia units.
- New self-contained ambulatory health care chapters improve code usability with one-stop access.

Make sure your knowledge is up-to-date and your facilities meet code. Base your decisions on the 2015 *NFPA 101* and tackle safety challenges effectively. (Softbound, 520 pp., 2015)





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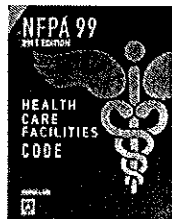
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**Building on its successful risk-based approach, the 2015 edition of NFPA 99: Health Care Facilities Code improves usability for better health care safety.**

The 2015 edition NFPA 99: Health Care Facilities Code provides performance criteria for health care facilities that builds on the risk-based approach introduced in the 2012 NFPA 99, where it is the risk posed to patients and staff, not the type of building, that defines safety guidelines. Provisions govern installation, inspection, testing, maintenance, performance, and safe practices for facilities, material, equipment, and appliances -- including medical gas and vacuum systems formerly found in NFPA 99C.

**Major changes in the 2015 NFPA 99 make performance criteria more usable, enforceable, and adoptable:**

- Requirements correlate with the 2014 NFPA 70®: National Electrical Code®.
- New provisions address using fuel cell systems for backup power, allowing the use of new technology while ensuring the same minimum level of safety.
- Type 3 Essential Electrical System requirements have been removed from NFPA 99 -- deferring to other codes for required egress lighting.
- Updated requirements for nurse call systems incorporate widely used terminology and align with the Facility Guidelines Institute (FGI).

**Other revisions respond to new information and the evolving industry.**

- Revised minimum allowable temperature for cylinders for nitrous oxide and carbon dioxide help avoid potential loss of pressure.
- Rewritten Category 3 Medical Gas and Vacuum Systems provisions are aligned with the requirements for Category 1 and 2 Systems, with requirements specific to dental drive gas and dental vacuum systems.
- First-time requirements for oxygen-concentrator-based refilling systems reflect their increasing use in today's health care setting.

**Keep health care facilities up-to-code and patients and staff safe.**

The 2015 NFPA 99 is a must-have resource for everyone involved in health care safety including contractors, engineers, facility managers, AHJs, plumbers, gas and vacuum system installers, security personnel, insurance companies, and manufacturers. (Softbound, 207 pp., 2015)



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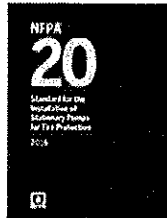
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The 2016 NFPA 20 expands requirements to cover new technology and address communication gaps.

Updated for new technology and vital clarification on pumps in series, new NFPA 20: *Installation of Stationary Pumps for Fire Protection* gives you the latest requirements to ensure fire pumps are ready for action. This Standard offers comprehensive requirements for fire pumps, limited service controllers, and pumps in series. Designers, engineers, contractors, and installers can look to this expanded source for the latest coverage of today's technologies and up-to-date requirements for:

- Fire pump design
- Electrical and mechanical construction
- Acceptance testing
- Operation

Now with first-time requirements for multistage multiport pumps that give designers and engineers more options.

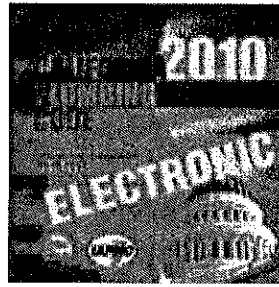
Added coverage of multistage multiport pumps – which are used primarily outside of North America – offers new options to system designers and engineers. These pumps replace a series arrangement, with new potential for end-user cost savings.

Clarified criteria for series fire pumps will impact communication between rooms.

The 2016 NFPA 20 clarifies the requirements for fire pumps arranged in series with new information designers and contractors will need to know to install these types of pump arrangements correctly and ensure they can communicate as intended. In another change, the added Annex C, Fire Pump Controller Connectivity addresses remote communications from the fire pump controller to an external source to gather system performance data over the Internet.

Avoid pump failure or damage.

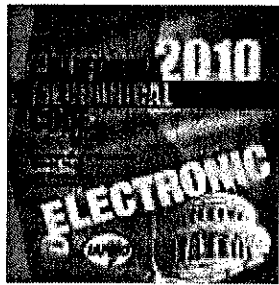
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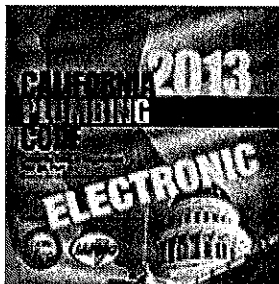
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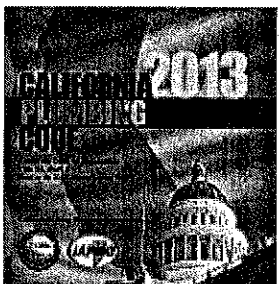
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Quantity:

**Add to Cart**



Regular price: \$154.00

Member price: \$123.20

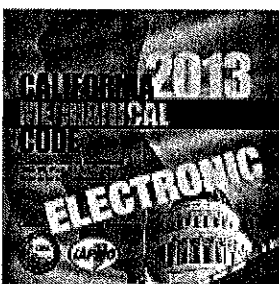
[2013 California Plumbing Code](#)

[Become a member and save](#)

Item #: 10-13CA

Quantity:

**Add to Cart**



Regular price: \$107.00

Member price: \$85.60

[2013 California Mechanical Code eBook](#)

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Item #: E12-13CA

Quantity:

**Add to Cart**

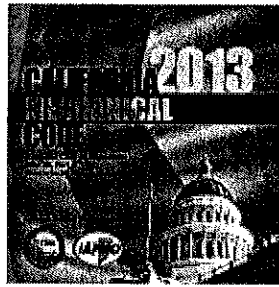
[2013 California Mechanical Code](#)

Regular price: \$154.00

Member price: \$123.20

[Become a member and](#)

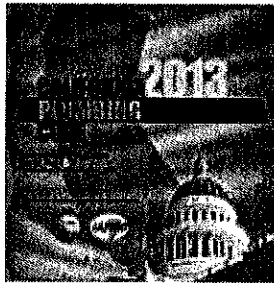
Item #: 12-13CA



[save](#)

Quantity:

**Add to Cart**



**Regular price: \$101.00**

**Member price: \$80.80**

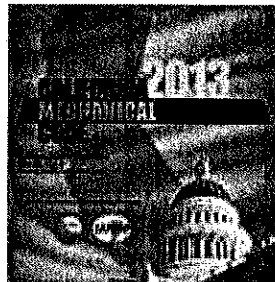
[Become a member and save](#)

[2013 California Plumbing Code on CD-Rom](#)

Item #: 10-13CACD

Quantity:

**Add to Cart**



**Regular price: \$101.00**

**Member price: \$80.80**

[Become a member and save](#)

[2013 California Mechanical Code on CD-Rom](#)

Item #: 12-13CACD

Quantity:

**Add to Cart**

«« Start « Prev 1 Next » End »»

Display #

Results 1 - 16 of 16

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[Policy](#)

[Privacy](#)

**From:** [Betts, Bruce@DGS](mailto:Betts_Bruce@DGS)  
**To:** ["de la Motte, Leann@DGS"](mailto:de la Motte, Leann@DGS) [Leann.deLaMotte@dgs.ca.gov](mailto:Leann.deLaMotte@dgs.ca.gov)  
**Date:** 4/6/2016 8:46:50 AM  
**Subject:** Consideration Value of Code Publications  
**Attachments:** [Code Sales Information.pdf](#)

Good morning Leann,

SCM Vol 1 7.45 requires that we establish a monetary value of the consideration that agreements provide to the contractors. We will need to estimate, perhaps with the contractors' assistance, the value of consideration each agreement will provide. I have attached information from each vendor's web site indicating the pricing for the 2013 code books. If the 2013 contracts required reporting of sales, we could use this information to estimate the consideration value of the 2016 publications. If not, CBSC will need to estimate the future annual sales. We will need this information early next week prior to the agreements going to OLS. Thank you

Bruce Betts

Acquisition Analyst

**Contract Services Section** (*Team 3*)

**Office of Business and Acquisition Services Administration Division**

Department of General Services State of California

707 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, 2-300, West Sacramento, CA 95605

<http://inside.dgs.ca.gov/ad/obas.aspx>

**Phone** 916.441-9636

**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

**From:** [Benny\\_Katrina@DGS](mailto:Benny_Katrina@DGS)  
**To:** ["de la Motte\\_Leann@DGS"](mailto:de la Motte_Leann@DGS) [Leann.delaMotte@dgs.ca.gov](mailto:Leann.delaMotte@dgs.ca.gov)  
["Day\\_Kevin@DGS"](mailto:Day_Kevin@DGS) [Kevin.Day@dgs.ca.gov](mailto:Kevin.Day@dgs.ca.gov)  
["Biedermann\\_Cynthia@DGS"](mailto:Biedermann_Cynthia@DGS) [Cynthia.Biedermann@dgs.ca.gov](mailto:Cynthia.Biedermann@dgs.ca.gov)  
**Date:** 4/6/2016 12:17:29 PM  
**Subject:** RE: Consideration Value of Code Publications

Okay, went round and round with Bruce and he is just as frustrated with this as we are – the fact that we have to do so much for a \$0.0 ZERO\$ contract. However, he is following laws and regulations and this could be subject to audits from SCO and OLS and PRA's.

We need to get him some estimates (in good faith) of how many sets of 2013 code books ICC sold, and how many book IAPMO and NFPA sold as well so we can give that information to OLA.

Cynthia, I know we have a lot on our plates but is there any way you could contact the publishers and find this information out Again – just a good faith estimate.

## Katrina Benny

Manager, CBSC  
Phone 916-263-1350

---

From: Betts, Bruce@DGS  
Sent: Wednesday, April 06, 2016 8:47 AM  
To: de la Motte, Leann@DGS  
Cc: Frost, Laura@DGS; Biedermann, Cynthia@DGS; Benny, Katrina@DGS  
Subject: Consideration Value of Code Publications

Good morning Leann,

SCM Vol 1 7.45 requires that we establish a monetary value of the consideration that agreements provide to the contractors. We will need to estimate, perhaps with the contractors' assistance, the value of consideration each agreement will provide. I have attached information from each vendor's web site indicating the pricing for the 2013 code books. If the 2013 contracts required reporting of sales, we could use this information to estimate the consideration value of the 2016 publications. If not, CBSC will need to estimate the future annual sales. We will need this information early next week prior to the agreements going to OLS. Thank you

Bruce Betts

Acquisition Analyst  
**Contract Services Section** (Team 3)  
**Office of Business and Acquisition Services Administration Division**  
Department of General Services State of California  
707 3rd Street, 2nd Floor, 2-300, West Sacramento, CA 95605  
<http://inside.dgs.ca.gov/ad/obas.aspx>

Phone 916.441-9636  
Email [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

STATE OF CALIFORNIA  
**STANDARD AGREEMENT**  
 STD 213 (Rev 06/03)

AGREEMENT NUMBER <b>3187607</b>
REGISTRATION NUMBER

1. This Agreement is entered into between the State Agency and the Contractor named below:

STATE AGENCY'S NAME

Department of General Services, Building Standards Commission

CONTRACTOR'S NAME

International Code Council

2. The term of this Agreement is: **May 1, 2016**  
 or upon DGS/OLS approval, whichever is later through **December 31, 2019**

3. The maximum amount of this Agreement is: **\$0.00**  
 Zero Dollars

4. The parties agree to comply with the terms and conditions of the following exhibits which are by this reference made a part of the Agreement.

Exhibit A – Scope of Work	6 Pages
Exhibit A, Attachment A – Depository Libraries	2 Pages
Exhibit A, Attachment B – Selective Depository Libraries	4 Pages
Exhibit A, Attachment C – State Agencies	1 Page
Exhibit A, Attachment D – Code Adoption Cycle	1 Page
Exhibit B – Payment and Compensation Provisions	3 Pages
Exhibit C* – General Terms and Conditions	GTC - 610

Items shown with an Asterisk (\*), are hereby incorporated by reference and made part of this agreement as if attached hereto. These documents can be viewed at [www.dgs.ca.gov/ols/Resources/StandardContractLanguage.aspx](http://www.dgs.ca.gov/ols/Resources/StandardContractLanguage.aspx)

**IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.**

**CONTRACTOR**

CONTRACTOR'S NAME (if other than an individual, state whether a corporation, partnership, etc.)

International Code Council

BY (Authorized Signature)



DATE SIGNED (Do not type)

PRINTED NAME AND TITLE OF PERSON SIGNING

Mark A. Johnson, Executive Vice President & Director of Business Development

ADDRESS

3060 Saturn Street, Suite 100  
 Brea, CA 92821

**STATE OF CALIFORNIA**

AGENCY NAME

Department of General Services, Building Standards Commission

BY (Authorized Signature)



DATE SIGNED (Do not type)

PRINTED NAME AND TITLE OF PERSON SIGNING

Mia Marvelli, Executive Director

ADDRESS

2525 Natomas Park Drive, Suite 130  
 Sacramento, CA 95833

*California Department of General Services Use Only*

Exempt per:

## **EXHIBIT A**

### **SCOPE OF WORK**

The California Administrative Code (California Code of Regulations, Title 24, Part 1), California Energy Code (California Code of Regulations, Title 24, Part 6), California Historical Building Code (California Code of Regulations, Title 24, Part 8), California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), and California Referenced Standards Code (California Code of Regulations, Title 24, Part 12)

#### **1. PROJECT SUMMARY**

Pursuant to Health and Safety Code Sections 18928.1 and 18942, the California Building Standards Commission (CBSC) and the International Code Council (ICC) will coordinate the publication of the above referenced parts of the 2016 California Building Standards Code (Title 24, California Code of Regulations).

- A. **WHEREAS**, CBSC is the sole owner of the copyrights to the 2013 California Administrative Code (Title 24, Part 1), 2013 California Energy Code (Title 24, Part 6), 2013 California Historical Building Code (Title 24, Part 8), 2013 California Green Building Standards Code (Title 24, Part 11) and 2013 California Referenced Standards Code (Title 24, Part 12) (collectively, "Licensed Property"); and
- B. **WHEREAS**, CBSC periodically adopts, approves and codifies building code standards and amendments pursuant to Section 18928.1 of the California Health and Safety Code; and
- C. **WHEREAS**, CBSC desires to publish, on or before July 1, 2016, 2016 editions of the Licensed Property, as part of the 2016 State Building Code (SBC); and
- D. **WHEREAS**, ICC and CBSC desire to facilitate the publication of the 2016 editions of the Licensed Property in a pre-assembled loose leaf format; and
- E. **WHEREAS**, ICC and CBSC desire to make available necessary annual amendments from time to time to the 2016 editions of the Licensed Property, as well as supplements to the 2016 editions of the Licensed Property in response to emergency regulations (the 2016 editions of the Licensed Property, amendments thereto, supplements thereto in response to emergency regulations, and all related errata sheets, collectively referred to herein as "the 2016 Code")

#### **2. TERM**

- A. The term of this agreement is May 1, 2016 to December 31, 2019 (44 months).

#### **3. PROJECT REPRESENTATIVES**

- A. The Project Representatives during the term of this agreement will be:



<b>BSC Contract Administrator</b>
Kevin Day 2525 Natomas Park Drive #130 Sacramento, CA 95833 (916) 263-0355 kevin.day@dqs.ca.gov

<b>Contractor's Contract Administrator</b>
Mark Johnson International Code Council 3060 Saturn Street, Suite 100 Brea, CA 92821 Fax No. : (562) 699-9721

- B. Any changes in Contractor's project representatives must be reported to the BSC Contract Administrator immediately, in writing.

#### **4. PERFORMANCE DETAILS**

A. **Grant of License; Ownership.**

CBSC grants to ICC an exclusive, royalty-free, perpetual, worldwide license to copy, print, publish, distribute, sublicense and sell the 2016 Code in any format, including print and electronic, in accordance with the terms of the Agreement. CBSC shall retain the right to create and distribute derivative or secondary works (such as handbooks, checklists, training materials and study guides) that incorporate 2016 Code text.

1. The 2016 Code shall remain the property of the CBSC, and nothing contained in this Agreement shall be deemed to transfer any ownership of the 2016 Code to ICC.
2. The ownership rights defined in paragraph 1 above shall survive the termination of this Agreement.
3. In the event ICC breaches its obligations provided in Paragraphs 2, 3, 4, 5 or 6, or terminates this Agreement, or otherwise discontinues to publish or fails to make available for sale the 2016 Code, then CBSC may print and publish or authorize the printing of and publication of the 2016 Code for its own use and for sale to the public until publishing thereof is recommenced by ICC or until one hundred and eighty (180) days after the publication of the next edition of the Title 24 (viz., 2016 edition), whichever occurs first, without compensating ICC. If at any time prior to the discontinuation of publication by ICC, said 2016 Code, for any reason, becomes temporarily out of print or unavailable so that copies thereof cannot be furnished within thirty (30) days after they are requested for purchase by any person or entity, then the CBSC may print and publish, or authorize the printing of and publication of any of the unavailable documents for its own use and for sale to the public in quantities to meet immediate demand, until ICC recommences furnishing copies or until one hundred and eighty (180) days after the publication of the next edition of the 2016 Code, whichever occurs first, without compensating ICC.

#### **5. SERVICE DETAILS**

- A. **Technical Services.** Immediately after the execution of this Agreement, ICC shall commence the following services:

1. ICC shall print, publish and make available for sale to the State, local governmental agencies, and to the general public, copies of the 2016 Code in a loose-leaf format on or before July 1, 2016.
2. ICC shall also provide CBSC with three (3) copies of the final text corresponding to the printed version of the 2013 Code, and three (3) copies of all 2013 supplements, supplements in response to emergency regulations, and all related errata sheets, in an electronic version in electronic format that allows editing of text solely for code development purposes.

## **6. WORK DETAILS**

- A. ICC shall, in accordance with the specific formatting requirements and editorial and publication timetable set forth herein, print, publish and make available for sale to the State of California, local governmental agencies, and to the general public on or before July 1, 2016 or at a later date as set by the CBSC, copies of the 2016 SBC in a loose-leaf format wherein all portions of the Licensed Property that have been approved and codified by the CBSC, including those portions of the Licensed Property that have been modified by the CBSC, as well as California amendments thereto, are fully merged and integrated into a contiguous and pre-assembled form and not provided as separate sheets. To meet the July 1, 2016 publication date, CBSC must approve the final edited draft manuscript on or before May 15, 2016. In the event CBSC fails to deliver to ICC the proofed and approved final text on or before May 15, 2016, ICC shall be provided with a period of 35 days from receipt of delivery of said final text from CBSC in which to print, publish and make available for sale the 2016 SBC.
- B. All those portions of the Licensed Property, be it chapters, sections, provisions, tables, appendices, references, etc., which the CBSC or any authorized agency does not adopt as a part of Title 24 shall not be printed in the 2016 SBC.
- C. All Errata and/or Supplements to the 2015 Licensed Property as originally adopted by the CBSC as the 2016 SBC which are thereafter generated by the ICC shall not be printed in the 2016 SBC unless expressly approved by the CBSC.
- D. CBSC shall submit to ICC its modifications to the 2015 Licensed Property. Within a reasonable time after the receipt thereof from CBSC, ICC shall furnish to CBSC a copy of the initial draft of the 2016 SBC for review by CBSC.
- E. Within a reasonable time after receipt of the initial draft of the 2016 SBC from ICC, CBSC shall submit its revisions to the initial draft to ICC. Within a reasonable time after receipt of the CBSC's revisions to the initial draft, ICC shall make any further modifications and submit to CBSC a second draft.
- F. Within a reasonable time after receipt of the second draft of the 2016 SBC from ICC, CBSC shall submit its revisions to the second draft to ICC. Within a reasonable time after receipt of the CBSC's revisions to the second draft, ICC shall make any further modifications and submit to CBSC a final draft.

- G. Upon approval of the final draft blueline, ICC shall thereafter publish and make available for sale to the State of California, and to the general public, copies of the 2016 SBC. If CBSC promptly delivers to ICC the submissions, ICC shall ensure that the 2016 SBC is available for sale on or before July 1, 2016.
- H. Time is of the essence:
1. Because the 2016 Code may have significant effects on the safety of the State's built environment and its citizens, time is of the essence in performing the herein duties.
  2. The July 1, 2016, date to publish the 2016 Code is of critical importance. Publication is defined as the documents being printed and available for delivery.
  3. The CBSC and the ICC shall commit staff and resources to expedite their diligent work and cooperate toward the within Publication schedules and goals.
  4. Due to the variations of their size and complexity, it is impossible to herein establish schedules for Publication of any Supplements or Errata. Therefore, when the CBSC submits any Supplements or errata to ICC, a Publication Schedule of milestone dates, including a Publication and Effective date, shall be mutually determined. That Publication Schedule, due to possible coordination with other contractors, is of critical importance. ICC shall notify the CBSC within 15 calendar days following creation of the Publication Schedule if they, for valid reason(s) given, cannot meet the Schedule and include a proposed Schedule which they can meet. The CBSC must concur in the acceptance of any new Schedule. Without such notification, or concurrence with a new Publication Schedule, the CBSC shall expect the ICC to abide by the proposed Schedule.
  5. Neither ICC nor CBSC shall be held liable or responsible for any times or dates set out in this publication agreement if such failure to meet that time or date comes about as a result of any strike, unauthorized work stoppage, civil unrest, legal requirement or impediment, storm, fire, flood or other act of God for which the ICC or the CBSC is not otherwise responsible.
- I. Formatting, layout and other requirements not contained herein for publication of the 2016 Code will be set forth and/or confirmed in subsequent correspondence between the Parties. Said formatting, layout and other requirements include, but are not limited to, the following:
1. Code
    - a. A "pre-assembled code" numbered consecutively, printed on 20 lb. or 24 lb. stock (depending on page count), 84 or higher brightness, 8-1/2" by 11" white paper in a seven-hole loose-leaf format configuration – the same configuration as that used for the 2013 SBC.

- b. The black body copy font shall be 10 pt. Times Roman with bold section numbers. Headings shall be 10 pt. Helvetica bold.
  - c. Each binder volume that has a ring metal greater than 2" shall be equipped with front and back heavy-duty page lifters and, when containing more than one Part of Title 24, a heavy-weight reinforced tab divider shall be included.
  - d. Volume binders shall conform to the design and colors selected by the CBSC and sized appropriately for the contents which shall be shrink wrapped to ensure completeness.
  - e. ICC and CBSC will work out a schedule for completion of the code to ensure publication and its availability on or before July 1, 2016. Exhibit A, Attachment E, 2015 California Triennial Code Adoption Cycle Schedule will be used as the basis for developing this schedule.
2. Italics shall not be used to identify defined terms.
  3. The front of each volume shall contain the following documents. This information will be provided to ICC by CBSC no later than March 1, 2016:
    - a. Cover Art
    - b. Copyright Notice
    - c. Preface
    - d. Acknowledgement
    - e. California Agency Information Contact List
  4. [MJ1]California language will be in italics or other form as specified by codification.
  5. All chapters will begin on a right hand page.
  6. Footers will read "2016 California Building Code" etc.
  7. State-agency acronyms will be used throughout the 2016 Code.
  8. ICC will submit binder specifications for approval by CBSC.
  9. The Matrix Adoption Table will be in the front of each correlating chapter of the 2016 Code and available as a supplement so it can be inserted in the front of each 2016 Code.
  10. ICC shall supply a postage-paid return card for each purchaser to apply for complimentary automatic receipt of all supplements and errata sheets. ICC will maintain the mailing list, and print, mail and verify delivery of supplements and errata sheets.
  11. A card may be placed in the 2016 Code advertising other ICC publications.

J. Supplements and Errata

1. Supplements to the 2016 code shall be printed on 20 lb. light blue paper and be individually shrink-wrapped.
2. Supplements shall be printed to insert by page substitution and contain a publication, effective date and 'Blue' on the bottom of each page.
3. Regular supplements shall be published as needed.
4. Emergency supplements shall be published on an "as needed basis."
5. Errata Sheets shall be printed on 20 lb. buff paper and be individually shrink-wrapped.
6. Errata Sheets shall be printed to insert by page substitution and contain a publication, effective date and 'Buff' on the bottom of each page.
7. The number of the supplements shall be the number of the page where the section and paragraph resides followed by .1, .2, .3 etc.

K. Distribution

1. ICC shall establish a distribution method in consultation with the CBSC.
2. ICC shall distribute a minimum of 200 complimentary copies of the 2016 Code as per the Exhibit A, Attachment C.
3. ICC may wholesale the 2016 Code to other resellers.
4. ICC reserves the right to include advertising material of related support products/services in distribution of the 2016 Code, provided said material is not a part of the official text of the California State Building Standards Code. Any advertising would be clearly denoted and included as a separate insert at the back.

**Exhibit A, Attachment A**

**Depository Libraries**

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Under the provisions of the Library Distribution Act (Government Code sections 14905, 14906, and 14907), the libraries listed below have contracted with the Department of General Services to serve as complete or selective depositories. They agree to provide adequate facilities for the shelving and use of the publications deposited with them render reasonable service without charge to qualified patrons, and retain all publications received until authorized to dispose of them.

**Complete Depository Libraries**

One copy of each state publication as defined in Government Code section 14902 must be placed on deposit with each complete depository. In addition, provisions of the State Administrative Manual authorize those libraries marked with an asterisk in the list below to receive the number of copies recorded after the entry.

California State Archives, 1020 O Street, Sacramento, CA 95814

California State Library, Information Resources and Government Publications, P.O. Box 942837, Sacramento, CA 94237-0001 (IMS: 900 N Street, E-29) **(two copies)**

California State University, Chico, Merriam Library, Government Publications Dept., Chico, CA 95929-0295

Fresno County Free Library, Government Publications, 2420 Mariposa St., Fresno, CA 93721-2285

Library of Congress, Anglo-American Acquisition Division, Government Documents Section, 101 Independence Ave S.E., Washington, D.C., 20540-4172

Los Angeles Public Library, Serials Division, 630 W. Fifth St., Los Angeles, CA 90071-2002  
Dr. Martin Luther King Jr. Library, Government Publications, San José State University, One Washington Square, San Jose, CA 95192-0008

San Diego Public Library, Government Publications Unit, 330 Park Blvd., San Diego, CA 92101

San Diego State University, Malcolm A. Love Library, Government Publications & Maps Division, 5500 Campanile Drive, San Diego, CA 92182-8050

San Francisco Public Library, Government Information Center, 100 Larkin St., San Francisco, CA 94102

Green Library, Receiving, Stanford University Libraries, 557 Escondido Mall, Stanford, CA 94305

University of California, Berkeley, Government Documents Technical Services, 250 Moffitt Library, Berkeley, CA 94720-6000

University of California, Davis, Shields Library, Government Information and Maps Department, 100 North West Quad, Davis, CA 95616-5292

University of California, Los Angeles, Charles E. Young Research Library A4510 Government Information, Box 951575, Los Angeles, CA 90095-1575

University of California, San Diego, Government Documents Unit, 9500 Gilman Drive 0175P, La Jolla, CA 92093-0175

University of California, Santa Barbara, Library, Serials Receiving, Santa Barbara, CA 93106-9010

**ATTACHMENT B**

**Selective Depository Libraries – Page 1 of 4**

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Selective depositories receive one copy of each printed publication distributed by the Office of State Publishing. They also receive publications distributed directly by issuing agencies. Special subsets of the Selective Depository Libraries are the Law Libraries. They receive one copy of each printed publication from OSP and a single copy from issuing agencies. Law library depositories differ in having special document retention requirements pursuant to section 14909 of the California Government Code. Law Libraries are indicated in this list by the term "Law" before their entry.

- Law** A.K. Smiley Public Library, 125 West Vine St., Redlands, CA 92373
- Law** Bernard E. Witkin Alameda County Law Library, 125 - 12 St., Oakland, CA 94607-4912
- Alhambra Public Library, 101 South First Street, Alhambra, CA 91801
- Butte County Library, 1820 Mitchell Avenue, Oroville, CA 95966-5387
- California Polytechnic State University, Library-Government Documents Section, 1 Grand Avenue, San Luis Obispo, CA 93407
- California State Polytechnic University, Pomona, Library-Serials Unit, Building 15, Suite 1919, 3801 W. Temple Ave., Pomona, CA 91768-2557
- California State University, Bakersfield, Walter Stiern Library, Library-Documents Section, 9001 Stockdale Highway, Bakersfield, CA 93311-1099
- California State University, Dominguez Hills, Library-Government Documents, 800 E. Victoria St., Carson, CA 90747
- California State University, Fresno, Henry Madden Library, Government Documents Dept., 5200 N. Barton, M/S ML34, Fresno, CA 93740-8014
- California State University, Fullerton, Library-Documents State, P.O. Box 4150, Fullerton, CA 92834-4150
- California State University, East Bay, Library-Documents, 25800 Carlos Bee Blvd. Hayward, CA 94542
- California State University, Long Beach, Library Government Documents, 1250 Bellflower Blvd., Long Beach, CA 90840-1901
- California State University, Los Angeles, John F. Kennedy Library, Government Information Services, 5151 State University Dr., Los Angeles, CA 90032-8300
- California State University, Northridge, Oviatt Library Government Documents, 18111 Nordhoff St., Northridge, CA 91330-8328
- California State University, Sacramento, Library-Documents, 2000 State University Dr., East, Sacramento, CA 95819-6039
- California State University, San Bernardino, Library, 5500 University Parkway, San Bernardino, CA 92407-2397
- California State University San Marcos, Library, State Documents, 333 S. Twin Oaks Valley Road, San Marcos, CA 92096-0001
- California State University, Stanislaus, Library, Documents Dept., One University Circle, Turlock, CA 95382-0299
- California State University, Board of Trustees, Office of Governmental Affairs, CA 915 L Street, Suite 1160, Sacramento, CA 95814



- Law** California Judicial Center Library, 455 Golden Gate Avenue, Room 4617, San Francisco, CA 94102
- Law** California Western School of Law Library, 225 Cedar St., San Diego, CA 92101-3090  
Chula Vista Public Library, 365 F Street, Chula Vista, CA 91910  
Contra Costa County Library, Documents Section, 1750 Oak Park Boulevard, Pleasant Hill, CA 94523-4497
- Law** Court of Appeal Library, Second Appellate District, 300 S. Spring St., Los Angeles, CA 90013  
El Centro Public Library, 1140 N. Imperial Ave., El Centro, CA 92243  
Fremont Main Library, 2400 Stevenson Blvd., Fremont, CA 94538-2326  
Garden Grove Regional Branch, Orange County Public Library, 11200 Stanford Avenue, Garden Grove, CA 92840
- Law** Golden Gate University Law Library, 536 Mission St., San Francisco, CA 94105
- Law** Hastings College of the Law Library, 200 McAllister St., San Francisco, CA 94102  
Honold/Mudd Library, Government Publications Dept., Claremont Colleges, 800 N. Dartmouth Ave., Claremont, CA 91711-3907  
Humboldt County Library, Public Services Division, 1313 Third Street, Eureka, CA 95501-0533  
Humboldt State University, Government Documents Section, 1 Harpst Street, Arcata, CA 95521  
Inglewood Public Library, 101 West Manchester Boulevard, Inglewood, CA 90301-1771
- Law** Kern County Law Library, 1415 Truxtun, Room 301, Bakersfield, CA 93301  
Kern County Library, California Documents Dept., 701 Truxtun Avenue, Bakersfield, CA 93301-4517
- Law** Kings County Law Library, 1400 West Lacey Boulevard, Hanford, CA 93230  
Long Beach Public Library, 101 Pacific Avenue, Long Beach, CA 90822-1097
- Law** Los Angeles County Law Library, 301 W. First St., Los Angeles, CA 90012-3100  
County of Los Angeles Public Library, Lancaster Library, 601 W. Lancaster Blvd., Lancaster, CA 93534  
County of Los Angeles Public Library, Norwalk Library, 12350 Imperial Highway, Norwalk, CA 90650
- Law** McGeorge School of Law, Library, Documents Dept., 3282 Fifth Ave., Sacramento, CA 95817  
Monterey County Free Libraries, Seaside Branch Library, 550 Harcourt Avenue, Seaside, CA 93955  
Napa City-County Library, 580 Coombs Street, Napa, CA 94559-3340  
Oakland Public Library, 125 Fourteenth St., Oakland, CA 94612
- Law** Orange County Public Law Library, 515 N. Flower, Santa Ana, CA 92703-2354  
Pasadena Public Library, 285 East Walnut Street, Pasadena, CA 91101-1556  
Redding Library, Attn. Government Documents, 1100 Parkview Ave., Redding, CA 96001  
Redwood City Public Library, Documents, 1044 Middlefield Road, Redwood City, CA 94063-1868  
Richmond Public Library, Government Documents Dept., 325 Civic Center Plaza, Richmond, CA 94804
- Law** Riverside County Law Library, 3989 Lemon St., Riverside, CA 92501-4203
- Law** Sacramento County Public Law Library, 609 Ninth St., Sacramento, CA 95814

- Sacramento Public Library, Central Library-Reference Department, 828 I Street,  
Sacramento, CA 95814-2508
- Law** San Bernardino County Law Library, 402 North "D" Street, San Bernardino, CA 92401  
San Bernardino Public Library, Documents, 555 W. Sixth St., San Bernardino, CA  
92410  
San Bernardino Valley College Library, 701 South Mt. Vernon Avenue, San Bernardino,  
CA 92410
- Law** San Diego County Law Library, 1105 Front St., San Diego, CA 92101-3999  
San Francisco State University, Government Publications Dept., J. Paul Leonard  
Library, 1630 Holloway Ave., San Francisco 94132-4030
- Law** San Joaquin County Law Library, Kress Legal Center, 1st floor, 20 N. Sutter St.,  
Stockton, CA 95202  
San Luis Obispo City-County Library, P.O. Box 8107, San Luis Obispo, CA 93403
- Law** San Luis Obispo County Law Library, 1050 Monterey St., Room 125, San Luis Obispo,  
CA 93408
- Law** San Mateo County Law Library, 710 Hamilton St., Redwood City, CA 94063  
San Mateo Public Library, 55 West Third Avenue, San Mateo, CA 94402-1592
- Law** Santa Barbara County Law Library, Courthouse, 1100 Anacapa St., Second Floor,  
Santa Barbara, CA 93101  
Santa Barbara Public Library, P.O. Box 1019, Santa Barbara, CA 93102-1019
- Law** Santa Clara County Law Library, 360 N. First St., San Jose, CA 95113-1004  
Santa Clara University, Government Documents Dept., Michel Orradre Library, 500 El  
Camino Real, Santa Clara, CA 95053-0500
- Law** Santa Cruz County Law Library, 701 Ocean St., Rm. 070, Santa Cruz, CA 95060  
Santa Cruz Public Library, Documents Section, 224 Church Street, Santa Cruz, CA  
95060  
Santa Maria Public Library, Reference Dept., 421 S. McClelland, Santa Maria, CA  
93454  
Santa Monica Public Library, 601 Santa Monica Blvd., Santa Monica, CA 90401
- Law** Sonoma County Law Library, 2604 Ventura Ave., Santa Rosa, CA 95403  
Sonoma County Library, 211 E Street, Santa Rosa, CA 95404
- Law** Southwestern University School of Law Library, Government Documents, 3050 Wilshire  
Blvd., Los Angeles, CA 90010-1106
- Law** Stanford University, Law Library, 559 Nathan Abbott Way, Stanford, CA 94305-8612  
Stanislaus County Free Library, 1500 I Street, Modesto, CA 95354-1166  
Stockton-San Joaquin County Public Library, 605 North El Dorado Street, Stockton, CA  
95202  
Thousand Oaks Library, Technical Services Dept., 2331 Borchard Rd., Newbury Park,  
CA 91320
- Law** University of California, Berkeley, Law Library, Boalt Hall, Berkeley, CA 94720-7210
- Law** Law Library Documents Dept., University of California, 400 Mrak Hall Drive, Davis, CA  
95616-5203  
University of California, Irvine Libraries, Government Information Department, Building  
520, Ayala Science Library Receiving Dock, Irvine, CA 92697
- Law** University of California, Los Angeles, Law Library, 1106 Law Building., 405 Hilgard  
Ave., Los Angeles, CA 90095-1458  
University of California, Riverside, Rivera Library, Government Publications, P.O. Box

5900, Riverside, CA 92517-5900

University of California, Santa Cruz, University Library, Government Publications, 1156  
High Street, Santa Cruz, CA 95064

**Law** University of La Verne College of Law Library, 320 East D St., Ontario, CA 91764

**Law** University of San Diego, School of Law Library, 5998 Alcala Park, San Diego, CA  
92110-2492

**Law** University of San Francisco, Zies Law Library, Kendrick Hall, 2130 Fulton St., San  
Francisco, CA 94117

**Law** University of Southern California, Law Library, 699 Exposition Blvd., Los Angeles, CA  
90089-0072

University of Southern California, Government Documents, Von Kleinsmid Library, 3518  
Trousdale Parkway, Los Angeles, CA 90089-0048

**Law** Ventura County Law Library, Courthouse, 800 S. Victoria Ave., Ventura, CA 93009-  
2020

**Law** Whittier College School of Law, Library, 3333 Harbor Blvd., Costa Mesa, CA 92626

**ATTACHMENT C**

**State Agencies**

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A List of State Agencies will be sent on or before July 1, 2016 under separate cover.

**Exhibit A, Attachment B**

**Selective Depository Libraries – Page 1 of 4**

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Selective depositories receive one copy of each printed publication distributed by the Office of State Publishing. They also receive publications distributed directly by issuing agencies. Special subsets of the Selective Depository Libraries are the Law Libraries. They receive one copy of each printed publication from OSP and a single copy from issuing agencies. Law library depositories differ in having special document retention requirements pursuant to section 14909 of the California Government Code. Law Libraries are indicated in this list by the term "Law" before their entry.

- A.K. Smiley Public Library, 125 West Vine St., Redlands, CA 92373
- Law** Bernard E. Witkin Alameda County Law Library, 125 - 12 St., Oakland, CA 94607-4912
- Alhambra Public Library, 101 South First Street, Alhambra, CA 91801
- Butte County Library, 1820 Mitchell Avenue, Oroville, CA 95966-5387
- California Polytechnic State University, Library-Government Documents Section, 1 Grand Avenue, San Luis Obispo, CA 93407
- California State Polytechnic University, Pomona, Library-Serials Unit, Building 15, Suite 1919, 3801 W. Temple Ave., Pomona, CA 91768-2557
- California State University, Bakersfield, Walter Stiern Library, Library-Documents Section, 9001 Stockdale Highway, Bakersfield, CA 93311-1099
- California State University, Dominguez Hills, Library-Government Documents, 800 E. Victoria St., Carson, CA 90747
- California State University, Fresno, Henry Madden Library, Government Documents Dept., 5200 N. Barton, M/S ML34, Fresno, CA 93740-8014
- California State University, Fullerton, Library-Documents State, P.O. Box 4150, Fullerton, CA 92834-4150
- California State University, East Bay, Library-Documents, 25800 Carlos Bee Blvd. Hayward, CA 94542
- California State University, Long Beach, Library Government Documents, 1250 Bellflower Blvd., Long Beach, CA 90840-1901
- California State University, Los Angeles, John F. Kennedy Library, Government Information Services, 5151 State University Dr., Los Angeles, CA 90032-8300
- California State University, Northridge, Oviatt Library Government Documents, 18111 Nordhoff St., Northridge, CA 91330-8328
- California State University, Sacramento, Library-Documents, 2000 State University Dr., East, Sacramento, CA 95819-6039
- California State University, San Bernardino, Library, 5500 University Parkway, San Bernardino, CA 92407-2397
- California State University San Marcos, Library, State Documents, 333 S. Twin Oaks Valley Road, San Marcos, CA 92096-0001
- California State University, Stanislaus, Library, Documents Dept., One University Circle, Turlock, CA 95382-0299
- California State University, Board of Trustees, Office of Governmental Affairs, CA 915 L Street, Suite 1160, Sacramento, CA 95814

- Law** California Judicial Center Library, 455 Golden Gate Avenue, Room 4617, San Francisco, CA 94102
- Law** California Western School of Law Library, 225 Cedar St., San Diego, CA 92101-3090  
Chula Vista Public Library, 365 F Street, Chula Vista, CA 91910  
Contra Costa County Library, Documents Section, 1750 Oak Park Boulevard, Pleasant Hill, CA 94523-4497
- Law** Court of Appeal Library, Second Appellate District, 300 S. Spring St., Los Angeles, CA 90013  
El Centro Public Library, 1140 N. Imperial Ave., El Centro, CA 92243  
Fremont Main Library, 2400 Stevenson Blvd., Fremont, CA 94538-2326  
Garden Grove Regional Branch, Orange County Public Library, 11200 Stanford Avenue, Garden Grove, CA 92840
- Law** Golden Gate University Law Library, 536 Mission St., San Francisco, CA 94105
- Law** Hastings College of the Law Library, 200 McAllister St., San Francisco, CA 94102  
Honnold/Mudd Library, Government Publications Dept., Claremont Colleges, 800 N. Dartmouth Ave., Claremont, CA 91711-3907  
Humboldt County Library, Public Services Division, 1313 Third Street, Eureka, CA 95501-0533  
Humboldt State University, Government Documents Section, 1 Harpst Street, Arcata, CA 95521  
Inglewood Public Library, 101 West Manchester Boulevard, Inglewood, CA 90301-1771
- Law** Kern County Law Library, 1415 Truxtun, Room 301, Bakersfield, CA 93301  
Kern County Library, California Documents Dept., 701 Truxtun Avenue, Bakersfield, CA 93301-4517
- Law** Kings County Law Library, 1400 West Lacey Boulevard, Hanford, CA 93230  
Long Beach Public Library, 101 Pacific Avenue, Long Beach, CA 90822-1097
- Law** Los Angeles County Law Library, 301 W. First St., Los Angeles, CA 90012-3100  
County of Los Angeles Public Library, Lancaster Library, 601 W. Lancaster Blvd., Lancaster, CA 93534  
County of Los Angeles Public Library, Norwalk Library, 12350 Imperial Highway, Norwalk, CA 90650
- Law** McGeorge School of Law, Library, Documents Dept., 3282 Fifth Ave., Sacramento, CA 95817  
Monterey County Free Libraries, Seaside Branch Library, 550 Harcourt Avenue, Seaside, CA 93955  
Napa City-County Library, 580 Coombs Street, Napa, CA 94559-3340  
Oakland Public Library, 125 Fourteenth St., Oakland, CA 94612
- Law** Orange County Public Law Library, 515 N. Flower, Santa Ana, CA 92703-2354  
Pasadena Public Library, 285 East Walnut Street, Pasadena, CA 91101-1556  
Redding Library, Attn. Government Documents, 1100 Parkview Ave., Redding, CA 96001  
Redwood City Public Library, Documents, 1044 Middlefield Road, Redwood City, CA 94063-1868  
Richmond Public Library, Government Documents Dept., 325 Civic Center Plaza, Richmond, CA 94804
- Law** Riverside County Law Library, 3989 Lemon St., Riverside, CA 92501-4203
- Law** Sacramento County Public Law Library, 609 Ninth St., Sacramento, CA 95814

- Sacramento Public Library, Central Library-Reference Department, 828 I Street,  
Sacramento, CA 95814-2508
- Law** San Bernardino County Law Library, 402 North "D" Street, San Bernardino, CA 92401  
San Bernardino Public Library, Documents, 555 W. Sixth St., San Bernardino, CA  
92410  
San Bernardino Valley College Library, 701 South Mt. Vernon Avenue, San Bernardino,  
CA 92410
- Law** San Diego County Law Library, 1105 Front St., San Diego, CA 92101-3999  
San Francisco State University, Government Publications Dept., J. Paul Leonard  
Library, 1630 Holloway Ave., San Francisco 94132-4030
- Law** San Joaquin County Law Library, Kress Legal Center, 1st floor, 20 N. Sutter St.,  
Stockton, CA 95202  
San Luis Obispo City-County Library, P.O. Box 8107, San Luis Obispo, CA 93403
- Law** San Luis Obispo County Law Library, 1050 Monterey St., Room 125, San Luis Obispo,  
CA 93408
- Law** San Mateo County Law Library, 710 Hamilton St., Redwood City, CA 94063  
San Mateo Public Library, 55 West Third Avenue, San Mateo, CA 94402-1592
- Law** Santa Barbara County Law Library, Courthouse, 1100 Anacapa St., Second Floor,  
Santa Barbara, CA 93101  
Santa Barbara Public Library, P.O. Box 1019, Santa Barbara, CA 93102-1019
- Law** Santa Clara County Law Library, 360 N. First St., San Jose, CA 95113-1004  
Santa Clara University, Government Documents Dept., Michel Orradre Library, 500 El  
Camino Real, Santa Clara, CA 95053-0500
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Sonoma County Library, 211 E Street, Santa Rosa, CA 95404
- Law** Southwestern University School of Law Library, Government Documents, 3050 Wilshire  
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- Law** Stanford University, Law Library, 559 Nathan Abbott Way, Stanford, CA 94305-8612  
Stanislaus County Free Library, 1500 I Street, Modesto, CA 95354-1166  
Stockton-San Joaquin County Public Library, 605 North El Dorado Street, Stockton, CA  
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- Law** Law Library Documents Dept., University of California, 400 Mrak Hall Drive, Davis, CA  
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University of California, Irvine Libraries, Government Information Department, Building  
520, Ayala Science Library Receiving Dock, Irvine, CA 92697
- Law** University of California, Los Angeles, Law Library, 1106 Law Building., 405 Hilgard  
Ave., Los Angeles, CA 90095-1458  
University of California, Riverside, Rivera Library, Government Publications, P.O. Box

5900, Riverside, CA 92517-5900

University of California, Santa Cruz, University Library, Government Publications, 1156  
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**Law** University of La Verne College of Law Library, 320 East D St., Ontario, CA 91764

**Law** University of San Diego, School of Law Library, 5998 Alcala Park, San Diego, CA  
92110-2492

**Law** University of San Francisco, Zies Law Library, Kendrick Hall, 2130 Fulton St., San  
Francisco, CA 94117

**Law** University of Southern California, Law Library, 699 Exposition Blvd., Los Angeles, CA  
90089-0072

University of Southern California, Government Documents, Von Kleinsmid Library, 3518  
Trousdale Parkway, Los Angeles, CA 90089-0048

**Law** Ventura County Law Library, Courthouse, 800 S. Victoria Ave., Ventura, CA 93009-  
2020

**Law** Whittier College School of Law, Library, 3333 Harbor Blvd., Costa Mesa, CA 92626



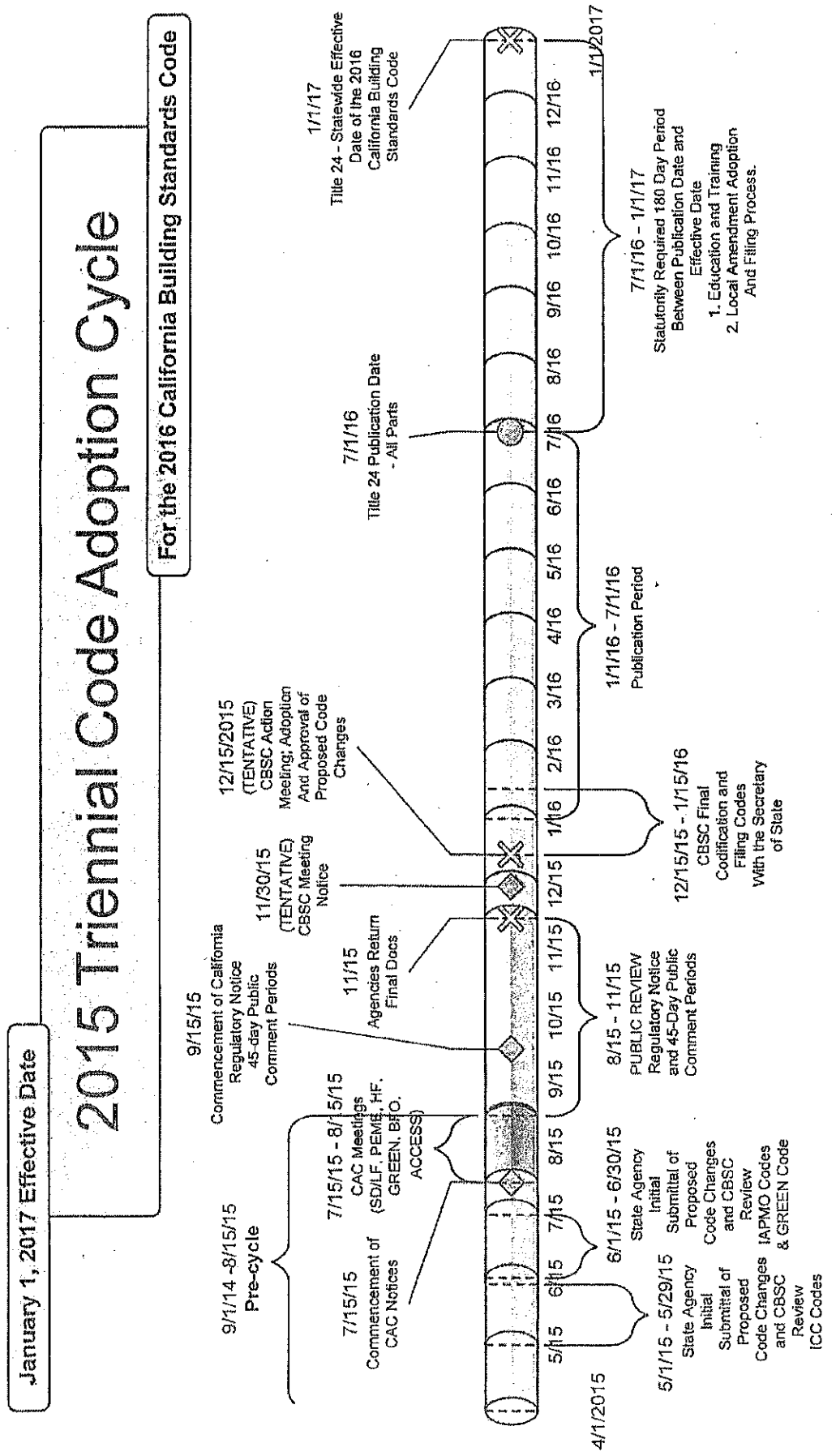


**Exhibit A, Attachment C**

**State Agencies**

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A List of State Agencies will be sent on or before July 1, 2016 under separate cover.



**CAC Committees:**  
 SDLF – Structural Design/ Lateral Forces  
 PEME – Plumbing, Electrical, Mechanical & Energy  
 HF – Health Facilities  
 GREEN – Green Building  
 BFO – Building, Fire & Other  
 ACCESS – Accessibility

**\* All dates are subject to change**

**EXHIBIT B**

**PAYMENT AND COMPENSATION PROVISIONS**

- A. **Compensation.** In consideration of the opportunity provided to ICC by CBSC to make sales of the 2016 Code, no fees, royalties or other payments of any nature shall be required to be paid by CBSC to ICC with respect to this Agreement or the licenses granted hereunder.
- A. **Sale of Code.** ICC agrees to furnish the 2016 Code in loose-leaf format on the following basis:
1. ICC shall make the 2016 Code, described in Exhibit A Paragraphs 5 A 1. and 5 A 2., available to the State, local governmental agencies, and the general public at a price established by ICC that will entitle the purchaser to receive all 2016 SBC Supplements, supplements to the 2016 SBC in response to emergency regulations, and all related Errata sheets from ICC at no additional charge.
  2. Any bookstore or other vendor may purchase the 2016 Code from ICC for resale and may resell the same at any price which will entitle the purchaser to receive all subsequent 2016 SBC Supplements, supplements to the 2016 SBC in response to emergency regulations, and all related errata sheets from ICC at no additional charge.
  3. ICC shall provide to CBSC the electronic files in word format of the 2016 Code including all subsequent Supplements and Errata in order that the CBSC may make the 2016 Code available internally on the CBSC intranet or internal network for use solely by CBSC staff. If ICC develops a fee based electronic subscription service with additional features, such as Boolean search capabilities, annotation feature, global search feature or hyperlinking capabilities, ICC shall also make such electronic subscription service available to the CBSC for internal use as provided in this subparagraph.
  4. ICC may include references to ICC-ES Evaluation Reports and other supplemental support material in any electronic version of the 2016 Code (separate from the actual 2016 Code language). ICC language/materials will be differentiated from the 2016 Code. CBSC reserves the right to review such materials in advance and shall be provided with such materials at least thirty (30) days prior to publication.
  5. ICC may sell the 2016 Code in any formats it so chooses, including but not limited to: print, eBooks, and subscription service.
  6. ICC will send the State a quarterly report commencing on July 1, 2016, which will provide information on orders processed from the previous quarter. The report will include the total number of copies distributed and total revenue received. If no orders are processed, the Contractor will send a report indicating no orders were

processed. Reports are due by the 15<sup>th</sup> of the month following the end of a quarter. Reports must be mailed to:

<i>CBSC Contract Administrator</i>
2525 Natomas Park Drive #130 Sacramento, CA 95833

- B. **State Code Distribution.** The Library Distribution Act (LDA) established a system to distribute California State agency publications to libraries in order to make such publications widely available to residents of the State of California. During the term of this Agreement, ICC shall deliver complimentary copies of the 2016 SBC, and automatically, any 2016 SBC Supplements, supplements to the 2016 SBC in response to emergency regulations, and all related errata sheets, directly to the Deposit Libraries listed in Attachment B hereto in the quantities set forth therein, and one copy each to the Selective Depository Libraries listed in Attachment C hereto and copies to the State agencies listed in Attachment D hereto in the quantities specified therein. ICC shall obtain and retain proof of delivery of all materials distributed in accordance with this provision and make copies of such proof of delivery available to CBSC upon written request until one year after termination of this Agreement or be willing to ship additional complimentary copies upon request.
1. ICC shall deliver up to 30 complimentary copies of the 2016 Code to CBSC and then deliver one complimentary copy for each new Commissioner appointed after June 1, 2016 to CBSC, in addition to the delivery of the original 30 copies until one hundred and eighty (180) days after the Publication of the next edition of 2016 Code. CBSC shall provide ICC with names and delivery addresses of the current and any new Commissioners as well as notifying ICC of any terminations.
  2. ICC shall deliver up to 200 complimentary copies of the 2016 Code, together with any 2016 SBC Supplements, directly to the following state agencies in the quantities specified by Attachment D.
- D. **Subscription Service.** In order to ensure that the 2016 SBC purchased from ICC or any bookstore or other vendor is accurate and up to date, beginning from the time of the initial publication, ICC shall make available to all purchasers of the 2016 SBC, all 2016 SBC Supplements, all supplements to the 2016 SBC in response to emergency regulations, and all related errata sheets, at no additional cost. ICC shall provide all purchasers with a subscription registration card which enables them to automatically receive such updates to the 2016 SBC in either print or electronic format, whichever the purchaser chooses. Electronic versions shall clearly distinguish and identify errata and supplement sheets with footer notes on each page as follows: '[effective date], Supplement, Blue', '[Effective date], Errata, Buff'. Subscription to this service shall result in the subscriber being provided with an entire, up-to-date 2016 Code.

- E. **Funding.** ICC understands and agrees that under certain provisions of California law, CBSC may not obligate itself by contract to an extent in excess of an amount appropriated therefore by the State Legislature as approved by the Governor.

**Exhibit A, Attachment C**

**State Agencies**

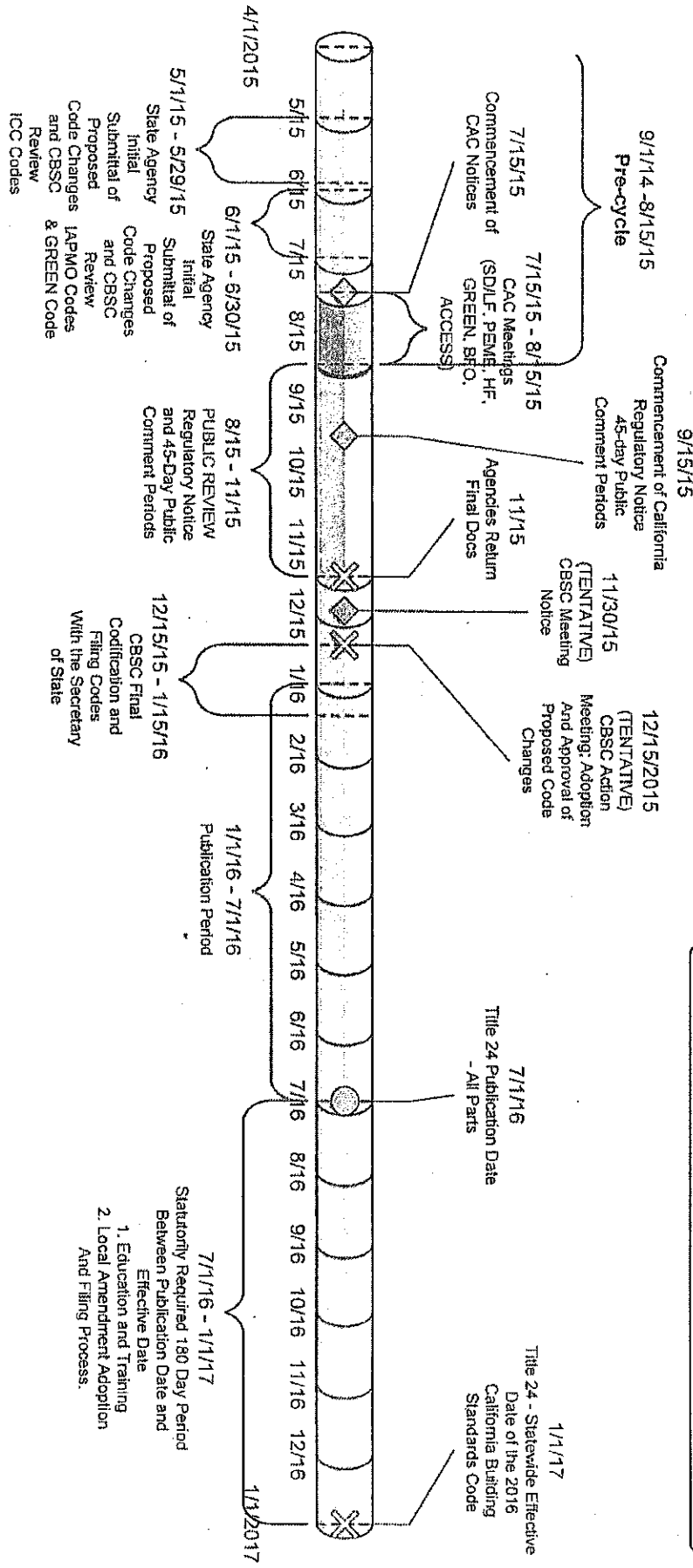
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A List of State Agencies will be sent on or before July 1, 2016 under separate cover.

January 1, 2017 Effective Date

# 2015 Triennial Code Adoption Cycle

For the 2016 California Building Standards Code



### CAC Committees:

- SDLF – Structural Design/ Lateral Forces
- PEME – Plumbing, Electrical, Mechanical & Energy
- HF – Health Facilities
- GREEN – Green Building
- BFO – Building, Fire & Other
- ACCESS – Accessibility

\* All dates are subject to change

12/2014



STATE OF CALIFORNIA  
**STANDARD AGREEMENT**  
 STD 213 (Rev 06/03)

AGREEMENT NUMBER

**3187605**

REGISTRATION NUMBER

1. This Agreement is entered into between the State Agency and the Contractor named below:

STATE AGENCY'S NAME

Department of General Services, Building Standards Commission

CONTRACTOR'S NAME

International Code Council

2. The term of this Agreement is: **May 1, 2016**  
 or upon DGS/OLS approval, whichever is later through **December 31, 2019**

3. The maximum amount of this Agreement is: **\$0.00**  
 Zero Dollars

4. The parties agree to comply with the terms and conditions of the following exhibits which are by this reference made a part of the Agreement.

Exhibit A – Scope of Work	7 Pages
Exhibit A, Attachment A – Depository Libraries	2 Pages
Exhibit A, Attachment B – Selective Depository Libraries	4 Pages
Exhibit A, Attachment C – State Agencies	1 Page
Exhibit A, Attachment D – Code Adoption Cycle	1 Page
Exhibit A, Attachment E – Copyright Information	4 Pages
Exhibit B – Payment and Compensation Provisions	3 Pages
Exhibit C* – General Terms and Conditions	GTC - 610

Items shown with an Asterisk (\*), are hereby incorporated by reference and made part of this agreement as if attached hereto. These documents can be viewed at <http://www.dgs.ca.gov/ols/Resources/StandardContractLanguage.aspx>

**IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.**

**CONTRACTOR**

CONTRACTOR'S NAME (if other than an individual, state whether a corporation, partnership, etc.)

International Code Council

BY (Authorized Signature)

DATE SIGNED(Do not type)



PRINTED NAME AND TITLE OF PERSON SIGNING

Mark A. Johnson, Executive Vice President & Director of Business Development

ADDRESS

3060 Saturn Street, Suite 100  
 Brea, CA 92821

**STATE OF CALIFORNIA**

AGENCY NAME

Department of General Services, Building Standards Commission

BY (Authorized Signature)

DATE SIGNED(Do not type)



PRINTED NAME AND TITLE OF PERSON SIGNING

Mia Marvelli, Executive Director

ADDRESS

2525 Natomas Park Drive, Suite 130  
 Sacramento, CA 95833

California Department of General Services Use Only

Exempt per:

**EXHIBIT A**

**SCOPE OF WORK**

The California Building Code (California Code of Regulations, Title 24, Part 2), California Residential Code (California Code of Regulations, Title 24, Part 2.5), California Fire Code (California Code of Regulations, Title 24, Part 9), and California Existing Building Code (California Code of Regulations, Title 24, Part 10), are based on four model codes, the International Building Code, International Residential Code, International Fire Code and the International Existing Building Code, respectively. The California codes include both provisions of the model codes and amendments to those codes adopted by California. The International Code Council (ICC) owns the copyrights to these model codes; therefore, ICC must be the publisher of these California codes, if they are each going to contain model code provisions and California amendments to the model codes.

**1. PROJECT SUMMARY**

Pursuant to Health and Safety Code Sections 18928.1 and 18942, the California Building Standards Commission (CBSC) and the International Code Council (ICC) will coordinate the publication of these parts of the 2016 California Building Standards Code (Title 24, California Code of Regulations).

- A. **WHEREAS**, ICC is the sole owner of the copyrights to the 2015 *International Building Code*, 2015 *International Residential Code*, 2015 *International Fire Code* and 2015 *International Existing Building Code* and trade names and/or marks "*International Building Code*", "*International Residential Code*", "*International Fire Code*", "*International Existing Building Code*", and acronyms "IBC", "IRC", "IFC", "IEBC"; and
- B. **WHEREAS**, CBSC periodically adopts, approves and codifies building code standards and amendments, which may be based on an existing model building code, and publishes them as part of the California Building Standards Code (hereinafter referred to as the "SBC"), Title 24, Parts 2, 2.5, 9, & 10 California Code of Regulations (CCR), pursuant to Section 18928.1 of the California Health and Safety Code; and
- C. **WHEREAS**, CBSC desires to publish a 2016 edition of the SBC (hereinafter referred to as the "2016 SBC") on or before July 1, 2016 or at a later date as set by the CBSC containing those portions of the first published editions (as adopted by CBSC) of the 2015 IBC, 2015 IRC, 2015 IFC and 2015 IEBC that have been approved and codified by CBSC, including those portions of the 2015 IBC, 2015 IRC, 2015 IFC, and 2015 IEBC that have been modified by CBSC.
- D. **WHEREAS**, ICC and CBSC desire to facilitate the publication of the 2016 SBC on or before July 1, 2016 in a pre-assembled format that integrates portions of the 2015 IBC, 2015 IRC, 2015 IFC, and 2015 IEBC that have been approved and codified by CBSC, including those portions of the 2015 IBC, 2015 IRC, 2015 IFC, and 2015 IEBC that have been modified by CBSC, as well as the State amendments; and

E. **WHEREAS**, ICC and CBSC desire to make available as necessary supplements and errata to the 2016 SBC, to be codified in Title 24, Parts 2, 2.5, 9, & 10 CCR (hereinafter referred to as the "2016 SBC Supplements"), as well as supplements to the 2016 SBC in response to emergency regulations.

2. **TERM**

A. The term of this agreement is May 1, 2016 to December 31, 2019 (44 months).

3. **PROJECT REPRESENTATIVES**

A. The Project Representatives during the term of this agreement will be:

BSC Contract Administrator
Kevin Day 2525 Natomas Park Drive #130 Sacramento, CA 95833 (916) 263-0355 kevin.day@dgs.ca.gov

Contractor's Contract Administrator
Mark Johnson International Code Council 3060 Saturn Street, Suite 100 Brea, CA 92821 Fax No. : (562) 699-9721

B. Any changes in Contractor's project representatives must be reported to the BSC Contract Administrator immediately, in writing.

4. **PERFORMANCE DETAILS**

A. **Grant of License for SBC; Ownership.**

ICC hereby grants CBSC a nonexclusive license to use and copy all or any portion of the 2015 IBC, 2015 IRC, 2015 IFC, and 2015 IEBC, ICC supplements and revisions to the 2015 IBC, 2015 IRC, 2015 IFC, and 2015 IEBC, (hereinafter "Licensed Property"), in whole or in part, solely to create and publish the 2016 SBC, as well as the 2016 SBC Supplements, supplements to the 2016 SBC in response to emergency regulations, and all related errata sheets (hereinafter referred to collectively as the "2016 Code"), including the right to (a) make such changes to the Licensed Property as CBSC determines is required for the 2016 Code, and (b) affix copyright notices to the 2016 Code as displayed in Exhibit A, Attachment E.

1. All Licensed Property shall remain the property of ICC, and nothing contained in this Agreement shall be deemed to transfer any ownership of the Licensed Property to CBSC.
2. All California amendments prepared by CBSC (or any agency or other instrumentality of the State of California) in connection with the 2016 Code shall remain the property of CBSC, and nothing contained in this Agreement shall be deemed to transfer any ownership of CBSC Property to ICC.
3. Amendments that contain material prepared by the CBSC combined with ICC Licensed Property shall be jointly owned by the CBSC and ICC.

4. The ownership rights defined in Paragraph 1 above shall survive the termination of this Agreement.
5. CBSC herein grants to ICC an exclusive, royalty-free, perpetual, worldwide license to copy, print, publish, distribute, sublicense and sell the 2016 Code, in any format, including print and electronic, in accordance with the terms of the Agreement.
6. In the event ICC breaches its obligations under this agreement, or this agreement is terminated by either party, or ICC otherwise discontinues to publish or fails to make available for sale the 2016 SBC, then CBSC may print and publish or authorize the printing of and publication of the 2016 SBC for its own use and for sale to the public until publishing thereof is recommenced by ICC or until one hundred and eighty (180) days after the publication of the next edition of the Title 24 (viz., 2016 edition), whichever occurs first, without compensating ICC. If at any time prior to the discontinuation of publication by ICC, said 2016 Code, for any reason, becomes temporarily out of print or unavailable so that copies thereof cannot be furnished within thirty (30) days after they are requested for purchase by any person or entity, then the CBSC may print and publish, or authorize the printing of and publication of any of the unavailable documents for its own use and for sale to the public in quantities to meet immediate demand, until ICC recommences furnishing copies or until one hundred and eighty (180) days after the publication of the next edition of the 2016 Code, whichever occurs first, without compensating ICC.

## **5. SERVICE DETAILS**

- A. **Technical Services.** Immediately after the execution of this Agreement, ICC shall commence the following services:
  1. ICC shall print, publish and make available for sale to the State, local governmental agencies, and to the general public, copies of the 2016 SBC in a loose-leaf format wherein all portions of the 2015 IBC, 2015 IRC, 2015 IFC, and 2015 IEBC that have been approved and codified by CBSC, including those portions of the 2015 IBC, 2015 IRC, 2015 IFC and 2015 IEBC that have been modified by CBSC, as well as the State amendments thereto, are fully merged and integrated into a contiguous and pre-assembled document.
  2. ICC shall also provide CBSC with three (3) copies of the final text corresponding to the printed version of the 2015 IBC, the 2015 IRC and the 2015 IFC, Chapters 1-4, 15, 16 & A1, A3 & A4 of the 2015 IEBC, and three (3) copies of all 2013 SBC Supplements, supplements to the 2013 SBC in response to emergency regulations, and all related errata sheets, in an electronic version in electronic format that allows editing of text solely for code development purposes.

## **6. WORK DETAILS**

- A. ICC shall, in accordance with the specific formatting requirements and editorial and publication timetable set forth herein, print, publish and make available for sale to the

State of California, local governmental agencies, and to the general public on or before July 1, 2016 or at a later date as set by the CBSC, copies of the 2016 SBC in a loose-leaf format wherein all portions of the Licensed Property that have been approved and codified by the CBSC, including those portions of the Licensed Property that have been modified by the CBSC, as well as California amendments thereto, are fully merged and integrated into a contiguous and pre-assembled form and not provided as separate sheets. To meet the July 1, 2016 publication date, CBSC must approve the final edited draft manuscript on or before May 15, 2016. In the event CBSC fails to deliver to ICC the proofed and approved final text on or before May 15, 2016, ICC shall be provided with a period of 35 days from receipt of delivery of said final text from CBSC in which to print, publish and make available for sale the 2016 SBC.

- B. All those portions of the Licensed Property, be it chapters, sections, provisions, tables, appendices, references, etc., which the CBSC or any authorized agency does not adopt as a part of Title 24 shall not be printed in the 2016 SBC.
- C. All Errata and/or Supplements to the 2015 Licensed Property as originally adopted by the CBSC as the 2016 SBC which are thereafter generated by the ICC shall not be printed in the 2016 SBC unless expressly approved by the CBSC.
- D. CBSC shall submit to ICC its modifications to the 2015 Licensed Property. Within a reasonable time after the receipt thereof from CBSC, ICC shall furnish to CBSC a copy of the initial draft of the 2016 SBC for review by CBSC.
- E. Within a reasonable time after receipt of the initial draft of the 2016 SBC from ICC, CBSC shall submit its revisions to the initial draft to ICC. Within a reasonable time after receipt of the CBSC's revisions to the initial draft, ICC shall make any further modifications and submit to CBSC a second draft.
- F. Within a reasonable time after receipt of the second draft of the 2016 SBC from ICC, CBSC shall submit its revisions to the second draft to ICC. Within a reasonable time after receipt of the CBSC's revisions to the second draft, ICC shall make any further modifications and submit to CBSC a final draft.
- G. Upon approval of the final draft blue-line, ICC shall thereafter publish and make available for sale to the State of California, and to the general public, copies of the 2016 SBC. If CBSC promptly delivers to ICC the submissions, ICC shall ensure that the 2016 SBC is available for sale on or before July 1, 2016.
- H. Time is of the essence:
  - 1. Because the 2016 Code may have significant effects on the safety of the State's built environment and its citizens, time is of the essence in performing the herein duties.
  - 2. The July 1, 2016, date to publish the 2016 Code is of critical importance. Publication is defined as the documents being printed and available for delivery.
  - 3. The CBSC and the ICC shall commit staff and resources to expedite their diligent work and cooperate toward the within Publication schedules and goals.
  - 4. Due to the variations of their size and complexity, it is impossible to herein establish schedules for Publication of any Supplements or Errata. Therefore,

when the CBSC submits any Supplements or errata to ICC, a Publication Schedule of milestone dates, including a Publication and Effective date, shall be mutually determined. That Publication Schedule, due to possible coordination with other contractors, is of critical importance. ICC shall notify the CBSC within 15 calendar days following creation of the Publication Schedule if they, for valid reason(s) given, cannot meet the Schedule and include a proposed Schedule which they can meet. The CBSC must concur in the acceptance of any new Publication Schedule. Without such notification, or concurrence with a new Publication Schedule, the CBSC shall expect the ICC to abide by the proposed Schedule.

5. Neither ICC nor CBSC shall be held liable or responsible for any times or dates set out in this publication agreement if such failure to meet that time or date comes about as a result of any strike, unauthorized work stoppage, civil unrest, legal requirement or impediment, storm, fire, flood or other act of God for which the ICC or the CBSC is not otherwise responsible.
- I. Formatting, layout and other requirements not contained herein for publication of the 2016 Code will be set forth and/or confirmed in subsequent correspondence between the Parties. Said formatting, layout and other requirements include, but are not limited to, the following:
  1. Code
    - a. A "pre-assembled code" numbered consecutively, printed on 20 lb. or 24 lb. stock (depending on page count), 84 or higher brightness, 8-1/2" by 11" white paper in a seven-hole loose-leaf format configuration – the same configuration as that used for the 2013 SBC.
    - b. The black body copy font shall be 10 pt. Times Roman with bold section numbers. Headings shall be 10 pt. Helvetica bold.
    - c. Each binder volume that has a ring metal greater than 2" shall be equipped with front and back heavy-duty page lifters and, when containing more than one Part of Title 24, a heavy-weight reinforced tab divider shall be included.
    - d. Volume binders shall conform to the design and colors selected by the CBSC and sized appropriately for the contents which shall be shrink wrapped to ensure completeness.
    - e. ICC will integrate existing 2015 Licensed Property language with California amendments to be reviewed and approved by the CBSC. First review and schedule will be agreed upon by the parties.
    - f. ICC and CBSC will work out a schedule for completion of the code to ensure publication and its availability on or before July 1, 2016. Attachment D, 2015 California Triennial Code Adoption Cycle Schedule will be used as the basis for developing this schedule.
  2. Index will remain as it appears in the 2015 Licensed Property with California amendments as necessary.
  3. Italics shall not be used to identify defined terms.

4. The front of each volume shall contain the following documents. This information will be provided to ICC by CBSC no later than March 1, 2016:
  - a. Cover Art
  - b. Copyright Notice
  - c. Preface
  - d. Acknowledgement
  - e. California Agency Information Contact List
  - f. How to Distinguish Between Model Code Language and California Amendments
5. California language will be in italics or other form as specified by codification.
6. All chapters will begin on a right hand page.
7. Footers will read "2016 California Building Code" etc.
8. State-agency acronyms will be used throughout the 2016 Code.
9. ICC will submit binder specifications for approval by CBSC.
10. The Matrix Adoption Table will be in the front of each correlating chapter of the 2016 Code and available as a supplement so it can be inserted in the front of each 2016 Code.
11. ICC shall supply a postage-paid return card for each purchaser to apply for complimentary automatic receipt of all supplements and errata sheets. ICC will maintain the mailing list, and print, mail and verify delivery of supplements and errata sheets.
12. A card may be placed in the back of the 2016 Code advertising other ICC publications.

J. Supplements and Errata

1. Supplements to the 2016 code shall be printed on 20 lb. light blue paper and be individually shrink-wrapped.
2. Supplements shall be printed to insert by page substitution and contain a publication, effective date, and 'Blue' written on the bottom of each page.
3. Regular supplements shall be published as needed.
4. Emergency supplements shall be published on an "as needed basis."
5. Errata sheets shall be printed on 20 lb. Buff paper and be individually shrink-wrapped
6. Errata sheets shall be printed to insert by page substitution and contain a publication, effective date, and 'Buff' written on the bottom of each page
7. The number of the supplements shall be the number of the page where the section and paragraph resides followed by .1, .2, .3 etc.

K. Distribution

1. ICC shall establish a distribution method in consultation with the CBSC.

2. ICC shall distribute a minimum of 200 complimentary copies of the 2016 Code as per the Attachment C.
3. ICC may wholesale the 2016 Code to other resellers.
4. ICC reserves the right to include advertising material of related support products/services in distribution of the 2016 Code, provided said material is not a part of the official text of the California State Building Standards Code. Any advertising would be clearly denoted and included as a separate insert at the back.



## **Exhibit A, Attachment A**

### **Depository Libraries**

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Under the provisions of the Library Distribution Act (Government Code sections 14905, 14906, and 14907), the libraries listed below have contracted with the Department of General Services to serve as complete or selective depositories. They agree to provide adequate facilities for the shelving and use of the publications deposited with them render reasonable service without charge to qualified patrons, and retain all publications received until authorized to dispose of them.

#### **Complete Depository Libraries**

One copy of each state publication as defined in Government Code section 14902 must be placed on deposit with each complete depository. In addition, provisions of the State Administrative Manual authorize those libraries marked with an asterisk in the list below to receive the number of copies recorded after the entry.

California State Archives, 1020 O Street, Sacramento, CA 95814

California State Library, Information Resources and Government Publications, P.O. Box 942837, Sacramento, CA 94237-0001 (IMS: 900 N Street, E-29) **(two copies)**

California State University, Chico, Merriam Library, Government Publications Dept., Chico, CA 95929-0295

Fresno County Free Library, Government Publications, 2420 Mariposa St., Fresno, CA 93721-2285

Library of Congress, Anglo-American Acquisition Division, Government Documents Section, 101 Independence Ave S.E., Washington, D.C., 20540-4172

Los Angeles Public Library, Serials Division, 630 W. Fifth St., Los Angeles, CA 90071-2002  
Dr. Martin Luther King Jr. Library, Government Publications, San José State University, One Washington Square, San Jose, CA 95192-0008

San Diego Public Library, Government Publications Unit, 330 Park Blvd., San Diego, CA 92101

San Diego State University, Malcolm A. Love Library, Government Publications & Maps Division, 5500 Campanile Drive, San Diego, CA 92182-8050

San Francisco Public Library, Government Information Center, 100 Larkin St., San Francisco, CA 94102

Green Library, Receiving, Stanford University Libraries, 557 Escondido Mall, Stanford, CA 94305

University of California, Berkeley, Government Documents Technical Services, 250 Moffitt Library, Berkeley, CA 94720-6000

University of California, Davis, Shields Library, Government Information and Maps Department, 100 North West Quad, Davis, CA 95616-5292

University of California, Los Angeles, Charles E. Young Research Library A4510 Government Information, Box 951575, Los Angeles, CA 90095-1575

University of California, San Diego, Government Documents Unit, 9500 Gilman Drive 0175P, La Jolla, CA 92093-0175

University of California, Santa Barbara, Library, Serials Receiving, Santa Barbara, CA 93106-9010

**Exhibit A, Attachment B**

**Selective Depository Libraries**

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Selective depositories receive one copy of each printed publication distributed by the Office of State Publishing. They also receive publications distributed directly by issuing agencies. Special subsets of the Selective Depository Libraries are the Law Libraries. They receive one copy of each printed publication from OSP and a single copy from issuing agencies. Law library depositories differ in having special document retention requirements pursuant to section 14909 of the California Government Code. Law Libraries are indicated in this list by the term "Law" before their entry.

- A.K. Smiley Public Library, 125 West Vine St., Redlands, CA 92373
- Law** Bernard E. Witkin Alameda County Law Library, 125 - 12 St., Oakland, CA 94607-4912
- Alhambra Public Library, 101 South First Street, Alhambra, CA 91801
- Butte County Library, 1820 Mitchell Avenue, Oroville, CA 95966-5387
- California Polytechnic State University, Library-Government Documents Section, 1 Grand Avenue, San Luis Obispo, CA 93407
- California State Polytechnic University, Pomona, Library-Serials Unit, Building 15, Suite 1919, 3801 W. Temple Ave., Pomona, CA 91768-2557
- California State University, Bakersfield, Walter Stiern Library, Library-Documents Section, 9001 Stockdale Highway, Bakersfield, CA 93311-1099
- California State University, Dominguez Hills, Library-Government Documents, 800 E. Victoria St., Carson, CA 90747
- California State University, Fresno, Henry Madden Library, Government Documents Dept., 5200 N. Barton, M/S ML34, Fresno, CA 93740-8014
- California State University, Fullerton, Library-Documents State, P.O. Box 4150, Fullerton, CA 92834-4150
- California State University, East Bay, Library-Documents, 25800 Carlos Bee Blvd. Hayward, CA 94542
- California State University, Long Beach, Library Government Documents, 1250 Bellflower Blvd., Long Beach, CA 90840-1901
- California State University, Los Angeles, John F. Kennedy Library, Government Information Services, 5151 State University Dr., Los Angeles, CA 90032-8300
- California State University, Northridge, Oviatt Library Government Documents, 18111 Nordhoff St., Northridge, CA 91330-8328
- California State University, Sacramento, Library-Documents, 2000 State University Dr., East, Sacramento, CA 95819-6039
- California State University, San Bernardino, Library, 5500 University Parkway, San Bernardino, CA 92407-2397
- California State University San Marcos, Library, State Documents, 333 S. Twin Oaks Valley Road, San Marcos, CA 92096-0001
- California State University, Stanislaus, Library, Documents Dept., One University Circle, Turlock, CA 95382-0299
- California State University, Board of Trustees, Office of Governmental Affairs, CA 915 L Street, Suite 1160, Sacramento, CA 95814

- Law** California Judicial Center Library, 455 Golden Gate Avenue, Room 4617, San Francisco, CA 94102
- Law** California Western School of Law Library, 225 Cedar St., San Diego, CA 92101-3090  
Chula Vista Public Library, 365 F Street, Chula Vista, CA 91910  
Contra Costa County Library, Documents Section, 1750 Oak Park Boulevard, Pleasant Hill, CA 94523-4497
- Law** Court of Appeal Library, Second Appellate District, 300 S. Spring St., Los Angeles, CA 90013  
El Centro Public Library, 1140 N. Imperial Ave., El Centro, CA 92243  
Fremont Main Library, 2400 Stevenson Blvd., Fremont, CA 94538-2326  
Garden Grove Regional Branch, Orange County Public Library, 11200 Stanford Avenue, Garden Grove, CA 92840
- Law** Golden Gate University Law Library, 536 Mission St., San Francisco, CA 94105
- Law** Hastings College of the Law Library, 200 McAllister St., San Francisco, CA 94102  
Honold/Mudd Library, Government Publications Dept., Claremont Colleges, 800 N. Dartmouth Ave., Claremont, CA 91711-3907  
Humboldt County Library, Public Services Division, 1313 Third Street, Eureka, CA 95501-0533  
Humboldt State University, Government Documents Section, 1 Harpst Street, Arcata, CA 95521  
Inglewood Public Library, 101 West Manchester Boulevard, Inglewood, CA 90301-1771
- Law** Kern County Law Library, 1415 Truxtun, Room 301, Bakersfield, CA 93301  
Kern County Library, California Documents Dept., 701 Truxtun Avenue, Bakersfield, CA 93301-4517
- Law** Kings County Law Library, 1400 West Lacey Boulevard, Hanford, CA 93230  
Long Beach Public Library, 101 Pacific Avenue, Long Beach, CA 90822-1097
- Law** Los Angeles County Law Library, 301 W. First St., Los Angeles, CA 90012-3100  
County of Los Angeles Public Library, Lancaster Library, 601 W. Lancaster Blvd., Lancaster, CA 93534  
County of Los Angeles Public Library, Norwalk Library, 12350 Imperial Highway, Norwalk, CA 90650
- Law** McGeorge School of Law, Library, Documents Dept., 3282 Fifth Ave., Sacramento, CA 95817  
Monterey County Free Libraries, Seaside Branch Library, 550 Harcourt Avenue, Seaside, CA 93955  
Napa City-County Library, 580 Coombs Street, Napa, CA 94559-3340  
Oakland Public Library, 125 Fourteenth St., Oakland, CA 94612
- Law** Orange County Public Law Library, 515 N. Flower, Santa Ana, CA 92703-2354  
Pasadena Public Library, 285 East Walnut Street, Pasadena, CA 91101-1556  
Redding Library, Attn. Government Documents, 1100 Parkview Ave., Redding, CA 96001  
Redwood City Public Library, Documents, 1044 Middlefield Road, Redwood City, CA 94063-1868  
Richmond Public Library, Government Documents Dept., 325 Civic Center Plaza, Richmond, CA 94804
- Law** Riverside County Law Library, 3989 Lemon St., Riverside, CA 92501-4203
- Law** Sacramento County Public Law Library, 609 Ninth St., Sacramento, CA 95814

- Sacramento Public Library, Central Library-Reference Department, 828 I Street,  
Sacramento, CA 95814-2508
- Law** San Bernardino County Law Library, 402 North "D" Street, San Bernardino, CA 92401  
San Bernardino Public Library, Documents, 555 W. Sixth St., San Bernardino, CA  
92410  
San Bernardino Valley College Library, 701 South Mt. Vernon Avenue, San Bernardino,  
CA 92410
- Law** San Diego County Law Library, 1105 Front St., San Diego, CA 92101-3999  
San Francisco State University, Government Publications Dept., J. Paul Leonard  
Library, 1630 Holloway Ave., San Francisco 94132-4030
- Law** San Joaquin County Law Library, Kress Legal Center, 1st floor, 20 N. Sutter St.,  
Stockton, CA 95202  
San Luis Obispo City-County Library, P.O. Box 8107, San Luis Obispo, CA 93403
- Law** San Luis Obispo County Law Library, 1050 Monterey St., Room 125, San Luis Obispo,  
CA 93408
- Law** San Mateo County Law Library, 710 Hamilton St., Redwood City, CA 94063  
San Mateo Public Library, 55 West Third Avenue, San Mateo, CA 94402-1592
- Law** Santa Barbara County Law Library, Courthouse, 1100 Anacapa St., Second Floor,  
Santa Barbara, CA 93101  
Santa Barbara Public Library, P.O. Box 1019, Santa Barbara, CA 93102-1019
- Law** Santa Clara County Law Library, 360 N. First St., San Jose, CA 95113-1004  
Santa Clara University, Government Documents Dept., Michel Orradre Library, 500 El  
Camino Real, Santa Clara, CA 95053-0500
- Law** Santa Cruz County Law Library, 701 Ocean St., Rm. 070, Santa Cruz, CA 95060  
Santa Cruz Public Library, Documents Section, 224 Church Street, Santa Cruz, CA  
95060  
Santa Maria Public Library, Reference Dept., 421 S. McClelland, Santa Maria, CA  
93454  
Santa Monica Public Library, 601 Santa Monica Blvd., Santa Monica, CA 90401
- Law** Sonoma County Law Library, 2604 Ventura Ave., Santa Rosa, CA 95403  
Sonoma County Library, 211 E Street, Santa Rosa, CA 95404
- Law** Southwestern University School of Law Library, Government Documents, 3050 Wilshire  
Blvd., Los Angeles, CA 90010-1106
- Law** Stanford University, Law Library, 559 Nathan Abbott Way, Stanford, CA 94305-8612  
Stanislaus County Free Library, 1500 I Street, Modesto, CA 95354-1166  
Stockton-San Joaquin County Public Library, 605 North El Dorado Street, Stockton, CA  
95202  
Thousand Oaks Library, Technical Services Dept., 2331 Borchard Rd., Newbury Park,  
CA 91320
- Law** University of California, Berkeley, Law Library, Boalt Hall, Berkeley, CA 94720-7210
- Law** Law Library Documents Dept., University of California, 400 Mrak Hall Drive, Davis, CA  
95616-5203  
University of California, Irvine Libraries, Government Information Department, Building  
520, Ayala Science Library Receiving Dock, Irvine, CA 92697
- Law** University of California, Los Angeles, Law Library, 1106 Law Building., 405 Hilgard  
Ave., Los Angeles, CA 90095-1458  
University of California, Riverside, Rivera Library, Government Publications, P.O. Box

5900, Riverside, CA 92517-5900

University of California, Santa Cruz, University Library, Government Publications, 1156 High Street, Santa Cruz, CA 95064

**Law** University of La Verne College of Law Library, 320 East D St., Ontario, CA 91764

**Law** University of San Diego, School of Law Library, 5998 Alcalá Park, San Diego, CA 92110-2492

**Law** University of San Francisco, Zies Law Library, Kendrick Hall, 2130 Fulton St., San Francisco, CA 94117

**Law** University of Southern California, Law Library, 699 Exposition Blvd., Los Angeles, CA 90089-0072

University of Southern California, Government Documents, Von Kleinsmid Library, 3518 Trousdale Parkway, Los Angeles, CA 90089-0048

**Law** Ventura County Law Library, Courthouse, 800 S. Victoria Ave., Ventura, CA 93009-2020

**Law** Whittier College School of Law, Library, 3333 Harbor Blvd., Costa Mesa, CA 92626

**Exhibit A, Attachment C**

**State Agencies**

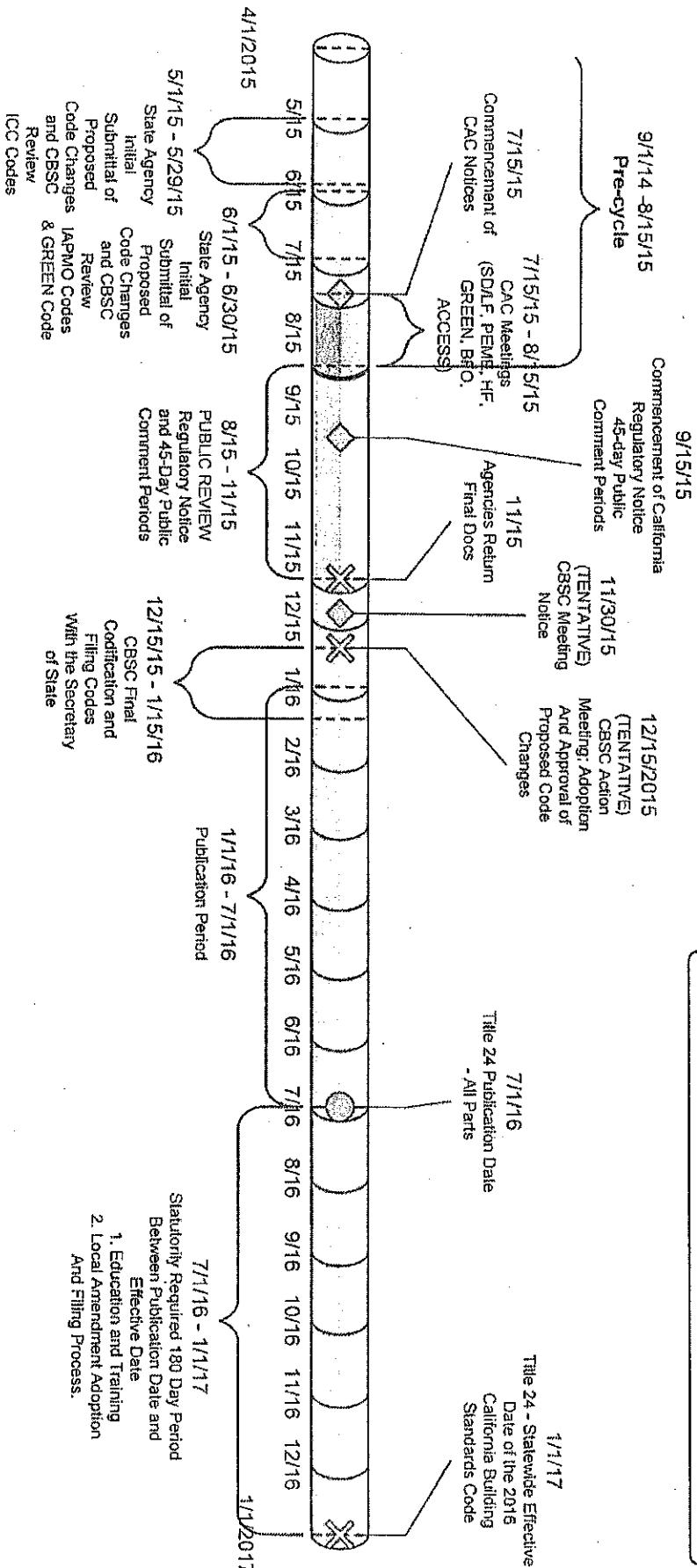
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A List of State Agencies will be sent on or before July 1, 2016 under separate cover.

January 1, 2017 Effective Date

# 2015 Triennial Code Adoption Cycle

For the 2016 California Building Standards Code



### CAC Committees:

- SDLF – Structural Design/ Lateral Forces
- PEME – Plumbing, Electrical, Mechanical & Energy
- HF – Health Facilities
- GREEN – Green Building
- BFO – Building, Fire & Other
- ACCESS – Accessibility

\* All dates are subject to change

12/2014



**Exhibit A, Attachment E**

**For Title 24, Part 2, Volume 1**

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INTERNATIONAL CODE COUNCIL, INC.

4051 Flossmoor Road  
Country Club Hills, IL 60478

First Printing, July 1, 2016

Printed in The United States

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**Exhibit A, Attachment E**

**For Title 24, Part 9**

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**From:** [Betts, Bruce@DGS](mailto:Betts_Bruce@DGS)

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["Benny, Katrina@DGS"](mailto:Benny%2C%20Katrina@DGS) [Katrina.Benny@dgs.ca.gov](mailto:Katrina.Benny@dgs.ca.gov)

**Date:** 4/6/2016 1:01:23 PM

**Subject:** 2016 ICC Code Publication Agreements

**Attachments:** [3187607.CSBC.2016 California Building Standards Code Publication Agreement.pdf](#)  
[3187605.CSBC.2016 California Building Standards Code Publication Agreement.pdf](#)

Good afternoon,

I have attached final drafts of contracts #3187605 & #3187607 for your approval. Once I have your approval, I will forward them to Mark Johnson at ICC for signature and directions for returning them to us. Please let me know if you see any errors or other changes that I need to make. Thank you

Bruce Betts

Acquisition Analyst

**Contract Services Section** *(Team 3)*

**Office of Business and Acquisition Services Administration Division**

Department of General Services State of California

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**Date:** 4/6/2016 1:55:40 PM  
**Subject:** RE: Consideration Value of Code Publications

I did some more research in the State Contract Manual (SCO) and here are the chapters and articles that would Bruce is referring to.

This is the language that we used to supply to DGS for the NCB's and I was thinking that we could modify it and submit it to Bruce – instead of contacting the publishers and getting an estimate of the quantity of sold books.

The publication organization will not charge the State of California for the publication services, nor will the State receive royalties from sales. The actual cash value of the contract(s) to the State of California is nil and perceived value is indeterminate, but an estimated value probably would be in excess of ~~\$5,000~~ \$50,000.

This dollar amount would mean OLS would need approval but they are requesting that anyway      What are your thoughts

**7.45 CONTRACTS WITH NO DOLLAR AMOUNT**

A reeme o erv e Are e A e er ormA e o er A mo e Ar e o erA o m  
 e vA e o Amo e Ar A or e r o e o e erm e er S/O SA rovA re re .

**4.03 CONTRACTS REQUIRING DGS/OLS APPROVAL**

**(Rev 1/14)**

DGS/OLS has statutory authority under several sources to approve contracts. PCC §§ 10295, 10297, 10335 and GC § 11256 are the primary legal authority for DGS/OLS' review and approval of contracts. GC § 14615 is the legal authority for the supervision of the State's financial and business policies, and GC § 14616 is the legal authority for some exemptions from DGS/OLS approval of contracts.

As a general rule, DGS/OLS approval is required on all services contracts over \$50,000; or at \$150,000 and above if an agency has applied for and received this higher exemption level (see SCM 1, section 4.05). The approval requirement applies to all non-IT services contracts, including but not limited to consulting services and interagency agreements, subject to express exemptions identified in section 4.04 below.

Individual agencies may have specific statutes affecting their particular contracting programs. Some specific types of contracts which require DGS/OLS review/approval, *regardless of dollar amount*, include but are not limited to the following:

1. Contracts that limit the contractor's liabilities or require the State to indemnify or to hold the contractor harmless;

- 2. Contracts that require the State to assume liabilities beyond the State’s control;
- 3. Contracts that provide for advance payment for services or rental;
- 4. Any provision creating a contingent liability against the State (e.g., those vendors’ printed rental contracts obligating the user of rented equipment to serious contingent liabilities);
- 5. Any hazardous activity such as found under SCM 1, section 3.12; and

#### 4.04 CONTRACTS NOT REQUIRING DGS/OLS APPROVAL

(Rev 11/12)

A. The law requires all non-IT services contracts to be approved by DGS/OLS unless the contract is exempt from approval. (PCC § 10295.) See section 4.03 above.

A services contract is exempt from DGS/OLS approval if:

- 1. It is specifically exempt from approval by statute (See, e.g., PCC §§ 10295(c) and 10430); or
- 2. It is \$50,000 or less (subject to exceptions noted in section 4.03 above). (GC §§ 11256, 14616); or
- 3. It has been exempted from approval by an exemption letter issued by DGS/OLS (PCC §10351); or
- 4. It is a federally or State-funded grant exempted based on opinion of the Attorney General. Note: This exemption applies when the State is *issuing* a grant, it does not exempt all agreements merely because they are paid for with federal and/or other grant funds.
- 5. It is an interagency agreement over \$50,000 and less than \$1,000,000 that uses the current GIAs (including SAM 8752 and 8752.1 cost provisions) without modification and that has no direct or indirect subcontracting (GC § 11256), subject also to the following:
  - a. This interagency agreement exemption does not apply when contracting with CSU, UC, or any other state agency exempt from Division 2, Part 2, Chapter 2 of the Public Contract Code (PCC 10290 et seq.);
  - b. Agencies shall not use I/As to circumvent any State law or contracting requirements;
  - c. Agencies shall not use I/As to obtain any third-party IT goods or services nor any third-party non-IT goods or services;
  - d. DGS reserves the right to audit exempt contracts at the contracting agency’s expense;
  - e. If DGS determines an agency is failing to abide by the conditions of this exemption, DGS reserves the right to revoke the exemption such that that agency would then be required to submit to DGS for approval all I/As of \$5,000 or more (or such other amount as DGS establishes when revoking or reducing this exemption);
  - f. DGS is establishing this I/A exemption on a pilot basis, and DGS will evaluate outcomes to determine whether to modify, continue, or discontinue the exemption;

Although these exempt contracts do not require DGS/OLS approval, review/approval services are available on request for any contract, regardless of value.

B. If an exempt contract is amended, the amendment may trigger the DGS/OLS approval requirement for the same reasons noted in 4.03 and 4.04 above (e.g. increase in dollar amount, modifying GIAs, adding subcontracts, etc.).

**Katrina Benny**

Manager, CBSC  
Phone 916-263-1350

---

From: Benny, Katrina@DGS  
Sent: Wednesday, April 06, 2016 12:17 PM  
To: de la Motte, Leann@DGS; Day, Kevin@DGS; 'Biedermann, Cynthia (Cynthia.Biedermann@dgs.ca.gov)'  
Subject: RE: Consideration Value of Code Publications

Okay, went round and round with Bruce and he is just as frustrated with this as we are – the fact that we have to do so much for a \$0.0 ZERO\$ contract. However, he is following laws and regulations and this could be subject to audits from SCO and OLS and PRA's.

We need to get him some estimates (in good faith) of how many sets of 2013 code books ICC sold, and how many book IAPMO and NFPA sold as well so we can give that information to OLA.

Cynthia, I know we have a lot on our plates but is there any way you could contact the publishers and find this information out Again – just a good faith estimate.

## Katrina Benny

Manager, CBSC  
Phone 916-263-1350

---

From: Betts, Bruce@DGS  
Sent: Wednesday, April 06, 2016 8:47 AM  
To: de la Motte, Leann@DGS  
Cc: Frost, Laura@DGS; Biedermann, Cynthia@DGS; Benny, Katrina@DGS  
Subject: Consideration Value of Code Publications

Good morning Leann,

SCM Vol 1 7.45 requires that we establish a monetary value of the consideration that agreements provide to the contractors. We will need to estimate, perhaps with the contractors' assistance, the value of consideration each agreement will provide. I have attached information from each vendor's web site indicating the pricing for the



2013 code books. If the 2013 contracts required reporting of sales, we could use this information to estimate the consideration value of the 2016 publications. If not, CBSC will need to estimate the future annual sales. We will need this information early next week prior to the agreements going to OLS. Thank you

Bruce Betts

Acquisition Analyst

**Contract Services Section** *(Team 3)*

**Office of Business and Acquisition Services Administration Division**

Department of General Services State of California

707 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, 2-300, West Sacramento, CA 95605

<http://inside.dgs.ca.gov/ad/obas.aspx>

**Phone** 916.441-9636

**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

**From:** "de la Motte," Leann@DGS\_  
**To:** "Biedermann, Cynthia@DGS" Cynthia.Biedermann@dgs.ca.gov  
"Benny, Katrina@DGS" Katrina.Benny@dgs.ca.gov\_  
**Date:** 4/6/2016 2:12:19 PM  
**Subject:** RE: 2016 ICC Code Publication Agreements

Katrina,

I agree with you. I notice Bruce needs to check for duplicates and the order of the attachments in the 3187607 Contract. Let me know if anyone else finds anything and I can respond.

Thank you,

**Leann de la Motte**  
**Associate Governmental Program Analyst**  
**Building Standards Commission**  
**2525 Natomas Park Drive, Suite 130**  
**Sacramento, CA 95833**  
**(916)263-0677**



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From: Betts, Bruce@DGS  
Sent: Wednesday, April 06, 2016 1:01 PM  
To: de la Motte, Leann@DGS; Biedermann, Cynthia@DGS; Benny, Katrina@DGS  
Subject: 2016 ICC Code Publication Agreements

Good afternoon,

I have attached final drafts of contracts #3187605 & #3187607 for your approval. Once I have your approval, I will forward them to Mark Johnson at ICC for signature and directions for returning them to us. Please let me know if you see any errors or other changes that I need to make. Thank you

**Bruce Betts**  
Acquisition Analyst  
**Contract Services Section** (Team 3)  
**Office of Business and Acquisition Services** Administration Division  
Department of General Services State of California  
707 3rd Street, 2nd Floor, 2-300, West Sacramento, CA 95605  
<http://inside.dgs.ca.gov/ad/obas.aspx>

**Phone** 916.441-9636  
**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

**From:** [Benny, Katrina@DGS](mailto:Benny_Katrina@DGS)  
**To:** ["Betts, Bruce@DGS"](mailto:Betts_Bruce@DGS) [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)  
["de la Motte, Leann@DGS"](mailto:de_la_Motte_Leann@DGS) [Leann.deLaMotte@dgs.ca.gov](mailto:Leann.deLaMotte@dgs.ca.gov)  
**Date:** 4/6/2016 2:45:11 PM  
**Subject:** RE: Consideration Value of Code Publications

Bruce,

In reading 7.45, 4.03 and 4.04 of the SCM, even though the contract is a zero dollar amount between the state and the publishers it is certain that the dollar amount the publishers receive is higher than the threshold specified in the SCM that would require a DGS/OLS review. In addition, it has already been determined that these contracts will be going to OLS for review. So I am submitting the following information in answer to your question. Once we have reports from the publisher we will have a better idea for the next set of contracts.

The respective publishers (International Code Council, NFPA, and IAPMO) do not charge the State of California for their publication services, nor does the State receive royalties from the sales. The actual cash value of the contract(s) to the State of California is nil and the perceived value is indeterminate, but estimated value could be in excess of \$150,000.

**7.45 CONTRACTS WITH NO DOLLAR AMOUNT**

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**4.03 CONTRACTS REQUIRING DGS/OLS APPROVAL**

**(Rev 1/14)**  
DGS/OLS has statutory authority under several sources to approve contracts. PCC §§ 10295, 10297, 10335 and GC § 11256 are the primary legal authority for DGS/OLS' review and approval of contracts. GC § 14615 is the legal authority for the supervision of the State's financial and business policies, and GC § 14616 is the legal authority for some exemptions from DGS/OLS approval of contracts.  
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**Katrina Benny**  
Manager, CBSC  
Phone 916-263-1350

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From: Betts, Bruce@DGS  
Sent: Wednesday, April 06, 2016 8:47 AM  
To: de la Motte, Leann@DGS  
Cc: Frost, Laura@DGS; Biedermann, Cynthia@DGS; Benny, Katrina@DGS  
Subject: Consideration Value of Code Publications

Good morning Leann,

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[Bruce Betts](#)  
Acquisition Analyst  
**Contract Services Section** (Team 3)  
**Office of Business and Acquisition Services Administration Division**  
Department of General Services State of California  
707 3rd Street, 2nd Floor, 2-300, West Sacramento, CA 95605  
<http://inside.dgs.ca.gov/ad/obas.aspx>

Phone 916.441-9636  
Email [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

**From:** [Betts, Bruce@DGS](mailto:Betts_Bruce@DGS)  
**To:** ["Benny, Katrina@DGS"](mailto:Benny_Katrina@DGS) [Katrina.Benny@dgs.ca.gov](mailto:Katrina.Benny@dgs.ca.gov)  
**Date:** 4/6/2016 3:28:45 PM  
**Subject:** RE: Consideration Value of Code Publications

Hi Katrina,

Thank you I think that statement works fine. I will include that as a memo when we send the agreements to OLS.

Bruce Betts

Acquisition Analyst

**Contract Services Section** *(Team 3)*

**Office of Business and Acquisition Services Administration Division**

Department of General Services State of California

707 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, 2-300, West Sacramento, CA 95605

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**Phone** 916.441-9636

**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

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Sent: Wednesday, April 06, 2016 2:45 PM  
To: Betts, Bruce@DGS; de la Motte, Leann@DGS  
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### 7.45 CONTRACTS WITH NO DOLLAR AMOUNT

A reeme o erv e Are e A e er ormA e o er A mo e Ar e o erA o m  
evA e o Amo e Ar A or e r o eo e erm e er S/O SA rovA re re .

### 4.03 CONTRACTS REQUIRING DGS/OLS APPROVAL

(Rev 1/14)

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A A e erA r e S/O SA rovA re re o A erv e o rA over 50 000 or A 150 000 A A ove A A e A  
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e e e o .0 eo .

**Katrina Benny**

Manager, CBSC  
Phone 916-263-1350

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To: de la Motte, Leann@DGS  
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Bruce Betts

Acquisition Analyst

**Contract Services Section** *(Team 3)*

**Office of Business and Acquisition Services Administration Division**

Department of General Services State of California

707 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, 2-300, West Sacramento, CA 95605

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**Phone** 916.441-9636

**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

## EXHIBIT A

### SCOPE OF WORK

The California Building Code (California Code of Regulations, Title 24, Part 2), California Residential Code (California Code of Regulations, Title 24, Part 2.5), California Fire Code (California Code of Regulations, Title 24, Part 9), and California Existing Building Code (California Code of Regulations, Title 24, Part 10), are based on four model codes, the International Building Code, International Residential Code, International Fire Code and the International Existing Building Code, respectively. The California codes include both provisions of the model codes and amendments to those codes adopted by California. The International Code Council (ICC) owns the copyrights to these model codes; therefore, ICC must be the publisher of these California codes, if they are each going to contain model code provisions and California amendments to the model codes.

#### 1. PROJECT SUMMARY

Pursuant to Health and Safety Code Sections 18928.1 and 18942, the California Building Standards Commission (CBSC) and the International Code Council (ICC) will coordinate the publication of these parts of the 2016 California Building Standards Code (Title 24, California Code of Regulations).

- A. **WHEREAS**, ICC is the sole owner of the copyrights to the 2015 *International Building Code*, 2015 *International Residential Code*, 2015 *International Fire Code* and 2015 *International Existing Building Code* and trade names and/or marks “*International Building Code*”, “*International Residential Code*”, “*International Fire Code*”, “*International Existing Building Code*”, and acronyms “IBC”, “IRC”, “IFC”, “IEBC”; and
- B. **WHEREAS**, CBSC periodically adopts, approves and codifies building code standards and amendments, which may be based on an existing model building code, and publishes them as part of the California Building Standards Code (hereinafter referred to as the “SBC”), Title 24, Parts 2, 2.5, 9, & 10 California Code of Regulations (CCR), pursuant to Section 18928.1 of the California Health and Safety Code; and
- C. **WHEREAS**, CBSC desires to publish a 2016 edition of the SBC (hereinafter referred to as the “2016 SBC”) on or before July 1, 2016 or at a later date as set by the CBSC containing those portions of the first published editions (as adopted by CBSC) of the 2015 IBC, 2015 IRC, 2015 IFC and 2015 IEBC that have been approved and codified by CBSC, including those portions of the 2015 IBC, 2015 IRC, 2015 IFC, and 2015 IEBC that have been modified by CBSC.
- D. **WHEREAS**, ICC and CBSC desire to facilitate the publication of the 2016 SBC on or before July 1, 2016 in a pre-assembled format that integrates portions of the 2015 IBC, 2015 IRC, 2015 IFC, and 2015 IEBC that have been approved and codified by CBSC, including those portions of the 2015 IBC, 2015 IRC, 2015 IFC, and 2015 IEBC that have been modified by CBSC, as well as the State amendments; and

E. **WHEREAS**, ICC and CBSC desire to make available as necessary supplements and errata to the 2016 SBC, to be codified in Title 24, Parts 2, 2.5, 9, & 10 CCR (hereinafter referred to as the “2016 SBC Supplements”), as well as supplements to the 2016 SBC in response to emergency regulations.

**2. TERM**

A. The term of this agreement is four years.

**3. PROJECT REPRESENTATIVES**

A. The Project Representatives during the term of this agreement will be:

<b>BSC Contract Administrator</b>
Kevin Day 2525 Natomas Park Drive #130 Sacramento, CA 95833 (916) 263-0355 <a href="mailto:kevin.day@dgs.ca.gov">kevin.day@dgs.ca.gov</a>

<b>Contractor's Contract Administrator</b>
Mark Johnson International Code Council 3060 Saturn Street, Suite 100 Brea, CA 92821 5360 Workman Mill Road Whittier, CA 90601-2298 Fax No. : (562) 699-9721

B. Any changes in Contractor's project representatives must be reported to the BSC Contract Administrator immediately, in writing.

**4. PERFORMANCE DETAILS**

A. **Grant of License for SBC: Ownership.**

ICC hereby grants CBSC a nonexclusive license to use and copy all or any portion of the 2015 IBC, 2015 IRC, 2015 IFC, and 2015 IEBC, ICC supplements and revisions to the 2015 IBC, 2015 IRC, 2015 IFC, and 2015 IEBC, (hereinafter “Licensed Property”), in whole or in part, solely to create and publish the 2016 SBC, as well as the 2016 SBC Supplements, supplements to the 2016 SBC in response to emergency regulations, and all related errata sheets (hereinafter referred to collectively as the “2016 Code”), including the right to (a) make such changes to the Licensed Property as CBSC determines is required for the 2016 Code, and (b) affix copyright notices to the 2016 Code as displayed in Attachment D.

1. All Licensed Property shall remain the property of ICC, and nothing contained in this Agreement shall be deemed to transfer any ownership of the Licensed Property to CBSC.
2. All California amendments prepared by CBSC (or any agency or other instrumentality of the State of California) in connection with the 2016 Code shall remain the property of CBSC, and nothing contained in this Agreement shall be deemed to transfer any ownership of CBSC Property to ICC.



3. Amendments that contain material prepared by the CBSC combined with ICC Licensed Property shall be jointly owned by the CBSC and ICC.
4. The ownership rights defined in Paragraph 1 above shall survive the termination of this Agreement.
5. CBSC herein grants to ICC an exclusive, royalty-free, perpetual, worldwide license to copy, print, publish, distribute, sublicense and sell the 2016 Code, in any format, including print and electronic, in accordance with the terms of the Agreement.
6. In the event ICC breaches its obligations under this agreement, or this agreement is terminated by either party, or ICC otherwise discontinues to publish or fails to make available for sale the 2016 SBC, then CBSC may print and publish or authorize the printing of and publication of the 2016 SBC for its own use and for sale to the public until publishing thereof is recommenced by ICC or until one hundred and eighty (180) days after the publication of the next edition of the Title 24 (viz., 2016 edition), whichever occurs first, without compensating ICC. If at any time prior to the discontinuation of publication by ICC, said 2016 Code, for any reason, becomes temporarily out of print or unavailable so that copies thereof cannot be furnished within thirty (30) days after they are requested for purchase by any person or entity, then the CBSC may print and publish, or authorize the printing of and publication of any of the unavailable documents for its own use and for sale to the public in quantities to meet immediate demand, until ICC recommences furnishing copies or until one hundred and eighty (180) days after the publication of the next edition of the 2016 Code, whichever occurs first, without compensating ICC.

## **5. SERVICE DETAILS**

- A. **Technical Services.** Immediately after the execution of this Agreement, ICC shall commence the following services:
  1. ICC shall print, publish and make available for sale to the State, local governmental agencies, and to the general public, copies of the 2016 SBC in a loose-leaf format wherein all portions of the 2015 IBC, 2015 IRC, 2015 IFC, and 2015 IEBC that have been approved and codified by CBSC, including those portions of the 2015 IBC, 2015 IRC, 2015 IFC and 2015 IEBC that have been modified by CBSC, as well as the State amendments thereto, are fully merged and integrated into a contiguous and pre-assembled document.
  2. ICC shall also provide CBSC with three (3) copies of the final text corresponding to the printed version of the 2015 IBC, the 2015 IRC, and the 2015 IFC and the 2015 IEBC, Chapters 1-4, 15, 16 & A1 & A3 of the 2015 IEBC, and three (3) copies of all 2013 SBC Supplements, supplements to the 2013 SBC in response to emergency regulations, and all related errata sheets, in an electronic version in electronic format that allows editing of text solely for code development purposes.

## **6. WORK DETAILS**

- A. ICC shall, in accordance with the specific formatting requirements and editorial and publication timetable set forth herein, print, publish and make available for sale to the State of California, local governmental agencies, and to the general public on or before July 1, 2016 or at a later date as set by the CBSC, copies of the 2016 SBC in a loose-leaf format wherein all portions of the Licensed Property that have been approved and codified by the CBSC, including those portions of the Licensed Property that have been modified by the CBSC, as well as California amendments thereto, are fully merged and integrated into a contiguous and pre-assembled form and not provided as separate sheets. To meet the July 1, 2016 publication date, CBSC must approve the final edited draft manuscript deliver to ICC the proofed and approved final text on or before May 15, 2016. In the event CBSC fails to deliver to ICC the proofed and approved final text on or before May 15, 2016, ICC shall be provided with a period of 35 days from receipt of delivery of said final text from CBSC in which to print, publish and make available for sale the 2016 SBC.
- B. All those portions of the Licensed Property, be it chapters, sections, provisions, tables, appendices, references, etc., which the CBSC or any authorized agency does not adopt as a part of Title 24 shall not be printed in the 2016 SBC.
- C. All Errata and/or Supplements to the 2015 Licensed Property as originally adopted by the CBSC as the 2016 SBC which are thereafter generated by the ICC shall not be printed in the 2016 SBC unless expressly approved by the CBSC.
- D. CBSC shall submit to ICC its modifications to the 2015 Licensed Property. Within a reasonable time after the receipt thereof from CBSC, ICC shall furnish to CBSC a copy of the initial draft of the 2016 SBC for review by CBSC.
- E. WITHIN a reasonable time after receipt of the initial draft of the 2016 SBC from ICC, CBSC shall submit its revisions to the initial draft to ICC. Within a reasonable time after receipt of the CBSC's revisions to the initial draft, ICC shall make any further modifications and submit to CBSC a second draft.
- F. WITHIN a reasonable time after receipt of the second draft of the 2016 SBC from ICC, CBSC shall submit its revisions to the second draft to ICC. Within a reasonable time after receipt of the CBSC's revisions to the second draft, ICC shall make any further modifications and submit to CBSC a final draft.
- G. Upon approval of the final draft blueline, ICC shall thereafter publish and make available for sale to the State of California, and to the general public, copies of the 2016 SBC. If CBSC promptly delivers to ICC the submissions, ICC shall ensure that the 2016 SBC is available for sale on or before July 1, 2016.
- H. Time is of the essence:
  - 1. Because the 2016 Code may have significant effects on the safety of the State's built environment and its citizens, time is of the essence in performing the herein duties.
  - 2. The July 1, 2016, date to publish the 2016 Code is of critical importance. Publication is defined as the documents being printed and available for delivery.

3. The CBSC and the ICC shall commit staff and resources to expedite their diligent work and cooperate toward the within Publication schedules and goals.
  4. Due to the variations of their size and complexity, it is impossible to herein establish schedules for Publication of any Supplements or Errata. Therefore, when the CBSC submits any Supplements or errata to ICC, a Publication Schedule of milestone dates, including a Publication and Effective date, shall be mutually determined. That Publication Schedule, due to possible coordination with other contractors, is of critical importance. ICC shall notify the CBSC within 15 calendar days following creation of the Publication Schedule if they, for valid reason(s) given, cannot meet the Schedule and include a proposed Schedule which they can meet. The CBSC must concur in the acceptance of any new Schedule. Without such notification, or concurrence with a new Publication Schedule, the CBSC shall expect the ICC to abide by the proposed Schedule.
  5. Neither ICC nor CBSC shall be held liable or responsible for any times or dates set out in this publication agreement if such failure to meet that time or date comes about as a result of any strike, unauthorized work stoppage, civil unrest, legal requirement or impediment, storm, fire, flood or other act of God for which the ICC or the CBSC is not otherwise responsible.
- I. Formatting, layout and other requirements not contained herein for publication of the 2016 Code will be set forth and/or confirmed in subsequent correspondence between the Parties. Said formatting, layout and other requirements include, but are not limited to, the following:
1. Code
    - a. A "pre-assembled code" numbered consecutively, printed on 20 lb. or 24 lb. stock (depending on page count), 84 or higher brightness, 8-1/2" by 11" white paper in a seven-hole loose-leaf format configuration – the same configuration as that used for the 2013 SBC.
    - b. The black body copy font shall be 10 pt. Times Roman with bold section numbers. Headings shall be 10 pt. Helvetica bold.
    - c. Each binder volume that has a ring metal greater than 2" shall be equipped with front and back heavy-duty page lifters and, when containing more than one Part of Title 24, a heavy-weight reinforced tab divider shall be included.  
  
Volume binders shall conform to the design and colors selected by the CBSC and sized appropriately for the contents which shall be shrink wrapped to ensure completeness.
    - d. ICC will integrate existing 2015 Licensed Property language with California amendments to be reviewed and approved by the CBSC. First review and schedule will be agreed upon by the parties.
    - e. ICC and CBSC will work out a schedule for completion of the code to ensure publication and its availability on or before July 1, 2016. Attachment E, 2015 California Triennial Code Adoption Cycle Schedule will be used as the basis for developing this schedule.

2. Index will remain as it appears in the 2015 Licensed Property with California amendments as necessary.
3. Italics shall not be used to identify defined terms.
4. The front of each volume shall contain the following documents. This information will be provided to ICC by CBSC no later than March 1, 2016:
  - a. Cover Art
  - b. Copyright Notice
  - c. Preface
  - d. Acknowledgement
  - e. California Agency Information Contact List
  - f. How to Distinguish Between Model Code Language and California Amendments
5. California language will be in italics or other form as specified by codification.
6. All chapters will begin on a right hand page.
7. Running heads Footers will read "2016 California Building Code" etc.
8. State-agency acronyms will be used throughout the 2016 Code.
9. ICC will submit binder specifications for approval by CBSC.
10. The Matrix Adoption Table will be in the front of each correlating chapter of the 2016 Code and available as a supplement so it can be inserted in the front of each 2016 Code.
11. ICC shall supply a postage-paid return card for each purchaser to apply for complimentary automatic receipt of all supplements and errata sheets. ICC will maintain the mailing list, and print, mail and verify delivery of supplements and errata sheets.
12. A card may be placed in the back of the 2016 Code advertising other ICC publications.

#### J. Supplements and Errata

1. Supplements to the 2016 code shall be printed on 20 lb. light blue paper and be individually shrink-wrapped.
2. Supplements shall be printed to insert by page substitution and contain a publication, effective date, and 'Blue' written on the bottom of each page.
3. Regular supplements shall be published as needed.
4. Emergency supplements shall be published on an "as needed basis."
5. Errata sheets shall be printed on 20 lb. Buff paper and be individually shrink-wrapped
6. Errata sheets shall be printed to insert by page substitution and contain a publication, effective date, and 'Buff' written on the bottom of each page

7. The number of the supplements shall be the number of the page where the section and paragraph resides followed by .1, .2, .3 etc.

K. Distribution

1. ICC shall establish a distribution method in consultation with the CBSC.
2. ICC shall distribute a minimum of 200 complimentary copies of the 2016 Code as per the Attachment C.
3. ICC may wholesale the 2016 Code to other resellers in California.
4. ICC reserves the right to include advertising material of related support products/services in distribution of the 2016 Code, provided said material is not a part of the official text of the California State Building Standards Code. Any advertising would be clearly denoted and included as a separate insert at the back.

**EXHIBIT B**

**PAYMENT AND COMPENSATION PROVISIONS**

- A. **Compensation.** In consideration of the opportunity provided to ICC by CBSC to make sales of the 2016 Code, no fees, royalties or other payments of any nature shall be required to be paid by CBSC to ICC with respect to this Agreement or the licenses granted hereunder.
- B. **Sale of Code.** ICC agrees to furnish the 2016 Code in loose-leaf format on the following basis:
1. ICC shall make the 2016 Code, described in Exhibit A Paragraphs 5 A 1. and 5 A 2., available to the State, local governmental agencies, and the general public at a price established by ICC that will entitle the purchaser to receive all 2016 SBC Supplements, supplements to the 2016 SBC in response to emergency regulations, and all related Errata sheets from ICC at no additional charge.
  2. Any bookstore or other vendor may purchase the 2016 Code from ICC for resale and may resell the same at any price which will entitle the purchaser to receive all subsequent 2016 SBC Supplements, supplements to the 2016 SBC in response to emergency regulations, and all related errata sheets from ICC at no additional charge.
  3. ICC shall provide to CBSC the electronic files in word format of the 2016 Code including all subsequent Supplements and Errata in order that the CBSC may make the 2016 Code available internally on the CBSC intranet or internal network for use solely by CBSC staff. If

ICC develops an enhanced fee-based electronic subscription service CD with additional features, such as Boolean search capabilities, annotation feature, global search feature or hyperlinking capabilities, ICC shall also make such enhanced CD electronic subscription service available to the CBSC for internal use as provided in this subparagraph.

4. ICC may include references to ICC-ES Evaluation Reports and other supplemental support material in any electronic version of the 2016 Code (separate from the actual 2016 Code language). Necessary language will be added to differentiate ICC language/materials will be differentiated from the 2016 Code. CBSC reserves the right to review such materials in advance and shall be provided with such materials at least thirty (30) days prior to publication.
5. ICC may sell the 2016 Code in any formats it so chooses, including but not limited to: print, eBooks, and subscription service.
6. ICC will send the State a quarterly report, commencing on July 1, 2016, which will provide information on itemize all orders processed from the previous quarter. The report will include business name, the total number of copies distributed, ordered and total revenues, amount charged, date order received and date order shipped. If no orders are processed, the Contractor will send a report indicating no orders were processed. Reports are due by the 15<sup>th</sup> of the month following the end of a quarter. Reports must be mailed to:

<i>BSC Contract Administrator</i>
2525 Natomas Park Drive #130 Sacramento, CA 95833

- C. **State Code Distribution.** The Library Distribution Act (LDA) established a system to distribute California State agency publications to libraries in order to make such publications widely available to residents of the State of California. During the term of this Agreement, ICC shall deliver complimentary copies of the 2016 SBC, and automatically, any 2016 SBC Supplements, supplements to the 2016 SBC in response to emergency regulations, and all related errata sheets, directly to the Deposit Libraries listed in Attachment B hereto in the quantities set forth therein, and one copy each to the Selective Depository Libraries listed in Attachment C hereto and copies to the State agencies listed in Attachment D hereto in the quantities specified therein. ICC shall obtain and retain proof of delivery of all materials distributed in accordance with this provision and make copies of such proof of delivery available to CBSC upon written request until one year after termination of this Agreement or be willing to ship additional complimentary copies upon request.
1. ICC shall deliver up to 30 complimentary copies of the 2016 Code to CBSC and then deliver one complimentary copy for each new Commissioner appointed after June 1, 2016 to CBSC, in addition to the delivery of the original 30 copies until one hundred and eighty (180) days after the Publication of the next edition of 2016 Code. CBSC shall provide ICC with names and delivery addresses of the current and any new Commissioners as well as notifying ICC of any terminations.

2. ICC shall deliver up to 200 complimentary copies of the 2016 Code, any 2016 SBC Supplements and Errata, to be coordinated between CBSC and ICC.
- D. **Subscription Service.** In order to ensure that the 2016 SBC purchased from ICC or any bookstore or other vendor is accurate and up to date, beginning from the time of the initial publication, ICC shall make available to all purchasers of the 2016 SBC, all 2016 SBC Supplements, all supplements to the 2016 SBC in response to emergency regulations, and all related errata sheets, at no additional cost. ICC shall provide all purchasers with a subscription registration card which enables them to automatically receive such updates to the 2016 SBC in either print or electronic format, whichever the purchaser chooses. Electronic versions shall clearly distinguish and identify errata and supplement sheets with footer notes on each page as follows: '[Effective date], Supplement, blue', '[Effective date], Errata buff'. Subscription to this service shall result in the subscriber being provided with an entire, up-to-date 2016 Code.
- E. **Funding.** ICC understands and agrees that under certain provisions of California law, CBSC may not obligate itself by contract to an extent in excess of an amount appropriated therefore by the State Legislature as approved by the Governor.

### **EXHIBIT C**

#### **GENERAL TERMS AND CONDITIONS**

1. **APPROVAL:** This Agreement is of no force or effect until signed by both parties and approved by the Department of General Services, if required. Contractor may not commence performance until such approval has been obtained.
2. **AMENDMENT:** No amendment or variation of the terms of this Agreement shall be valid unless made in writing, signed by the parties and approved as required. No oral understanding or Agreement not incorporated in the Agreement is binding on any of the parties.
3. **ASSIGNMENT:** This Agreement is not assignable by the Contractor, either in whole or in part, without the consent of the State in the form of a formal written amendment.
4. **AUDIT:** Contractor agrees that the awarding department, the Department of General Services, the Bureau of State Audits, or their designated representative shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this Agreement. Contractor agrees to maintain such records for possible audit for a minimum of three (3) years after final payment, unless a longer period of records retention is stipulated. Contractor agrees to allow the auditor(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. Further, Contractor agrees to include a similar right of the State to audit records and interview staff in any subcontract related to performance of this Agreement. (Gov. Code §8546.7, Pub. Contract Code §10115 et seq., CCR Title 2, Section 1896).

5. INDEMNIFICATION: Contractor agrees to indemnify, defend and save harmless the State, its officers, agents and employees from any and all claims and losses accruing or resulting to any and all contractors, subcontractors, suppliers, laborers, and any other person, firm or corporation furnishing or supplying work services, materials, or supplies in connection with the performance of this Agreement, and from any and all claims and losses accruing or resulting to any person, firm or corporation who may be injured or damaged by Contractor in the performance of this Agreement.

6. DISPUTES: Contractor shall continue with the responsibilities under this Agreement during any dispute.

7. TERMINATION FOR CAUSE: The State may terminate this Agreement and be relieved of any payments should the Contractor fail to perform the requirements of this Agreement at the time and in the manner herein provided. In the event of such termination the State may proceed with the work in any manner deemed proper by the State. All costs to the State shall be deducted from any sum due the Contractor under this Agreement and the balance, if any, shall be paid to the Contractor upon demand.

8. INDEPENDENT CONTRACTOR: Contractor, and the agents and employees of Contractor, in the performance of this Agreement, shall act in an independent capacity and not as officers or employees or agents of the State.

9. RECYCLING CERTIFICATION: The Contractor shall certify in writing under penalty of perjury, the minimum, if not exact, percentage of post-consumer material as defined in the Public Contract Code Section 12200, in products, materials, goods, or supplies offered or sold to the State regardless of whether the product meets the requirements of Public Contract Code Section 12209. With respect to printer or duplication cartridges that comply with the requirements of Section 12156(e), the certification required by this subdivision shall specify that the cartridges so comply (Pub. Contract Code §12205).

10. NON-DISCRIMINATION CLAUSE: During the performance of this Agreement, Contractor and its subcontractors shall not unlawfully discriminate, harass, or allow harassment against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS), mental disability, medical condition (e.g., cancer), age (over 40 ), marital status, and denial of family care leave. Contractor and subcontractors shall insure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. Contractor and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Gov. Code §12990 (a-f) et seq.) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 7285 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code Section 12990 (a-f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations, are incorporated into this Agreement by reference and made a part hereof as if set forth in full. Contractor and its subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other Agreement.

Contractor shall include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under the Agreement.

11. CERTIFICATION CLAUSES: The CONTRACTOR CERTIFICATION CLAUSES contained in the document CCC 307 are hereby incorporated by reference and made a part of this Agreement by this reference as if attached hereto.

12. TIMELINESS: Time is of the essence in this Agreement.



13. COMPENSATION: The consideration to be paid Contractor, as provided herein, shall be in compensation for all of Contractor's expenses incurred in the performance hereof, including travel, per diem, and taxes, unless otherwise expressly so provided.

14. GOVERNING LAW: This contract is governed by and shall be interpreted in accordance with the laws of the State of California.

15. ANTITRUST CLAIMS: The Contractor by signing this agreement hereby certifies that if these services or goods are obtained by means of a competitive bid, the Contractor shall comply with the requirements of the Government Codes Sections set out below.

a. The Government Code Chapter on Antitrust claims contains the following definitions:

1) "Public purchase" means a purchase by means of competitive bids of goods, services, or materials by the State or any of its political subdivisions or public agencies on whose behalf the Attorney General may bring an action pursuant to subdivision (c) of Section 16750 of the Business and Professions Code.

2) "Public purchasing body" means the State or the subdivision or agency making a public purchase. Government Code Section 4550.

b. In submitting a bid to a public purchasing body, the bidder offers and agrees that if the bid is accepted, it will assign to the purchasing body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, materials, or services by the bidder for sale to the purchasing body pursuant to the bid. Such assignment shall be made and become effective at the time the purchasing body tenders final payment to the bidder. Government Code Section 4552.

c. If an awarding body or public purchasing body receives, either through judgment or settlement, a monetary recovery for a cause of action assigned under this chapter, the assignor shall be entitled to receive reimbursement for actual legal costs incurred and may, upon demand, recover from the public body any portion of the recovery, including treble damages, attributable to overcharges that were paid by the assignor but were not paid by the public body as part of the bid price, less the expenses incurred in obtaining that portion of the recovery. Government Code Section 4553.

d. Upon demand in writing by the assignor, the assignee shall, within one year from such demand, reassign the cause of action assigned under this part if the assignor has been or may have been injured by the violation of law for which the cause of action arose and (a) the assignee has not been injured thereby, or (b) the assignee declines to file a court action for the cause of action. See Government Code Section 4554.

16. CHILD SUPPORT COMPLIANCE ACT: For any Agreement in excess of \$100,000, the contractor acknowledges in accordance with Public Contract Code 7110, that:

a. The contractor recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with section 5200) of Part 5 of Division 9 of the Family Code; and

b. The contractor, to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the California Employment Development Department.

17. UNENFORCEABLE PROVISION: In the event that any provision of this Agreement is unenforceable or held to be unenforceable, then the parties agree that all other provisions of this Agreement have force and effect and shall not be affected thereby.

18. PRIORITY HIRING CONSIDERATIONS: If this Contract includes services in excess of \$200,000, the Contractor shall give priority consideration in filling vacancies in positions funded by the Contract to qualified recipients of aid under Welfare and Institutions Code Section 11200 in accordance with Pub. Contract Code §10353.

19. SMALL BUSINESS PARTICIPATION AND DVBE PARTICIPATION REPORTING REQUIREMENTS :

a. If for this Contract Contractor made a commitment to achieve small business participation, then Contractor must within 60 days of receiving final payment under this Contract (or within such other time period as may be specified elsewhere in this Contract) report to the awarding department the actual percentage of small business participation that was achieved. (Govt. Code § 14841.)

b. If for this Contract Contractor made a commitment to achieve disabled veteran business enterprise (DVBE) participation, then Contractor must within 60 days of receiving final payment under this Contract (or within such other time period as may be specified elsewhere in this Contract) certify in a report to the awarding department: (1) the total amount the prime Contractor received under the Contract; (2) the name and address of the DVBE(s) that participated in the performance of the Contract; (3) the amount each DVBE received from the prime Contractor; (4) that all payments under the Contract have been made to the DVBE; and (5) the actual percentage of DVBE participation that was achieved. A person or entity that knowingly provides false information shall be subject to a civil penalty for each violation. (Mil. & Vets. Code § 999.5(d); Govt. Code § 14841.)

20. LOSS LEADER:

If this contract involves the furnishing of equipment, materials, or supplies then the following statement is incorporated: It is unlawful for any person engaged in business within this state to sell or use any article or product as a "loss leader" as defined in Section 17030 of the Business and Professions Code. (PCC 10344(e).)

## ATTACHMENT A

### Depository Libraries

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Under the provisions of the Library Distribution Act (Government Code sections 14905, 14906, and 14907), the libraries listed below have contracted with the Department of General Services to serve as complete or selective depositories. They agree to provide adequate facilities for the shelving and use of the publications deposited with them render reasonable service without charge to qualified patrons, and retain all publications received until authorized to dispose of them.

#### Complete Depository Libraries

One copy of each state publication as defined in Government Code section 14902 must be placed on deposit with each complete depository. In addition, provisions of the State Administrative Manual authorize those libraries marked with an asterisk in the list below to receive the number of copies recorded after the entry.

California State Archives, 1020 O Street, Sacramento, CA 95814

California State Library, Information Resources and Government Publications, P.O. Box 942837,  
Sacramento, CA 94237-0001 (IMS: 900 N Street, E-29) **(two copies)**

California State University, Chico, Merriam Library, Government Publications Dept., Chico, CA  
95929-0295

Fresno County Free Library, Government Publications, 2420 Mariposa St., Fresno, CA 93721-2285

Library of Congress, Anglo-American Acquisition Division, Government Documents Section, 101  
Independence Ave S.E., Washington, D.C., 20540-4172

Los Angeles Public Library, Serials Division, 630 W. Fifth St., Los Angeles, CA 90071-2002

Dr. Martin Luther King Jr. Library, Government Publications, San José State University, One Washington  
Square, San Jose, CA 95192-0008

San Diego Public Library, Government Publications Unit, 330 Park Blvd., San Diego, CA 92101

San Diego State University, Malcolm A. Love Library, Government Publications & Maps Division, 5500  
Campanile Drive, San Diego, CA 92182-8050

San Francisco Public Library, Government Information Center, 100 Larkin St., San Francisco, CA 94102

Green Library, Receiving, Stanford University Libraries, 557 Escondido Mall, Stanford, CA 94305

University of California, Berkeley, Government Documents Technical Services, 250 Moffitt Library,  
Berkeley, CA 94720-6000

University of California, Davis, Shields Library, Government Information and Maps Department, 100  
North West Quad, Davis, CA 95616-5292

University of California, Los Angeles, Charles E. Young Research Library A4510 Government  
Information, Box 951575, Los Angeles, CA 90095-1575

University of California, San Diego, Government Documents Unit, 9500 Gilman Drive 0175P, La Jolla, CA  
92093-0175

University of California, Santa Barbara, Library, Serials Receiving, Santa Barbara, CA 93106-9010

## **ATTACHMENT B**

### **Selective Depository Libraries – Page 1 of 4**

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Selective depositories receive one copy of each printed publication distributed by the Office of State Publishing. They also receive publications distributed directly by issuing agencies. Special subsets of the Selective Depository Libraries are the Law Libraries. They receive one copy of each printed publication from OSP and a single copy from issuing agencies. Law library depositories differ in having special document retention requirements pursuant to section 14909 of the California Government Code. Law Libraries are indicated in this list by the term “Law” before their entry.

**Law** A.K. Smiley Public Library, 125 West Vine St., Redlands, CA 92373

Bernard E. Witkin Alameda County Law Library, 125 - 12 St., Oakland, CA 94607-4912

Alhambra Public Library, 101 South First Street, Alhambra, CA 91801

Butte County Library, 1820 Mitchell Avenue, Oroville, CA 95966-5387

California Polytechnic State University, Library-Government Documents Section, 1 Grand Avenue,  
San Luis Obispo, CA 93407

California State Polytechnic University, Pomona, Library-Serials Unit, Building 15, Suite  
1919, 3801 W. Temple Ave., Pomona, CA 91768-2557

California State University, Bakersfield, Walter Stiern Library, Library-Documents Section, 9001  
Stockdale Highway, Bakersfield, CA 93311-1099

- California State University, Dominguez Hills, Library-Government Documents, 800 E. Victoria St., Carson, CA 90747
- California State University, Fresno, Henry Madden Library, Government Documents Dept., 5200 N. Barton, M/S ML34, Fresno, CA 93740-8014
- California State University, Fullerton, Library-Documents State, P.O. Box 4150, Fullerton, CA 92834-4150
- California State University, East Bay, Library-Documents, 25800 Carlos Bee Blvd. Hayward, CA 94542
- California State University, Long Beach, Library Government Documents, 1250 Bellflower Blvd., Long Beach, CA 90840-1901
- California State University, Los Angeles, John F. Kennedy Library, Government Information Services, 5151 State University Dr., Los Angeles, CA 90032-8300
- California State University, Northridge, Oviatt Library Government Documents, 18111 Nordhoff St., Northridge, CA 91330-8328
- California State University, Sacramento, Library-Documents, 2000 State University Dr., East, Sacramento, CA 95819-6039
- California State University, San Bernardino, Library, 5500 University Parkway, San Bernardino, CA 92407-2397
- California State University San Marcos, Library, State Documents, 333 S. Twin Oaks Valley Road, San Marcos, CA 92096-0001
- California State University, Stanislaus, Library, Documents Dept., One University Circle, Turlock, CA 95382-0299
- California State University, Board of Trustees, Office of Governmental Affairs, CA 915 L Street, Suite 1160, Sacramento, CA 95814
- Law** California Judicial Center Library, 455 Golden Gate Avenue, Room 4617, San Francisco, CA 94102
- Law** California Western School of Law Library, 225 Cedar St., San Diego, CA 92101-3090
- Chula Vista Public Library, 365 F Street, Chula Vista, CA 91910
- Contra Costa County Library, Documents Section, 1750 Oak Park Boulevard, Pleasant Hill, CA 94523-4497
- Law** Court of Appeal Library, Second Appellate District, 300 S. Spring St., Los Angeles, CA 90013
- El Centro Public Library, 1140 N. Imperial Ave., El Centro, CA 92243
- Fremont Main Library, 2400 Stevenson Blvd., Fremont, CA 94538-2326
- Garden Grove Regional Branch, Orange County Public Library, 11200 Stanford Avenue, Garden Grove, CA 92840
- Law** Golden Gate University Law Library, 536 Mission St., San Francisco, CA 94105
- Law** Hastings College of the Law Library, 200 McAllister St., San Francisco, CA 94102
- Honnold/Mudd Library, Government Publications Dept., Claremont Colleges, 800 N. Dartmouth Ave., Claremont, CA 91711-3907
- Humboldt County Library, Public Services Division, 1313 Third Street, Eureka, CA 95501- 0533
- Humboldt State University, Government Documents Section, 1 Harpst Street, Arcata, CA 95521
- Inglewood Public Library, 101 West Manchester Boulevard, Inglewood, CA 90301-1771
- Law** Kern County Law Library, 1415 Truxtun, Room 301, Bakersfield, CA 93301
- Kern County Library, California Documents Dept., 701 Truxtun Avenue, Bakersfield, CA 93301-4517

- Law** Kings County Law Library, 1400 West Lacey Boulevard, Hanford, CA 93230  
Long Beach Public Library, 101 Pacific Avenue, Long Beach, CA 90822-1097
- Law** Los Angeles County Law Library, 301 W. First St., Los Angeles, CA 90012-3100  
County of Los Angeles Public Library, Lancaster Library, 601 W. Lancaster Blvd., Lancaster, CA 93534  
County of Los Angeles Public Library, Norwalk Library, 12350 Imperial Highway, Norwalk, CA 90650
- Law** McGeorge School of Law, Library, Documents Dept., 3282 Fifth Ave., Sacramento, CA 95817  
Monterey County Free Libraries, Seaside Branch Library, 550 Harcourt Avenue, Seaside, CA 93955  
Napa City-County Library, 580 Coombs Street, Napa, CA 94559-3340  
Oakland Public Library, 125 Fourteenth St., Oakland, CA 94612
- Law** Orange County Public Law Library, 515 N. Flower, Santa Ana, CA 92703-2354  
Pasadena Public Library, 285 East Walnut Street, Pasadena, CA 91101-1556  
Redding Library, Attn. Government Documents, 1100 Parkview Ave., Redding, CA 96001  
Redwood City Public Library, Documents, 1044 Middlefield Road, Redwood City, CA 94063-1868  
Richmond Public Library, Government Documents Dept., 325 Civic Center Plaza, Richmond, CA 94804
- Law** Riverside County Law Library, 3989 Lemon St., Riverside, CA 92501-4203
- Law** Sacramento County Public Law Library, 609 Ninth St., Sacramento, CA 95814  
Sacramento Public Library, Central Library-Reference Department, 828 I Street, Sacramento, CA 95814-2508
- Law** San Bernardino County Law Library, 402 North "D" Street, San Bernardino, CA 92401  
San Bernardino Public Library, Documents, 555 W. Sixth St., San Bernardino, CA 92410  
San Bernardino Valley College Library, 701 South Mt. Vernon Avenue, San Bernardino, CA 92410
- Law** San Diego County Law Library, 1105 Front St., San Diego, CA 92101-3999  
San Francisco State University, Government Publications Dept., J. Paul Leonard Library, 1630 Holloway Ave., San Francisco 94132-4030
- Law** San Joaquin County Law Library, Kress Legal Center, 1st floor, 20 N. Sutter St., Stockton, CA 95202  
San Luis Obispo City-County Library, P.O. Box 8107, San Luis Obispo, CA 93403
- Law** San Luis Obispo County Law Library, 1050 Monterey St., Room 125, San Luis Obispo, CA 93408
- Law** San Mateo County Law Library, 710 Hamilton St., Redwood City, CA 94063  
San Mateo Public Library, 55 West Third Avenue, San Mateo, CA 94402-1592
- Law** Santa Barbara County Law Library, Courthouse, 1100 Anacapa St., Second Floor, Santa Barbara, CA 93101  
Santa Barbara Public Library, P.O. Box 1019, Santa Barbara, CA 93102-1019
- Law** Santa Clara County Law Library, 360 N. First St., San Jose, CA 95113-1004  
Santa Clara University, Government Documents Dept., Michel Orradre Library, 500 El Camino Real, Santa Clara, CA 95053-0500
- Law** Santa Cruz County Law Library, 701 Ocean St., Rm. 070, Santa Cruz, CA 95060  
Santa Cruz Public Library, Documents Section, 224 Church Street, Santa Cruz, CA 95060  
Santa Maria Public Library, Reference Dept., 421 S. McClelland, Santa Maria, CA 93454  
Santa Monica Public Library, 601 Santa Monica Blvd., Santa Monica, CA 90401

- Law** Sonoma County Law Library, 2604 Ventura Ave., Santa Rosa, CA 95403  
Sonoma County Library, 211 E Street, Santa Rosa, CA 95404
- Law** Southwestern University School of Law Library, Government Documents, 3050 Wilshire Blvd., Los Angeles, CA 90010-1106
- Law** Stanford University, Law Library, 559 Nathan Abbott Way, Stanford, CA 94305-8612  
Stanislaus County Free Library, 1500 I Street, Modesto, CA 95354-1166  
Stockton-San Joaquin County Public Library, 605 North El Dorado Street, Stockton, CA 95202  
Thousand Oaks Library, Technical Services Dept., 2331 Borchard Rd., Newbury Park, CA 91320
- Law** University of California, Berkeley, Law Library, Boalt Hall, Berkeley, CA 94720-7210
- Law** Law Library Documents Dept., University of California, 400 Mrak Hall Drive, Davis, CA 95616-5203  
University of California, Irvine Libraries, Government Information Department, Building 520, Ayala Science Library Receiving Dock, Irvine, CA 92697
- Law** University of California, Los Angeles, Law Library, 1106 Law Building., 405 Hilgard Ave., Los Angeles, CA 90095-1458  
University of California, Riverside, Rivera Library, Government Publications, P.O. Box 5900, Riverside, CA 92517-5900  
University of California, Santa Cruz, University Library, Government Publications, 1156 High Street, Santa Cruz, CA 95064
- Law** University of La Verne College of Law Library, 320 East D St., Ontario, CA 91764
- Law** University of San Diego, School of Law Library, 5998 Alcala Park, San Diego, CA 92110-2492
- Law** University of San Francisco, Zies Law Library, Kendrick Hall, 2130 Fulton St., San Francisco, CA 94117
- Law** University of Southern California, Law Library, 699 Exposition Blvd., Los Angeles, CA 90089-0072  
University of Southern California, Government Documents, Von Kleinsmid Library, 3518 Trousdale Parkway, Los Angeles, CA 90089-0048
- Law** Ventura County Law Library, Courthouse, 800 S. Victoria Ave., Ventura, CA 93009-2020
- Law** Whittier College School of Law, Library, 3333 Harbor Blvd., Costa Mesa, CA 92626

## **ATTACHMENT C**

### **State Agencies**

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A List of State Agencies will be sent on or before July 1, 2016 under separate cover.

**ATTACHMENT D: COPYRIGHT NOTICES**

**For Title 24, Part 2, Volume 1**

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**From:** [Betts, Bruce@DGS](mailto:Betts_Bruce@DGS)

**To:** ["de la Motte, Leann@DGS"](mailto:de la Motte, Leann@DGS) [Leann.delaMotte@dgs.ca.gov](mailto:Leann.delaMotte@dgs.ca.gov)

**Date:** 4/7/2016 8:34:23 AM

**Subject:** FW: 2016 California Building Standards Code Publication Agreements

**Attachments:** [3187605 CBSC ICC 2016 CODE 2 2 5 9 10 SOW - OBAS Suggested Revisions MJ.docx](#)

Please let me know if CBSC approves these changes. I sent the finalized contracts to them yesterday afternoon so I will update those and resend once I hear back from you.

Bruce Betts

Acquisition Analyst

**Contract Services Section** *(Team 3)*

**Office of Business and Acquisition Services Administration Division**

Department of General Services State of California

707 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, 2-300, West Sacramento, CA 95605

<http://inside.dgs.ca.gov/ad/obas.aspx>

**Phone** 916.441-9636

**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

---

From: Casey Thomas [mailto:CThomas@icc-es.org]

Sent: Thursday, April 07, 2016 8:31 AM

To: Betts, Bruce@DGS

Cc: Mark Johnson

Subject: RE: 2016 California Building Standards Code Publication Agreements

Br e

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o Ave A e o eA e e me o .

A o .

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From: Betts, Bruce@DGS [<mailto:Bruce.Betts@dgs.ca.gov>]  
Sent: Wednesday, April 06, 2016 4:02 PM  
To: Casey Thomas  
Cc: Mark Johnson  
Subject: 2016 California Building Standards Code Publication Agreements

Good afternoon,

Agreements #3187605 and 3187607 are attached for signature. The agreement are for the 2016 California Building Standards Code for the Department of General Services, California Building Standards Commission.

Please print and sign four original, single-sided copies of the STD 213 (first page of the electronic files) and return these to me at the address listed below in my signature block via expedited mail. We would like to have the signed documents back no later than April 11, 2016. Once we receive the documents we will obtain the other signatures and approvals to get the agreement executed as quickly as possible.

Please let me know if you find any errors or discrepancies.

Thank you and have a great day

Bruce Betts

Acquisition Analyst

**Contract Services Section** (*Team 3*)

**Office of Business and Acquisition Services Administration Division**

Department of General Services State of California

707 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, 2-300, West Sacramento, CA 95605

<http://inside.dgs.ca.gov/ad/obas.aspx>

**Phone** 916.441-9636

**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

***[Register now](#) for the International Code Council's 2016 Committee Action Hearings, April 17 - 27 in Louisville. Reminder - ICC Governmental Memberships must be current by March 18, to participate in the Online Governmental Consensus Vote which follows the hearings. [www.iccsafe.org/EVDS](http://www.iccsafe.org/EVDS).***

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**CERTIFICATION**

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that I am duly authorized to legally bind the prospective Contractor to the clause(s) listed below. This certification is made under the laws of the State of California.

<i>Contractor/Bidder Firm Name (Printed)</i>		<i>Federal ID Number</i>
<i>By (Authorized Signature)</i>		
<i>Printed Name and Title of Person Signing</i>		
<i>Date Executed</i>	<i>Executed in the County of</i>	

**CONTRACTOR CERTIFICATION CLAUSES**

1. **STATEMENT OF COMPLIANCE**: Contractor has, unless exempted, complied with the nondiscrimination program requirements. (Gov. Code §12990 (a-f) and CCR, Title 2, Section 8103) (Not applicable to public entities.)
2. **DRUG-FREE WORKPLACE REQUIREMENTS**: Contractor will comply with the requirements of the Drug-Free Workplace Act of 1990 and will provide a drug-free workplace by taking the following actions:
  - a. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations.
  - b. Establish a Drug-Free Awareness Program to inform employees about:
    - 1) the dangers of drug abuse in the workplace;
    - 2) the person's or organization's policy of maintaining a drug-free workplace;
    - 3) any available counseling, rehabilitation and employee assistance programs; and,
    - 4) penalties that may be imposed upon employees for drug abuse violations.
  - c. Every employee who works on the proposed Agreement will:
    - 1) receive a copy of the company's drug-free workplace policy statement; and,
    - 2) agree to abide by the terms of the company's statement as a condition of employment on the Agreement.

Failure to comply with these requirements may result in suspension of payments under the Agreement or termination of the Agreement or both and Contractor may be ineligible for award of any future State agreements if the department determines that any of the following has occurred: the Contractor has made false certification, or violated the certification by failing to carry out the requirements as noted above. (Gov. Code §8350 et seq.)
3. **NATIONAL LABOR RELATIONS BOARD CERTIFICATION**: Contractor certifies that no more than one (1) final unappealable finding of contempt of court by a Federal court has been issued against Contractor within the immediately preceding two-year period because of Contractor's failure to comply with an order of a Federal court, which orders Contractor to comply with an order of the National Labor Relations Board. (Pub. Contract Code §10296) (Not applicable to public entities.)
4. **CONTRACTS FOR LEGAL SERVICES \$50,000 OR MORE- PRO BONO REQUIREMENT**: Contractor hereby certifies that contractor will comply with the requirements of Section 6072 of the Business and Professions Code, effective January 1, 2003.

Contractor agrees to make a good faith effort to provide a minimum number of hours of pro bono legal services during each year of the contract equal to the lesser of 30 multiplied by the number of full time attorneys in the firm 's offices in the State, with the number of hours prorated on an actual day basis for any contract period of less than a full year or 10% of its contract with the State.

Failure to make a good faith effort may be cause for non-renewal of a state contract for legal services, and may be taken into account when determining the award of future contracts with the State for legal services.

5. EXPATRIATE CORPORATIONS: Contractor hereby declares that it is not an expatriate corporation or subsidiary of an expatriate corporation within the meaning of Public Contract Code Section 10286 and 10286.1, and is eligible to contract with the State of California.

6. SWEATFREE CODE OF CONDUCT:

a. All Contractors contracting for the procurement or laundering of apparel, garments or corresponding accessories, or the procurement of equipment, materials, or supplies, other than procurement related to a public works contract, declare under penalty of perjury that no apparel, garments or corresponding accessories, equipment, materials, or supplies furnished to the state pursuant to the contract have been laundered or produced in whole or in part by sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor, or with the benefit of sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor. The contractor further declares under penalty of perjury that they adhere to the Sweatfree Code of Conduct as set forth on the California Department of Industrial Relations website located at [www.dir.ca.gov](http://www.dir.ca.gov), and Public Contract Code Section 6108.

b. The contractor agrees to cooperate fully in providing reasonable access to the contractor 's records, documents, agents or employees, or premises if reasonably required by authorized officials of the contracting agency, the Department of Industrial Relations, or the Department of Justice to determine the contractor 's compliance with the requirements under paragraph (a).

7. DOMESTIC PARTNERS: For contracts over \$100,000 executed or amended after January 1, 2007, the contractor certifies that contractor is in compliance with Public Contract Code section 10295.3.

## **DOING BUSINESS WITH THE STATE OF CALIFORNIA**

The following laws apply to persons or entities doing business with the State of California.

1. CONFLICT OF INTEREST: Contractor needs to be aware of the following provisions regarding current or former state employees. If Contractor has any questions on the status of any person rendering services or involved with the Agreement, the awarding agency must be contacted immediately for clarification.

Current State Employees (Pub. Contract Code §10410):

1). No officer or employee shall engage in any employment, activity or enterprise from which the officer or employee receives compensation or has a financial interest and which is sponsored or funded by any state agency, unless the employment, activity or enterprise is required as a condition of regular state employment.

2). No officer or employee shall contract on his or her own behalf as an independent contractor with any state agency to provide goods or services.

Former State Employees (Pub. Contract Code §10411):

1). For the two-year period from the date he or she left state employment, no former state officer or employee may enter into a contract in which he or she engaged in any of the negotiations, transactions, planning, arrangements or any part of the decision-making process relevant to the contract while employed in any capacity by any state agency.

2). For the twelve-month period from the date he or she left state employment, no former state officer or employee may enter into a contract with any state agency if he or she was employed by that state agency in a policy-making position in the same general subject area as the proposed contract within the 12-month period prior to his or her leaving state service.

If Contractor violates any provisions of above paragraphs, such action by Contractor shall render this Agreement void. (Pub. Contract Code §10420)

Members of boards and commissions are exempt from this section if they do not receive payment other than payment of each meeting of the board or commission, payment for preparatory time and payment for per diem. (Pub. Contract Code §10430 (e))

2. LABOR CODE/WORKERS' COMPENSATION: Contractor needs to be aware of the provisions which require every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions, and Contractor affirms to comply with such provisions before commencing the performance of the work of this Agreement. (Labor Code Section 3700)

3. AMERICANS WITH DISABILITIES ACT: Contractor assures the State that it complies with the Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA. (42 U.S.C. 12101 et seq.)

4. CONTRACTOR NAME CHANGE: An amendment is required to change the Contractor's name as listed on this Agreement. Upon receipt of legal documentation of the name change the State will process the amendment. Payment of invoices presented with a new name cannot be paid prior to approval of said amendment.

5. CORPORATE QUALIFICATIONS TO DO BUSINESS IN CALIFORNIA :

a. When agreements are to be performed in the state by corporations, the contracting agencies will be verifying that the contractor is currently qualified to do business in California in order to ensure that all obligations due to the state are fulfilled.

b. "Doing business" is defined in R&TC Section 23101 as actively engaging in any transaction for the purpose of financial or pecuniary gain or profit. Although there are some statutory exceptions to taxation, rarely will a corporate contractor performing within the state not be subject to the franchise tax.

c. Both domestic and foreign corporations (those incorporated outside of California) must be in good standing in order to be qualified to do business in California. Agencies will determine whether a corporation is in good standing by calling the Office of the Secretary of State.

6. RESOLUTION: A county, city, district, or other local public body must provide the State with a copy of a resolution, order, motion, or ordinance of the local governing body which by law has authority to enter into an agreement, authorizing execution of the agreement.

7. AIR OR WATER POLLUTION VIOLATION: Under the State laws, the Contractor shall not be: (1) in violation of any order or resolution not subject to review promulgated by the State Air Resources Board or an air pollution control district; (2) subject to cease and desist order not subject to review issued pursuant to Section 13301 of the Water Code for violation of waste discharge requirements or discharge prohibitions; or (3) finally determined to be in violation of provisions of federal law relating to air or water pollution.

8. PAYEE DATA RECORD FORM STD. 204: This form must be completed by all contractors that are not another state agency or other governmental entity.





## BIDDER DECLARATION

**1. Prime bidder information (Review attached Bidder Declaration Instructions prior to completion of this form):**

- a. Identify current California certification(s) (MB, SB, NVSA, DVBE):** \_\_\_\_\_ **or None** \_\_\_\_ (If "None," go to Item #2)
- b. Will subcontractors be used for this contract? Yes** \_\_\_ **No** \_\_\_ (If yes, indicate the distinct element of work your firm will perform in this contract e.g., list the proposed products produced by your firm, state if your firm owns the transportation vehicles that will deliver the products to the State, identify which solicited services your firm will perform, etc.). Use additional sheets, as necessary.
- \_\_\_\_\_
- \_\_\_\_\_

- c. If you are a California certified DVBE:** (1) Are you a broker or agent? **Yes** \_\_\_ **No** \_\_\_  
 (2) If the contract includes equipment rental, does your company own at least 51% of the equipment provided in this contract (quantity and value)? **Yes** \_\_\_ **No** \_\_\_ **N/A** \_\_\_

**2. If no subcontractors will be used, skip to certification below. Otherwise, list all subcontractors for this contract. (Attach additional pages if necessary):**

Subcontractor Name, Contact Person, Phone Number & Fax Number	Subcontractor Address & Email Address	CA Certification (MB, SB, NVSA, DVBE or None)	Work performed or goods provided for this contract	Corresponding % of bid price	Good Standing?	51% Rental?

**CERTIFICATION: By signing the bid response, I certify under penalty of perjury that the information provided is true and correct.**

## BIDDER DECLARATION Instructions

### All prime bidders (the firm submitting the bid) must complete the Bidder Declaration.

**1.a.** Identify all current certifications issued by the State of California. If the prime bidder has no California certification(s), check the line labeled “None” and proceed to Item #2. If the prime bidder possesses one or more of the following certifications, enter the applicable certification(s) on the line:

- Microbusiness (MB)
- Small Business (SB)
- Nonprofit Veteran Service Agency (NVSA)
- Disabled Veteran Business Enterprise (DVBE)

**1.b.** Mark either “Yes” or “No” to identify whether subcontractors will be used for the contract. If the response is “No”, proceed to Item #1.c. If “Yes”, enter on the line the distinct element of work contained in the contract to be performed or the goods to be provided by the prime bidder. Do not include goods or services to be provided by subcontractors.

Bidders certified as MB, SB, NVSA, and/or DVBE must provide a commercially useful function as defined in Military and Veterans Code Section 999 for DVBEs and Government Code Section 14837(d)(4)(A) for small/microbusinesses.

Bids must propose that certified bidders provide a commercially useful function for the resulting contract or the bid will be deemed non-responsive and rejected by the State. For questions regarding the solicitation, contact the procurement official identified in the solicitation.

**Note: A subcontractor is any person, firm, corporation, or organization contracting to perform part of the prime’s contract.**

**1.c.** This item is only to be completed by businesses certified by California as a DVBE.

(1) Declare whether the prime bidder is a broker or agent by marking either “Yes” or “No”. The Military and Veterans Code Section 999.2 (b) defines “broker” or “agent” as a certified DVBE contractor or subcontractor that does not have title, possession, control, and risk of loss of materials, supplies, services, or equipment provided to an awarding department, unless one or more of the disabled veteran owners has at least 51-percent ownership of the quantity and value of the materials, supplies, services, and of each piece of equipment provided under the contract.

(2) If bidding rental equipment, mark either “Yes” or “No” to identify if the prime bidder owns at least 51% of the equipment provided (quantity and value). If **not** bidding rental equipment, mark “N/A” for “not applicable.”

**2.** If no subcontractors are proposed, do not complete the table. Read the certification at the bottom of the form and complete “Page \_\_\_\_ of \_\_\_\_” on the form.

If subcontractors will be used, complete the table listing all subcontractors. If necessary, attach additional pages and complete the “Page \_\_\_\_ of \_\_\_\_” accordingly.

### 2. (continued) Column Labels

**Subcontractor Name, Contact Person, Phone Number & Fax Number**—List each element for all subcontractors.

**Subcontractor Address & Email Address**—Enter the address and if available, an Email address.

**CA Certification (MB, SB, NVSA, DVBE or None)**—If the subcontractor possesses a current State of California certification(s), verify on this website ([www.eprocure.pd.dgs.ca.gov](http://www.eprocure.pd.dgs.ca.gov)).

**Work performed or goods provided for this contract**—Identify the distinct element of work contained in the contract to be performed or the goods to be provided by each subcontractor. Certified subcontractors must provide a commercially useful function for the contract. (See paragraph 1.b above for code citations regarding the definition of commercially useful function.) If a certified subcontractor is further subcontracting a greater portion of the work or goods provided for the resulting contract than would be expected by normal industry practices, attach a separate sheet of paper explaining the situation.

**Corresponding % of bid price**—Enter the corresponding percentage of the total bid price for the goods and/or services to be provided by each subcontractor. Do not enter a dollar amount.

**Good Standing?**—Provide a response for each subcontractor listed. Enter either “Yes” or “No” to indicate that the prime bidder has verified that the subcontractor(s) is in good standing for all of the following:

- Possesses valid license(s) for any license(s) or permits required by the solicitation or by law
- If a corporation, the company is qualified to do business in California and designated by the State of California Secretary of State to be in good standing
- Possesses valid State of California certification(s) if claiming MB, SB, NVSA, and/or DVBE status

**51% Rental?**—This pertains to the applicability of rental equipment. Based on the following parameters, enter either “N/A” (not applicable), “Yes” or “No” for each subcontractor listed.

Enter “N/A” if the:

- Subcontractor is NOT a DVBE (regardless of whether or not rental equipment is provided by the subcontractor) or
- Subcontractor is NOT providing rental equipment (regardless of whether or not subcontractor is a DVBE)

Enter “Yes” if the subcontractor is a California certified DVBE providing rental equipment and the subcontractor owns at least 51% of the rental equipment (quantity and value) it will be providing for the contract.

Enter “No” if the subcontractor is a California certified DVBE providing rental equipment but the subcontractor does NOT own at least 51% of the rental equipment (quantity and value) it will be providing.

**Read the certification at the bottom of the page and complete the “Page \_\_\_\_ of \_\_\_\_” accordingly.**



**PAYEE DATA RECORD**

STD. 204 (Rev. 6-2003) (REVERSE)

1	<p><b><u>Requirement to Complete Payee Data Record, STD. 204</u></b></p> <p>A completed Payee Data Record, STD. 204, is required for payments to all non-governmental entities and will be kept on file at each State agency. Since each State agency with which you do business must have a separate STD. 204 on file, it is possible for a payee to receive this form from various State agencies.</p> <p>Payees who do not wish to complete the STD. 204 may elect to not do business with the State. If the payee does not complete the STD. 204 and the required payee data is not otherwise provided, payment may be reduced for federal backup withholding and nonresident State income tax withholding. Amounts reported on Information Returns (1099) are in accordance with the Internal Revenue Code and the California Revenue and Taxation Code.</p>								
2	<p>Enter the payee's legal business name. Sole proprietorships must also include the owner's full name. An individual must list his/her full name. The mailing address should be the address at which the payee chooses to receive correspondence. Do not enter payment address or lock box information here.</p>								
3	<p>Check the box that corresponds to the payee business type. Check only one box. Corporations must check the box that identifies the type of corporation. The State of California requires that all parties entering into business transactions that may lead to payment(s) from the State provide their Taxpayer Identification Number (TIN). The TIN is required by the California Revenue and Taxation Code Section 18646 to facilitate tax compliance enforcement activities and the preparation of Form 1099 and other information returns as required by the Internal Revenue Code Section 6109(a).</p> <p>The TIN for individuals and sole proprietorships is the Social Security Number (SSN). Only partnerships, estates, trusts, and corporations will enter their Federal Employer Identification Number (FEIN).</p>								
4	<p><b><u>Are you a California resident or nonresident?</u></b></p> <p>A corporation will be defined as a "resident" if it has a permanent place of business in California or is qualified through the Secretary of State to do business in California.</p> <p>A partnership is considered a resident partnership if it has a permanent place of business in California. An estate is a resident if the decedent was a California resident at time of death. A trust is a resident if at least one trustee is a California resident.</p> <p>For individuals and sole proprietors, the term "resident" includes every individual who is in California for other than a temporary or transitory purpose and any individual domiciled in California who is absent for a temporary or transitory purpose. Generally, an individual who comes to California for a purpose that will extend over a long or indefinite period will be considered a resident. However, an individual who comes to perform a particular contract of short duration will be considered a nonresident.</p> <p>Payments to all nonresidents may be subject to withholding. Nonresident payees performing services in California or receiving rent, lease, or royalty payments from property (real or personal) located in California will have 7% of their total payments withheld for State income taxes. However, no withholding is required if total payments to the payee are \$1,500 or less for the calendar year.</p> <p>For information on Nonresident Withholding, contact the Franchise Tax Board at the numbers listed below:</p> <table border="0"> <tr> <td>Withholding Services and Compliance Section:</td> <td>1-888-792-4900</td> <td>E-mail address:</td> <td>wscs.gen@ftb.ca.gov</td> </tr> <tr> <td>For hearing impaired with TDD, call:</td> <td>1-800-822-6268</td> <td>Website:</td> <td>www.ftb.ca.gov</td> </tr> </table>	Withholding Services and Compliance Section:	1-888-792-4900	E-mail address:	wscs.gen@ftb.ca.gov	For hearing impaired with TDD, call:	1-800-822-6268	Website:	www.ftb.ca.gov
Withholding Services and Compliance Section:	1-888-792-4900	E-mail address:	wscs.gen@ftb.ca.gov						
For hearing impaired with TDD, call:	1-800-822-6268	Website:	www.ftb.ca.gov						
5	<p>Provide the name, title, signature, and telephone number of the individual completing this form. Provide the date the form was completed.</p>								
6	<p>This section must be completed by the State agency requesting the STD. 204.</p>								
	<p><b><u>Privacy Statement</u></b></p> <p>Section 7(b) of the Privacy Act of 1974 (Public Law 93-579) requires that any federal, State, or local governmental agency, which requests an individual to disclose their social security account number, shall inform that individual whether that disclosure is mandatory or voluntary, by which statutory or other authority such number is solicited, and what uses will be made of it.</p> <p>It is mandatory to furnish the information requested. Federal law requires that payment for which the requested information is not provided is subject to federal backup withholding and State law imposes noncompliance penalties of up to \$20,000.</p> <p>You have the right to access records containing your personal information, such as your SSN. To exercise that right, please contact the business services unit or the accounts payable unit of the State agency(ies) with which you transact that business.</p> <p>All questions should be referred to the requesting State agency listed on the bottom front of this form.</p>								

COMMERCIALLY USEFUL FUNCTION EVALUATION FORM  
(rev. 3/15)

Contractor Name: Pacific Storage Company

On January 1, 2004, Chapter 623, Statutes of 2003, became effective and requires all **Small Businesses**, Micro-Businesses and Disabled Veteran Business Enterprises to perform a “commercially useful function” in any contract they perform for the State.

Per GC 14837, Section 1: A business that is performing a commercially useful function is one that does **ALL** of the following:

- 1) Is responsible for execution of a distinct element of the work of the contract.
- 2) Carries out its obligation by actually performing, managing, or supervising the work involved.
- 3) Performs work that is normal for its business, services and function
- 4) Is responsible, with respect to products, inventories, materials, and supplies required for the contract, for negotiating price, determining quality and quantity, ordering, installing, if applicable, and making payment.
- 5) Is not further subcontracting a portion of the work that is greater than that expected to be subcontracted by normal industry practices.

Note: A contractor, subcontractor, or supplier **will not** be considered to perform a commercially useful function if the contractor's, subcontractor's, or supplier's role is limited to that of an extra participant in a transaction, contract, or project through which funds are passed in order to obtain the appearance of small business or microbusiness participation.

*Contractor's Certification:*

I certify that my company meets all five of the criteria listed above.

Authorized Representative

Date

*Acquisition Analyst's Certification:*

Analyst has determined that a CUF will be performed by this Contractor .

Acquisition Analyst

Date

## **EXHIBIT A**

### **SCOPE OF WORK**

The California Mechanical Code (California Code of Regulations, Title 24, Part 4) and the California Plumbing Code (California Code of Regulations, Title 24, Part 5) are based on two model codes, the Uniform Mechanical Code and the Uniform Plumbing Code, respectively. The California codes include both provisions of the model codes and amendments to those codes adopted by California. The International Association of Building and Mechanical Officials (IAPMO) owns the copyrights to these model codes; therefore, IAPMO must be the publisher of these California codes, if they are each going to contain model code provisions and California amendments.

#### **1. PROJECT SUMMARY**

Pursuant to Health and Safety Code Sections 18928.1 and 18942, the California Building Standards Commission (CBSC) and International Association of Building and Mechanical Officials (IAPMO) will coordinate the publication of the 2016 California Mechanical Code (Title 24, Part 4) and the California Plumbing Code (Title 24, Part 5).

- A. **WHEREAS**, IAPMO is the sole owner of the copyright to the 2015 Uniform Mechanical Code and the 2015 Uniform Plumbing Code (hereinafter referred to as "UMC/UPC "); and
- B. **WHEREAS**, CBSC periodically adopts, approves and codifies plumbing and mechanical code standards and amendments, which may be based on the Uniform Mechanical Code and the Uniform Plumbing Code and publishes them as the California Mechanical Code Title 24, Part 4, and California Plumbing Code Title 24, Part 5, (hereinafter referred to as the "CMC/CPC"), California Code of Regulations (CCR); and
- C. **WHEREAS**, CBSC desires to publish a 2016 edition of the CMC/CPC (hereinafter referred to as the "2016 CMC/CPC") on or before July 1, 2016 or at a later date as set by CBSC containing portions of the 2015 UMC/UPC that have been approved and codified by CBSC, including those portions of the 2015 UMC/UPC that have been modified by CBSC, as well containing California amendments thereto; and
- D. **WHEREAS**, IAPMO and CBSC desire to publish the 2016 CMC/CPC in a pre -assembled loose-leaf and fully integrated format on or before July 1, 2016; and
- E. **WHEREAS**, IAPMO and CBSC desire to make necessary for annual amendments to the 2016 CMC/CPC (hereinafter referred to as the "2016 CMC/CPC Supplements"), errata supplements, and emergency supplements; and

#### **2. TERM**

A. The term of this agreement is May 1, 2016 through December 31, 2019 (44 Months).

### **3. PROJECT REPRESENTATIVES**

A. The Project Representatives during the term of this agreement will be:

CBSC Contract Administrator
Kevin Day 2525 Natomas Park Drive #130 Sacramento, CA 95833 (916) 263-0355 <a href="mailto:kevin.day@dgs.ca.gov">kevin.day@dgs.ca.gov</a>

Contractor's Contract Administrator
International Association of Plumbing and Mechanical Officials 5001 East Philadelphia Street Ontario, CA 91767-2816 Attn: G.P. Russ Chaney, Ex. Director (909) 472-4100 <a href="mailto:Russ.Chaney@iapmo.org">Russ.Chaney@iapmo.org</a>

B. Any changes in Contractor's project representatives must be reported to the BSC Contract Administrator immediately, in writing.

### **4. PERFORMANCE DETAILS**

#### **Grant of License for CMC/CPC.**

A. **By IAPMO.** Subject to the limitation of section 1 below, IAPMO, hereby grants CBSC a non-exclusive, non-transferable sublicense to use and copy all or any portion of the 2015 UPC/UMC, supplements and revisions to the 2015 UMC/UPC (hereinafter referred to as "Licensed Property"), solely to create and publish the 2016 CMC/CPC, as well as the 2016 CMC/CPC supplements, errata and emergency supplements (hereinafter referred to collectively as the "Code"). The grant of the foregoing sublicense is limited to the right to:

1. Publish, print, reprint and distribute all or any pages of the Licensed Property that have been modified by CBSC upon the following terms and conditions: In the event that IAPMO breaches its obligation or terminates this Agreement, or otherwise discontinues to publish or fail to make available for sale the Code, then CBSC may cause to print and publish all or any pages of the Code that have been modified by CBSC for its use and for sale to the public until publishing thereof is recommenced by IAPMO or until one hundred and eighty (180) days after publication of the next edition of the CMC/CPC, whichever occurs first, without compensating IAPMO. If at any time prior to the discontinuation of publication by IAPMO the Code becomes temporarily out of print or unavailable so that copies thereof cannot be furnished within thirty (30) days after they are requested for purchase by any person or entity, the CBSC may without being in violation of the non-transferable license provision hereof, cause to print and publish any of the unavailable documents for its own use and for sale to the public in quantities to meet immediate demand, until IAPMO recommences furnishing copies or until one hundred and eighty (180) days after publication of the next edition of the CMC/CPC, whichever occurs first, without compensating IAPMO. \_



2. Make such changes to the Licensed Property as CBSC determines are required for the Code.
  3. Affix copyright notices to the Code as directed by CBSC.
  4. Post all supplements which may contain material copyrighted by IAPMO on the IAPMO website in "read-only" format.
- B. **By CBSC.** CBSC hereby grants to IAPMO an exclusive, worldwide license to copy, print, publish, distribute and sell the 2016 CMC/CPC and all 2016 CMC/CPC Supplements in accordance with the terms of this Agreement.

## **5. SERVICE DETAILS**

- A. **Technical Services.** Immediately after the execution of this Agreement, IAPMO shall commence the following services:
1. IAPMO shall, in accordance with the specific formatting requirements and editorial and publication timetable more fully set forth in Attachment A hereto, print, publish and make available for sale to the State of California, local governmental agencies, and to the general public, copies of the Code in a loose-leaf format. The Code shall be printed and published in a fully integrated format that incorporates, into a fully merged, contiguous and pre-assembled document, all portions of the 2014 UMC/UPC approved and codified by the CBSC, those portions of the 2014 UMC/UPC that have been modified by the CBSC, and all California amendments
  2. IAPMO shall print and publish all 2016 CMC/CPC Supplements on a regular basis so that all customers have an accurate and up-to-date Code, provided, however, that IAPMO shall not be required to print, publish and distribute special supplements for minor or inconsequential errors or changes. Special supplements for minor or inconsequential errors and/or changes shall be posted on IAPMO's website and shall be provided to CBSC for posting on CBSC's website in a "read-only" format.
  3. IAPMO shall also provide CBSC with three (3) copies of the final text corresponding to the printed version of the 2014 Code, and three (3) copies of all 2014 supplements, supplements in response to emergency regulations, and all related errata sheets, in an electronic version in electronic format that allows editing of text solely for code development purposes.

## **6. WORK DETAILS**

- A. IAPMO shall, in accordance with the specific formatting requirements and editorial and publication timetable set forth herein, print, publish and make available for sale to the State of California, local governmental agencies, and to the general public on or before July 1, 2016 or at a later date as set by the CBSC, copies of the 2016 CMC/CPC in a loose-leaf format

wherein all portions of the Licensed Property that have been approved and codified by CBSC, including those portions of the Licensed Property that have been modified by CBSC, as well as California amendments thereto, are fully merged and integrated into a contiguous and pre-assembled form and not provided as separate sheets. To meet the July 1, 2016 publication date, CBSC must deliver to IAPMO the proofed and approved final text on or before May 15, 2016. In the event CBSC fails to deliver to IAPMO the proofed and approved final text on or before May 15, 2016, IAPMO shall be provided with a period of 35 days from receipt of delivery of said final text from CBSC in which to print, publish and make available for sale the 2016 CMC/CPC.

- B. All those portions of the Licensed Property, be it chapters, sections, provisions, tables, appendices, references, etc., which CBSC or any authorized agency does not adopt as a part of Title 24 shall not be printed in the 2016 CMC/CPC. In the event IAPMO insists on including such non-adopted language, it shall be highlighted and clearly noted as not adopted by the State on each page on which it appears.
- C. All Errata and/or Supplements to the 2015 Licensed Property as originally adopted by CBSC as the 2016 CMC/CPC which are thereafter generated by IAPMO shall not be printed in the 2016 CMC/CPC unless expressly approved by CBSC.
- D. CBSC shall submit to IAPMO its modifications to the 2015 Licensed Property. Within a reasonable time after the receipt thereof from CBSC, IAPMO shall furnish to CBSC a copy of the initial draft of the 2016 CMC/CPC for review by CBSC.
- E. WITHIN a reasonable time after receipt of the initial draft of the 2016 CMC/CPC from IAPMO, CBSC shall submit its revisions to the initial draft to IAPMO. Within a reasonable time after receipt of the CBSC's revisions to the initial draft, IAPMO shall make any further modifications and submit to CBSC a second draft.
- F. WITHIN a reasonable time after receipt of the second draft of the 2016 CMC/CPC from IAPMO, CBSC shall submit its revisions to the second draft to IAPMO. Within a reasonable time after receipt of CBSC's revisions to the second draft, IAPMO shall make any further modifications and submit to CBSC a final draft.
- G. IAPMO shall thereafter publish and make available for sale to the State of California, and to the general public, copies of the 2016 CMC/CPC. If CBSC promptly delivers to IAPMO the submissions from CBSC as set forth in paragraphs above, IAPMO shall ensure that the 2016 CMC/CPC is available for sale within thirty-five (35) days of receipt from the CBSC of fully proofed and approved final text in either electronic format or camera ready copy.
- H. Time is of the essence:
  - 1. Because the 2016 Code may have significant effects on the safety of the State's built environment and its citizens, time is of the essence in performing the herein duties.
  - 2. The July 1, 2016, date to publish the 2016 Code is of critical importance. Publication is defined as the documents being printed and available for delivery.
  - 3. CBSC and IAPMO shall commit staff and resources to expedite their diligent work and cooperate toward the within Publication schedules and goals.

4. Due to the variations of their size and complexity, it is impossible to herein establish schedules for Publication of any Supplements or Errata. Therefore, when CBSC submits any Supplements or Errata to IAPMO, a Publication Schedule of milestone dates, including a Publication and Effective date, shall be mutually determined. That Publication Schedule, due to possible coordination with other contractors, is of critical importance. IAPMO shall notify CBSC within 15 calendar days following creation of the Publication Schedule if they, for valid reason(s) given, cannot meet the Schedule and include a proposed Schedule which they can meet. CBSC must concur in the acceptance of any new Schedule. Without such notification, or concurrence with a new Publication Schedule, CBSC shall expect IAPMO to abide by the proposed Schedule.
  5. Neither IAPMO nor CBSC shall be held liable or responsible for any times or dates set out in this publication agreement if such failure to meet that time or date comes about as a result of any strike, unauthorized work stoppage, civil unrest, legal requirement or impediment, storm, fire, flood or other act of God for which the IAPMO or the CBSC is not otherwise responsible.
- I. Formatting, layout and other requirements not contained herein for publication of the 2016 Code will be set forth and/or confirmed in subsequent correspondence between the Parties. Said formatting, layout and other requirements include, but are not limited to, the following:
1. Code
    - a. A "pre-assembled code" numbered consecutively, printed on 20 lb. or 24 lb. stock (depending on page count), 8 or higher brightness, 8-1/2" by 11" white paper in a seven-hole loose-leaf format configuration – the same configuration as that used for the 2013 CMC/CPC .
    - b. The black body copy font shall be 10 pt. Times Roman with bold section numbers. Headings shall be 10 pt. Helvetica bold.
    - c. Each binder volume that has a ring metal greater than 2" shall be equipped with front and back heavy-duty page lifters and, when containing more than one Part of Title 24, a heavy-weight reinforced tab divider shall be included.
    - d. Volume binders shall conform to the design and colors selected by CBSC and sized appropriately for the contents which shall be shrink wrapped to ensure completeness.
    - e. IAPMO will integrate existing 2015 Licensed Property language with California amendments to be reviewed and approved by CBSC. First review and schedule will be agreed upon by the parties.
    - f. IAPMO and CBSC will work out a schedule for completion of the code to ensure publication and its availability on or before July 1, 2016. Attachment C, California Triennial Code Adoption Cycle Schedule will be used as the basis for developing this schedule.
  2. Index will remain as it appears in the 2015 Licensed Property with California amendments as necessary.
  3. Italics shall not be used to identify defined terms.

4. The front of each volume shall contain the following documents. This information will be provided to IAPMO by CBSC no later than April 1, 2016:
  - a. Cover Art
  - b. Copyright Notice
  - c. Preface
  - d. Acknowledgement
  - e. California Agency Information Contact List
  - f. How to Distinguish Between Model Code Language and California Amendments
5. California language will be in italics or other form as specified by codification.
6. All chapters will begin on a right hand page.
7. Running heads will read "2016 California Mechanical Code" and "2016 California Plumbing Code" respectively.
8. State-agency acronyms will be used throughout the 2016 Code.
9. IAPMO will submit binder specifications for approval by CBSC.
10. The Matrix Adoption Table will be in the front of each correlating chapter of the 2016 Code and available as a supplement so it can be inserted in the front of each 2016 Code.
11. IAPMO shall supply a postage-paid return card for each purchaser to apply for complimentary automatic receipt of all supplements and errata sheets. IAPMO will maintain the mailing list, and print, mail and verify delivery of supplements and errata sheets.
12. A card may be placed in the 2016 Code advertising other IAPMO publications.

#### J. Supplements and Errata

1. Supplements to the 2016 code shall be printed on 20 lb. light blue paper, seven-hole drilled and be individually shrink-wrapped.
2. Supplements shall be printed to insert by page substitution and contain a publication, effective date, and 'Blue' on the bottom of each page.
3. Regular supplements shall be published as needed.
4. Emergency supplements shall be published on an "as needed basis."
5. Errata Sheets shall be printed on 20 lb. buff paper, seven-hole drilled and be individually shrink-wrapped.
6. Errata Sheets shall be printed to insert by page substitution and contain a publication, effective date and 'Buff' on the bottom of each page.
7. The number of the supplements shall be the number of the page where the section and paragraph resides followed by .1, .2, .3 etc.

K. Distribution

1. IAPMO shall establish a distribution method in consultation with the CBSC.
2. IAPMO shall distribute a minimum of 200 complimentary copies of the 2016 Code as directed by CBSC.
3. IAPMO may wholesale the 2016 Code to other resellers in California.
4. IAPMO reserves the right to include advertising material of related support products/services in distribution of the 2016 Code, provided said material is not a part of the official text of the California State Building Standards Code. Any advertising would be clearly denoted and included as a separate insert.

**EXHIBIT B**

**PAYMENT AND COMPENSATION PROVISIONS**

- A. **Compensation.** In consideration of the opportunity provided to IAPMO by CBSC to make sales of the 2016 Code, no fees, royalties or other payments of any nature shall be required to be paid by CBSC to IAPMO with respect to this Agreement or the licenses granted hereunder.
- B. **Sale of Code.** IAPMO agrees to furnish the 2016 Code in loose-leaf format on the following basis:
1. IAPMO shall make the 2016 Code, described in Exhibit A Paragraphs 5 A 1. and 5 A 2., available to the State, local governmental agencies, and the general public at a price established by IAPMO that will entitle the purchaser to receive all 2016 CMC/CPC Supplements, supplements to the 2016 CMC/CPC in response to emergency regulations, and all related Errata sheets from IAPMO at no additional charge.
  2. Any bookstore or other vendor may purchase the 2016 Code from IAPMO for resale and may resell the same at any price which will entitle the purchaser to receive all subsequent 2016 CMC/CPC Supplements, supplements to the 2016 CMC/CPC in response to emergency regulations, and all related errata sheets from IAPMO at no additional charge.
  3. IAPMO shall provide to CBSC the electronic files of the 2016 Code including all subsequent Supplements and Errata in order that the CBSC may make the 2016 Code available internally on the CBSC intranet or internal network for use solely by CBSC staff. If IAPMO develops an enhanced CD with additional features, such as Boolean search capabilities, annotation feature, global search feature or hyperlinking capabilities, IAPMO shall also make such enhanced CD available to the CBSC for internal use as provided in this subparagraph.

4. IAPMO may include references to IAPMO-ES Evaluation Reports and other supplemental support material in any electronic version of the 2016 Code (separate from the actual 2016 Code language). Necessary language will be added to differentiate IAPMO materials from the 2016 Code. CBSC reserves the right to review such materials in advance and shall be provided with such materials at least thirty (30) days prior to publication.
5. IAPMO may sell the 2016 Code in any formats it so chooses, including but not limited to: print, eBooks, and subscription service.
6. IAPMO will send the State a quarterly report, which will itemize all orders processed from the previous quarter. The report will include business name, number of copies ordered, amount charged, date order received and date order shipped. If no orders are processed, the Contractor will send a report indicating no orders were processed. Reports are due by the 15<sup>th</sup> of the month following the end of a quarter. Reports must be mailed to:

<i>CBSC Contract Administrator</i>
Kevin Day 2525 Natomas Park Drive #130 Sacramento, CA 95833

C. **State Code Distribution.** The Library Distribution Act (LDA) established a system to distribute California State agency publications to libraries in order to make such publications widely available to residents of the State of California. During the term of this Agreement, IAPMO shall deliver complimentary copies of the 2016 CMC/CPC, and automatically, any 2016 CMC/CPC Supplements, supplements to the 2016 CMC/CPC in response to emergency regulations, and all related errata sheets, directly to the Depository Libraries listed in Attachment A hereto in the quantities set forth therein, and one copy each to the Selective Depository Libraries listed in Attachment B hereto and copies to the State agencies as directed by CBSC hereto in the quantities specified therein. IAPMO shall obtain and retain proof of delivery of all materials distributed in accordance with this provision and make copies of such proof of delivery available to CBSC upon written request until one year after termination of this Agreement or be willing to ship additional complimentary copies upon request.

1. IAPMO shall deliver up to 30 complimentary copies of the 2016 Code to CBSC and then deliver one complimentary copy for each new Commissioner appointed after June 1, 2016 to CBSC, in addition to the delivery of the original 30 copies until one hundred and eighty (180) days after the Publication of the next edition of 2016 Code. CBSC shall provide IAPMO with names and delivery addresses of the current and any new commissioners as well as notifying IAPMO of any terminations.
2. IAPMO shall deliver up to 200 complimentary copies of the 2016 Code, together with any 2016 CMC/CPC Supplements, directly to the following state agencies in the quantities specified by CBSC.

- D. **Subscription Service.** In order to ensure that the 2016 CMC/CPC purchased from IAPMO or any bookstore or other vendor is accurate and up to date, beginning from the time of the initial publication, IAPMO shall make available to all purchasers of the 2016 CMC/CPC, all 2016 CMC/CPC Supplements, all supplements to the 2016 CMC/CPC in response to emergency regulations, and all related errata sheets, at no additional cost. IAPMO shall provide all purchasers with a subscription registration card which enables them to automatically receive such updates to the 2016 CMC/CPC in either print or electronic format, whichever the purchaser chooses. Electronic versions shall clearly distinguish and identify errata and supplement sheets with footer notes on each page as follows: '[Effective date], Supplement, Blue', '[Effective date], Errata, Buff'. Subscription to this service shall result in the subscriber being provided with an entire, up-to-date 2016 Code.
- E. **Funding.** IAPMO understands and agrees that under certain provisions of California law, CBSC may not obligate itself by contract to an extent in excess of an amount appropriated therefore by the State Legislature as approved by the Governor.

### **EXHIBIT C**

#### **GENERAL TERMS AND CONDITIONS**

1. **APPROVAL:** This Agreement is of no force or effect until signed by both parties and approved by the Department of General Services, if required. Contractor may not commence performance until such approval has been obtained.
2. **AMENDMENT:** No amendment or variation of the terms of this Agreement shall be valid unless made in writing, signed by the parties and approved as required. No oral understanding or Agreement not incorporated in the Agreement is binding on any of the parties.
3. **ASSIGNMENT:** This Agreement is not assignable by the Contractor, either in whole or in part, without the consent of the State in the form of a formal written amendment.
4. **AUDIT:** Contractor agrees that the awarding department, the Department of General Services, the Bureau of State Audits, or their designated representative shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this Agreement. Contractor agrees to maintain such records for possible audit for a minimum of three (3) years after final payment, unless a longer period of records retention is stipulated. Contractor agrees to allow the auditor(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. Further, Contractor agrees to include a similar right of the State to audit records and interview staff in any subcontract related to performance of this Agreement. (Gov. Code §8546.7, Pub. Contract Code §10115 et seq., CCR Title 2, Section 1896).
5. **INDEMNIFICATION:** Contractor agrees to indemnify, defend and save harmless the State, its officers, agents and employees from any and all claims and losses accruing or resulting to any and all contractors, subcontractors, suppliers, laborers, and any other person, firm or corporation furnishing or supplying work services, materials, or

supplies in connection with the performance of this Agreement, and from any and all claims and losses accruing or resulting to any person, firm or corporation who may be injured or damaged by Contractor in the performance of this Agreement.

6. DISPUTES: Contractor shall continue with the responsibilities under this Agreement during any dispute.

7. TERMINATION FOR CAUSE: The State may terminate this Agreement and be relieved of any payments should the Contractor fail to perform the requirements of this Agreement at the time and in the manner herein provided. In the event of such termination the State may proceed with the work in any manner deemed proper by the State. All costs to the State shall be deducted from any sum due the Contractor under this Agreement and the balance, if any, shall be paid to the Contractor upon demand.

8. INDEPENDENT CONTRACTOR: Contractor, and the agents and employees of Contractor, in the performance of this Agreement, shall act in an independent capacity and not as officers or employees or agents of the State.

9. RECYCLING CERTIFICATION: The Contractor shall certify in writing under penalty of perjury, the minimum, if not exact, percentage of post-consumer material as defined in the Public Contract Code Section 12200, in products, materials, goods, or supplies offered or sold to the State regardless of whether the product meets the requirements of Public Contract Code Section 12209. With respect to printer or duplication cartridges that comply with the requirements of Section 12156(e), the certification required by this subdivision shall specify that the cartridges so comply (Pub. Contract Code §12205).

10. NON-DISCRIMINATION CLAUSE: During the performance of this Agreement, Contractor and its subcontractors shall not unlawfully discriminate, harass, or allow harassment against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS), mental disability, medical condition (e.g., cancer), age (over 40 ), marital status, and denial of family care leave. Contractor and subcontractors shall insure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. Contractor and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Gov. Code §12990 (a-f) et seq.) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 7285 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code Section 12990 (a-f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations, are incorporated into this Agreement by reference and made a part hereof as if set forth in full. Contractor and its subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other Agreement.

Contractor shall include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under the Agreement.

11. CERTIFICATION CLAUSES: The CONTRACTOR CERTIFICATION CLAUSES contained in the document CCC 307 are hereby incorporated by reference and made a part of this Agreement by this reference as if attached hereto.

12. TIMELINESS: Time is of the essence in this Agreement.

13. COMPENSATION: The consideration to be paid Contractor, as provided herein, shall be in compensation for all of Contractor's expenses incurred in the performance hereof, including travel, per diem, and taxes, unless otherwise expressly so provided.

14. GOVERNING LAW: This contract is governed by and shall be interpreted in accordance with the laws of the State of California.



15. ANTITRUST CLAIMS: The Contractor by signing this agreement hereby certifies that if these services or goods are obtained by means of a competitive bid, the Contractor shall comply with the requirements of the Government Codes Sections set out below.

a. The Government Code Chapter on Antitrust claims contains the following definitions:

1) "Public purchase" means a purchase by means of competitive bids of goods, services, or materials by the State or any of its political subdivisions or public agencies on whose behalf the Attorney General may bring an action pursuant to subdivision (c) of Section 16750 of the Business and Professions Code.

2) "Public purchasing body" means the State or the subdivision or agency making a public purchase. Government Code Section 4550.

b. In submitting a bid to a public purchasing body, the bidder offers and agrees that if the bid is accepted, it will assign to the purchasing body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, materials, or services by the bidder for sale to the purchasing body pursuant to the bid. Such assignment shall be made and become effective at the time the purchasing body tenders final payment to the bidder. Government Code Section 4552.

c. If an awarding body or public purchasing body receives, either through judgment or settlement, a monetary recovery for a cause of action assigned under this chapter, the assignor shall be entitled to receive reimbursement for actual legal costs incurred and may, upon demand, recover from the public body any portion of the recovery, including treble damages, attributable to overcharges that were paid by the assignor but were not paid by the public body as part of the bid price, less the expenses incurred in obtaining that portion of the recovery. Government Code Section 4553.

d. Upon demand in writing by the assignor, the assignee shall, within one year from such demand, reassign the cause of action assigned under this part if the assignor has been or may have been injured by the violation of law for which the cause of action arose and (a) the assignee has not been injured thereby, or (b) the assignee declines to file a court action for the cause of action. See Government Code Section 4554.

16. CHILD SUPPORT COMPLIANCE ACT: For any Agreement in excess of \$100,000, the contractor acknowledges in accordance with Public Contract Code 7110, that:

a. The contractor recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with section 5200) of Part 5 of Division 9 of the Family Code; and

b. The contractor, to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the California Employment Development Department.

17. UNENFORCEABLE PROVISION: In the event that any provision of this Agreement is unenforceable or held to be unenforceable, then the parties agree that all other provisions of this Agreement have force and effect and shall not be affected thereby.

18. PRIORITY HIRING CONSIDERATIONS: If this Contract includes services in excess of \$200,000, the Contractor shall give priority consideration in filling vacancies in positions funded by the Contract to qualified recipients of aid under Welfare and Institutions Code Section 11200 in accordance with Pub. Contract Code §10353.

19. SMALL BUSINESS PARTICIPATION AND DVBE PARTICIPATION REPORTING REQUIREMENTS :

a. If for this Contract Contractor made a commitment to achieve small business participation, then Contractor must within 60 days of receiving final payment under this Contract (or within such other time period as may be specified elsewhere in this Contract) report to the awarding department the actual percentage of small business participation that was achieved. (Govt. Code § 14841.)

b. If for this Contract Contractor made a commitment to achieve disabled veteran business enterprise (DVBE) participation, then Contractor must within 60 days of receiving final payment under this Contract (or within such other time period as may be specified elsewhere in this Contract) certify in a report to the awarding department: (1) the total amount the prime Contractor received under the Contract; (2) the name and address of the DVBE(s) that participated in the performance of the Contract; (3) the amount each DVBE received from the prime Contractor; (4) that all payments under the Contract have been made to the DVBE; and (5) the actual percentage of DVBE participation that was achieved. A person or entity that knowingly provides false information shall be subject to a civil penalty for each violation. (Mil. & Vets. Code § 999.5(d); Govt. Code § 14841.)

20. LOSS LEADER:

If this contract involves the furnishing of equipment, materials, or supplies then the following statement is incorporated: It is unlawful for any person engaged in business within this state to sell or use any article or product as a "loss leader" as defined in Section 17030 of the Business and Professions Code. (PCC 10344(e).)

## ATTACHMENT A

### Depository Libraries

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Under the provisions of the Library Distribution Act (Government Code sections 14905, 14906, and 14907), the libraries listed below have contracted with the Department of General Services to serve as complete or selective depositories. They agree to provide adequate facilities for the shelving and use of the publications deposited with them render reasonable service without charge to qualified patrons, and retain all publications received until authorized to dispose of them.

#### Complete Depository Libraries

One copy of each state publication as defined in Government Code section 14902 must be placed on deposit with each complete depository. In addition, provisions of the State Administrative Manual authorize those libraries marked with an asterisk in the list below to receive the number of copies recorded after the entry.

California State Archives, 1020 O Street, Sacramento, CA 95814

California State Library, Information Resources and Government Publications, P.O. Box 942837,  
Sacramento, CA 94237-0001 (IMS: 900 N Street, E-29) **(two copies)**

California State University, Chico, Merriam Library, Government Publications Dept., Chico, CA  
95929-0295

Fresno County Free Library, Government Publications, 2420 Mariposa St., Fresno, CA 93721-2285

Library of Congress, Anglo-American Acquisition Division, Government Documents Section, 101  
Independence Ave S.E., Washington, D.C., 20540-4172  
Los Angeles Public Library, Serials Division, 630 W. Fifth St., Los Angeles, CA 90071-2002  
Dr. Martin Luther King Jr. Library, Government Publications, San José State University, One Washington  
Square, San Jose, CA 95192-0008  
San Diego Public Library, Government Publications Unit, 330 Park Blvd., San Diego, CA 92101  
San Diego State University, Malcolm A. Love Library, Government Publications & Maps Division, 5500  
Campanile Drive, San Diego, CA 92182-8050  
San Francisco Public Library, Government Information Center, 100 Larkin St., San Francisco, CA 94102  
Green Library, Receiving, Stanford University Libraries, 557 Escondido Mall, Stanford, CA 94305  
University of California, Berkeley, Government Documents Technical Services, 250 Moffitt Library,  
Berkeley, CA 94720-6000  
University of California, Davis, Shields Library, Government Information and Maps Department, 100  
North West Quad, Davis, CA 95616-5292  
University of California, Los Angeles, Charles E. Young Research Library A4510 Government  
Information, Box 951575, Los Angeles, CA 90095-1575  
University of California, San Diego, Government Documents Unit, 9500 Gilman Drive 0175P, La Jolla, CA  
92093-0175  
University of California, Santa Barbara, Library, Serials Receiving, Santa Barbara, CA 93106-9010

## **ATTACHMENT B**

### **Selective Depository Libraries – Page 1 of 4**

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Selective depositories receive one copy of each printed publication distributed by the Office of State Publishing. They also receive publications distributed directly by issuing agencies. Special subsets of the Selective Depository Libraries are the Law Libraries. They receive one copy of each printed publication from OSP and a single copy from issuing agencies. Law library depositories differ in having special document retention requirements pursuant to section 14909 of the California Government Code. Law Libraries are indicated in this list by the term “Law” before their entry.

A.K. Smiley Public Library, 125 West Vine St., Redlands, CA 92373  
**Law** Bernard E. Witkin Alameda County Law Library, 125 - 12 St., Oakland, CA 94607-4912  
Alhambra Public Library, 101 South First Street, Alhambra, CA 91801  
Butte County Library, 1820 Mitchell Avenue, Oroville, CA 95966-5387  
California Polytechnic State University, Library-Government Documents Section, 1 Grand Avenue,  
San Luis Obispo, CA 93407  
California State Polytechnic University, Pomona, Library-Serials Unit, Building 15, Suite 1919,  
3801 W. Temple Ave., Pomona, CA 91768-2557  
California State University, Bakersfield, Walter Stiern Library, Library-Documents Section, 9001  
Stockdale Highway, Bakersfield, CA 93311-1099  
California State University, Dominguez Hills, Library-Government Documents, 800 E. Victoria St.,  
Carson, CA 90747

- California State University, Fresno, Henry Madden Library, Government Documents Dept., 5200 N. Barton, M/S ML34, Fresno, CA 93740-8014
- California State University, Fullerton, Library-Documents State, P.O. Box 4150, Fullerton, CA 92834-4150
- California State University, East Bay, Library-Documents, 25800 Carlos Bee Blvd. Hayward, CA 94542
- California State University, Long Beach, Library Government Documents, 1250 Bellflower Blvd., Long Beach, CA 90840-1901
- California State University, Los Angeles, John F. Kennedy Library, Government Information Services, 5151 State University Dr., Los Angeles, CA 90032-8300
- California State University, Northridge, Oviatt Library Government Documents, 18111 Nordhoff St., Northridge, CA 91330-8328
- California State University, Sacramento, Library-Documents, 2000 State University Dr., East, Sacramento, CA 95819-6039
- California State University, San Bernardino, Library, 5500 University Parkway, San Bernardino, CA 92407-2397
- California State University San Marcos, Library, State Documents, 333 S. Twin Oaks Valley Road, San Marcos, CA 92096-0001
- California State University, Stanislaus, Library, Documents Dept., One University Circle, Turlock, CA 95382-0299
- California State University, Board of Trustees, Office of Governmental Affairs, CA 915 L Street, Suite 1160, Sacramento, CA 95814
- Law** California Judicial Center Library, 455 Golden Gate Avenue, Room 4617, San Francisco, CA 94102
- Law** California Western School of Law Library, 225 Cedar St., San Diego, CA 92101-3090
- Chula Vista Public Library, 365 F Street, Chula Vista, CA 91910
- Contra Costa County Library, Documents Section, 1750 Oak Park Boulevard, Pleasant Hill, CA 94523-4497
- Law** Court of Appeal Library, Second Appellate District, 300 S. Spring St., Los Angeles, CA 90013
- El Centro Public Library, 1140 N. Imperial Ave., El Centro, CA 92243
- Fremont Main Library, 2400 Stevenson Blvd., Fremont, CA 94538-2326
- Garden Grove Regional Branch, Orange County Public Library, 11200 Stanford Avenue, Garden Grove, CA 92840
- Law** Golden Gate University Law Library, 536 Mission St., San Francisco, CA 94105
- Law** Hastings College of the Law Library, 200 McAllister St., San Francisco, CA 94102
- Honnold/Mudd Library, Government Publications Dept., Claremont Colleges, 800 N. Dartmouth Ave., Claremont, CA 91711-3907
- Humboldt County Library, Public Services Division, 1313 Third Street, Eureka, CA 95501- 0533
- Humboldt State University, Government Documents Section, 1 Harpst Street, Arcata, CA 95521
- Inglewood Public Library, 101 West Manchester Boulevard, Inglewood, CA 90301-1771
- Law** Kern County Law Library, 1415 Truxtun, Room 301, Bakersfield, CA 93301
- Kern County Library, California Documents Dept., 701 Truxtun Avenue, Bakersfield, CA 93301-4517
- Law** Kings County Law Library, 1400 West Lacey Boulevard, Hanford, CA 93230
- Long Beach Public Library, 101 Pacific Avenue, Long Beach, CA 90822-1097
- Law** Los Angeles County Law Library, 301 W. First St., Los Angeles, CA 90012-3100

County of Los Angeles Public Library, Lancaster Library, 601 W. Lancaster Blvd., Lancaster, CA 93534

County of Los Angeles Public Library, Norwalk Library, 12350 Imperial Highway, Norwalk, CA 90650

**Law** McGeorge School of Law, Library, Documents Dept., 3282 Fifth Ave., Sacramento, CA 95817  
Monterey County Free Libraries, Seaside Branch Library, 550 Harcourt Avenue, Seaside, CA 93955

Napa City-County Library, 580 Coombs Street, Napa, CA 94559-3340

Oakland Public Library, 125 Fourteenth St., Oakland, CA 94612

**Law** Orange County Public Law Library, 515 N. Flower, Santa Ana, CA 92703-2354  
Pasadena Public Library, 285 East Walnut Street, Pasadena, CA 91101-1556  
Redding Library, Attn. Government Documents, 1100 Parkview Ave., Redding, CA 96001  
Redwood City Public Library, Documents, 1044 Middlefield Road, Redwood City, CA 94063-1868  
Richmond Public Library, Government Documents Dept., 325 Civic Center Plaza, Richmond, CA 94804

**Law** Riverside County Law Library, 3989 Lemon St., Riverside, CA 92501-4203

**Law** Sacramento County Public Law Library, 609 Ninth St., Sacramento, CA 95814

Sacramento Public Library, Central Library-Reference Department, 828 I Street, Sacramento, CA 95814-2508

**Law** San Bernardino County Law Library, 402 North "D" Street, San Bernardino, CA 92401

San Bernardino Public Library, Documents, 555 W. Sixth St., San Bernardino, CA 92410

San Bernardino Valley College Library, 701 South Mt. Vernon Avenue, San Bernardino, CA 92410

**Law** San Diego County Law Library, 1105 Front St., San Diego, CA 92101-3999

San Francisco State University, Government Publications Dept., J. Paul Leonard Library, 1630 Holloway Ave., San Francisco 94132-4030

**Law** San Joaquin County Law Library, Kress Legal Center, 1st floor, 20 N. Sutter St., Stockton, CA 95202

San Luis Obispo City-County Library, P.O. Box 8107, San Luis Obispo, CA 93403

**Law** San Luis Obispo County Law Library, 1050 Monterey St., Room 125, San Luis Obispo, CA 93408

**Law** San Mateo County Law Library, 710 Hamilton St., Redwood City, CA 94063

San Mateo Public Library, 55 West Third Avenue, San Mateo, CA 94402-1592

**Law** Santa Barbara County Law Library, Courthouse, 1100 Anacapa St., Second Floor, Santa Barbara, CA 93101

Santa Barbara Public Library, P.O. Box 1019, Santa Barbara, CA 93102-1019

**Law** Santa Clara County Law Library, 360 N. First St., San Jose, CA 95113-1004

Santa Clara University, Government Documents Dept., Michel Orradre Library, 500 El Camino Real, Santa Clara, CA 95053-0500

**Law** Santa Cruz County Law Library, 701 Ocean St., Rm. 070, Santa Cruz, CA 95060

Santa Cruz Public Library, Documents Section, 224 Church Street, Santa Cruz, CA 95060

Santa Maria Public Library, Reference Dept., 421 S. McClelland, Santa Maria, CA 93454

Santa Monica Public Library, 601 Santa Monica Blvd., Santa Monica, CA 90401

**Law** Sonoma County Law Library, 2604 Ventura Ave., Santa Rosa, CA 95403

Sonoma County Library, 211 E Street, Santa Rosa, CA 95404

**Law** Southwestern University School of Law Library, Government Documents, 3050 Wilshire Blvd., Los Angeles, CA 90010-1106

**Law** Stanford University, Law Library, 559 Nathan Abbott Way, Stanford, CA 94305-8612

Stanislaus County Free Library, 1500 I Street, Modesto, CA 95354-1166

Stockton-San Joaquin County Public Library, 605 North El Dorado Street, Stockton, CA 95202

Thousand Oaks Library, Technical Services Dept., 2331 Borchard Rd., Newbury Park, CA 91320

**Law** University of California, Berkeley, Law Library, Boalt Hall, Berkeley, CA 94720-7210

**Law** Law Library Documents Dept., University of California, 400 Mrak Hall Drive, Davis, CA  
95616-5203

University of California, Irvine Libraries, Government Information Department, Building 520, Ayala  
Science Library Receiving Dock, Irvine, CA 92697

**Law** University of California, Los Angeles, Law Library, 1106 Law Building., 405 Hilgard Ave., Los  
Angeles, CA 90095-1458

University of California, Riverside, Rivera Library, Government Publications, P.O. Box 5900,  
Riverside, CA 92517-5900

University of California, Santa Cruz, University Library, Government Publications, 1156 High  
Street, Santa Cruz, CA 95064

**Law** University of La Verne College of Law Library, 320 East D St., Ontario, CA 91764

**Law** University of San Diego, School of Law Library, 5998 Alcalá Park, San Diego, CA 92110-2492

**Law** University of San Francisco, Zies Law Library, Kendrick Hall, 2130 Fulton St., San Francisco, CA  
94117

**Law** University of Southern California, Law Library, 699 Exposition Blvd., Los Angeles, CA 90089-0072

University of Southern California, Government Documents, Von Kleinsmid Library, 3518 Trousdale  
Parkway, Los Angeles, CA 90089-0048

**Law** Ventura County Law Library, Courthouse, 800 S. Victoria Ave., Ventura, CA 93009-2020

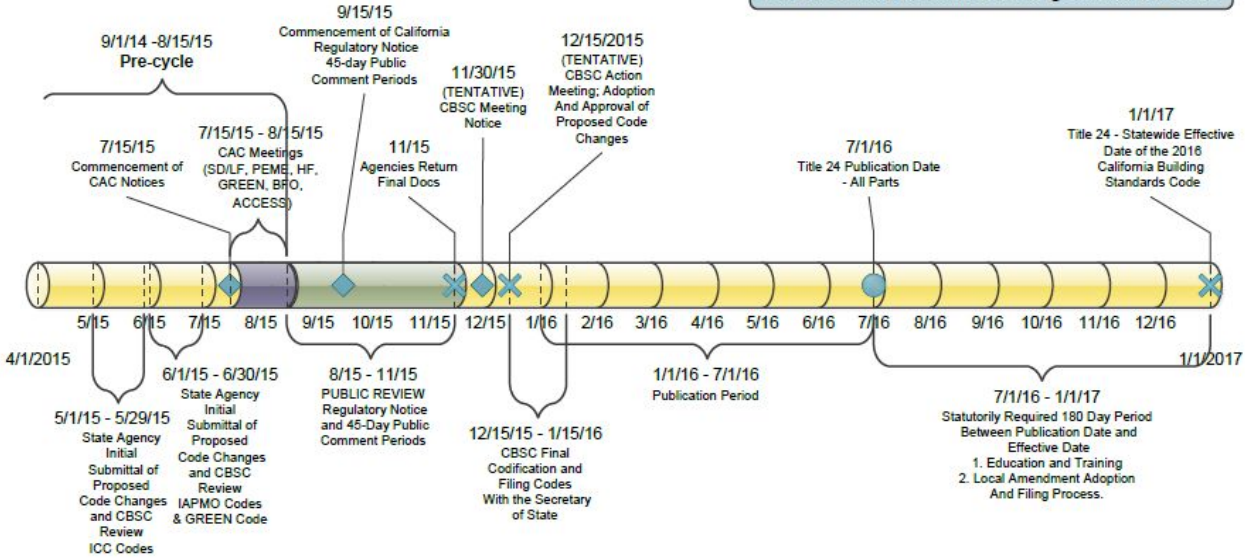
**Law** Whittier College School of Law, Library, 3333 Harbor Blvd., Costa Mesa, CA 92626

## **ATTACHMENT C**

January 1, 2017 Effective Date

# 2015 Triennial Code Adoption Cycle

For the 2016 California Building Standards Code



**CAC Committees:**

- SDLF – Structural Design/ Lateral Forces
- PEME – Plumbing, Electrical, Mechanical & Energy
- HF – Health Facilities
- GREEN – Green Building
- BFO – Building, Fire & Other
- ACCESS – Accessibility

\* All dates are subject to change

**From:** [Betts, Bruce@DGS](mailto:Betts_Bruce@DGS)  
**To:** ["de la Motte, Leann@DGS"](mailto:de la Motte, Leann@DGS) [Leann.delaMotte@dgs.ca.gov](mailto:Leann.delaMotte@dgs.ca.gov)  
**Date:** 4/7/2016 8:41:21 AM  
**Subject:** FW: 2016 California Mechanical and Plumbing Code Publication Agreement  
**Attachments:** [307 CCC.doc](#)  
[Bidder Declaration.pdf](#)  
[std204 Blank.pdf](#)  
[CUF Eval Form for AA.docx](#)  
[3188106.BSC.2016 California Mechanical and Plumbing Code Publication Agreement.docx](#)

Hi Leann,

FYI – OLS requires the STD215, with OFS approval stamp, to be included in the submission for approval at OLS. OFS processing takes several days. Any assistance from CBSC to get the STD204s back from NFPA and IAPMO would be greatly appreciated. I have the STD204 from ICC.

Bruce Betts

Acquisition Analyst

**Contract Services Section** *(Team 3)*

**Office of Business and Acquisition Services Administration Division**

Department of General Services State of California

707 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, 2-300, West Sacramento, CA 95605

<http://inside.dgs.ca.gov/ad/obas.aspx>

**Phone** 916.441-9636

**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

---

From: Betts, Bruce@DGS

Sent: Thursday, April 07, 2016 8:38 AM

To: 'Russ.Chaney@iapmo.org'

Cc: de la Motte, Leann@DGS

Subject: FW: 2016 California Mechanical and Plumbing Code Publication Agreement

Good morning Russ,

Is it possible for you to complete the STD204 form that is attached to this email and return it to me today. There is information I need on the form (you FEIN) to get some processes started here at the State. Waiting beyond today may put our May 1<sup>st</sup> deadline in jeopardy and we want to get the contract executed on that date.



## Bruce Betts

Acquisition Analyst

**Contract Services Section** (Team 3)

**Office of Business and Acquisition Services Administration Division**

Department of General Services State of California

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**Phone** 916.441-9636

**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

---

From: Betts, Bruce@DGS  
Sent: Tuesday, April 05, 2016 7:52 AM  
To: 'Russ.Chaney@iapmo.org'  
Cc: de la Motte, Leann@DGS  
Subject: 2016 California Mechanical and Plumbing Code Publication Agreement

Good Morning Russ,

I am the Acquisition Analyst in the Office of Business and Acquisition Services (OBAS) assigned to assist with the execution of Contract #3188106 for the 2016 California Mechanical and Plumbing Code Publication Agreement for the Department of General Services, Building Standards Commission. I have a attached draft copy of the agreement. This drafts will be finalized once I receive the documents and information requested in this communications. So that OBAS can process this agreement, I will require the following completed documents (Scanned copies are acceptable, but the original document(s) will need to be forwarded with the contract package as described below). Please review the agreement and forward the completed documents no later than COB April 8<sup>th</sup>, 2016.

**Please complete and return the following documents to me via email:**

CCC-307 Contractor Certification Clauses (attached)

Std 204 Payee Data Record (attached)

GSPD-05-105 Bidder Declaration (attached)

Additionally, could please provide me the following information (complete the highlighted sections below) for the person that will be signing the agreement

- Name of person signing the contract:
- Title of person signing the contract

- Complete Address of Signer of contract: [REDACTED]

Can you also indicate the correct information for the project manager for this contract

o rA or A O
o A
o e
-mA
A re
[REDACTED]

I would like to thank you in advance for getting this information to me so that we can process and execute this as quickly as possible. Please don't hesitate to contact me should you have any questions.

Thank you,

Bruce Betts

Acquisition Analyst

**Contract Services Section** (Team 3)

**Office of Business and Acquisition Services Administration Division**

Department of General Services State of California

707 3rd Street, 2nd Floor, 2-300, West Sacramento, CA 95605

<http://inside.dgs.ca.gov/ad/obas.aspx>

**Phone** 916.441-9636

**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

**From:** ["de la Motte," Leann@DGS](mailto:Leann@DGS)  
**To:** ["Biedermann, Cynthia@DGS" Cynthia.Biedermann@dgs.ca.gov](mailto:Cynthia.Biedermann@dgs.ca.gov)  
**Date:** 4/7/2016 9:33:18 AM  
**Subject:** RE: 2016 California Building Standards Code Publication Agreements

Let me know what you think of the changes so I can get back to Bruce.

Thank you :)

**Leann de la Motte**  
**Associate Governmental Program Analyst**  
**Building Standards Commission**  
**2525 Natomas Park Drive, Suite 130**  
**Sacramento, CA 95833**  
**(916)263-0677**



---

From: Betts, Bruce@DGS  
Sent: Thursday, April 07, 2016 8:34 AM  
To: de la Motte, Leann@DGS  
Cc: Biedermann, Cynthia@DGS; Benny, Katrina@DGS  
Subject: FW: 2016 California Building Standards Code Publication Agreements

Please let me know if CBSC approves these changes. I sent the finalized contracts to them yesterday afternoon so I will update those and resend once I hear back from you.

**Bruce Betts**

Acquisition Analyst

**Contract Services Section** (Team 3)

**Office of Business and Acquisition Services Administration Division**

Department of General Services State of California  
707 3rd Street, 2nd Floor, 2-300, West Sacramento, CA 95605  
<http://inside.dgs.ca.gov/ad/obas.aspx>

**Phone** 916.441-9636  
**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

---

From: Casey Thomas [<mailto:CThomas@icc-es.org>]  
Sent: Thursday, April 07, 2016 8:31 AM  
To: Betts, Bruce@DGS  
Cc: Mark Johnson  
Subject: RE: 2016 California Building Standards Code Publication Agreements

Br e

O r e A o e o A o A e e er A A er oo A e A o mA A e . e A o o e Ame e o .  
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o Ave A e o eA e e me o .

A o .

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From: Betts, Bruce@DGS [<mailto:Bruce.Betts@dgs.ca.gov>]  
Sent: Wednesday, April 06, 2016 4:02 PM  
To: Casey Thomas  
Cc: Mark Johnson  
Subject: 2016 California Building Standards Code Publication Agreements

Good afternoon,

Agreements #3187605 and 3187607 are attached for signature. The agreement are for the 2016 California Building Standards Code for the Department of General Services, California Building Standards Commission.

Please print and sign four original, single-sided copies of the STD 213 (first page of the electronic files) and return these to me at the address listed below in my signature block via expedited mail. We would like to have the signed documents back no later than April 11, 2016. Once we receive the documents we will obtain the other signatures and approvals to get the agreement executed as quickly as possible.

Please let me know if you find any errors or discrepancies.

Thank you and have a great day

Bruce Betts

Acquisition Analyst

**Contract Services Section** (Team 3)

**Office of Business and Acquisition Services Administration Division**

Department of General Services State of California

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<http://inside.dgs.ca.gov/ad/obas.aspx>

**Phone** 916.441-9636

**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

***Register now for the International Code Council's 2016 Committee Action Hearings, April 17 - 27 in Louisville. Reminder - ICC Governmental Memberships must be current by March 18, to participate in the Online Governmental Consensus Vote which follows the hearings. [www.iccsafe.org/EVDS](http://www.iccsafe.org/EVDS).***

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**From:** [Benny, Katrina@DGS](mailto:Benny_Katrina@DGS)  
**To:** ["de la Motte, Leann@DGS"](mailto:de la Motte, Leann@DGS) [Leann.delaMotte@dgs.ca.gov](mailto:Leann.delaMotte@dgs.ca.gov)  
**Date:** 4/7/2016 9:48:16 AM  
**Subject:** RE: 2016 California Building Standards Code Publication Agreements

I am okay with those changes.

## Katrina Benny

Manager, CBSC  
Phone 916-263-1350

---

From: de la Motte, Leann@DGS  
Sent: Thursday, April 07, 2016 9:33 AM  
Cc: Biedermann, Cynthia@DGS; Benny, Katrina@DGS  
Subject: RE: 2016 California Building Standards Code Publication Agreements

Let me know what you think of the changes so I can get back to Bruce.

Thank you :)

**Leann de la Motte**  
**Associate Governmental Program Analyst**  
**Building Standards Commission**  
**2525 Natomas Park Drive, Suite 130**  
**Sacramento, CA 95833**  
**(916)263-0677**



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Sent: Thursday, April 07, 2016 8:34 AM  
To: de la Motte, Leann@DGS  
Cc: Biedermann, Cynthia@DGS; Benny, Katrina@DGS  
Subject: FW: 2016 California Building Standards Code Publication Agreements

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Bruce Betts

Acquisition Analyst

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From: Casey Thomas [<mailto:CThomas@icc-es.org>]  
Sent: Thursday, April 07, 2016 8:31 AM  
To: Betts, Bruce@DGS  
Cc: Mark Johnson  
Subject: RE: 2016 California Building Standards Code Publication Agreements

Br e

O r e A o e o A o A e e er A A er oo A e A o mA A e . e A o o e Ame e o .  
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o Ave A e o eA e e me o .  
  
A o .

---

From: Betts, Bruce@DGS [<mailto:Bruce.Betts@dgs.ca.gov>]  
Sent: Wednesday, April 06, 2016 4:02 PM  
To: Casey Thomas  
Cc: Mark Johnson  
Subject: 2016 California Building Standards Code Publication Agreements

Good afternoon,

Agreements #3187605 and 3187607 are attached for signature. The agreement are for the 2016 California Building Standards Code for the Department of General Services, California Building Standards Commission.

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Please let me know if you find any errors or discrepancies.

Thank you and have a great day

**Bruce Betts**

Acquisition Analyst

**Contract Services Section** *(Team 3)*

**Office of Business and Acquisition Services Administration Division**

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**From:** [Betts, Bruce@DGS](mailto:Betts_Bruce@DGS)  
**To:** ["de la Motte, Leann@DGS"](mailto:de la Motte, Leann@DGS) [Leann.delaMotte@dgs.ca.gov](mailto:Leann.delaMotte@dgs.ca.gov)  
**Date:** 4/11/2016 7:46:00 AM  
**Subject:** RE: NFPA & IAPMO Agreements

Good morning Leann,

I wanted to update you on the status of the code publication contracts:

- I sent the finalized versions of the ICC publication contracts to Mark Johnson on 4/6/16 asking that they return them signed via expedited mail to arrive NLT today.
- I sent the draft copies of the agreements with NFPA & IAPMO and the required vendor documents (CCC 307, STD 204) on 4/5/16 asking that they return them with any proposed edits NLT 4/8/16. I have not received their edits as of this morning.

Any assistance you can provide with NFPA & IAPMO is appreciated. We need to allow for the review and processing time OLS requires (10 business days) prior to execution of the agreements. Thank you

Bruce Betts

Acquisition Analyst

**Contract Services Section** *(Team 3)*

**Office of Business and Acquisition Services Administration Division**

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**Phone** 916.441-9636

**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

---

From: Betts, Bruce@DGS

Sent: Monday, April 04, 2016 4:36 PM

To: de la Motte, Leann@DGS

Cc: Benny, Katrina@DGS; Marvelli, Mia@DGS; Frost, Laura

Subject: FW: NFPA & IAPMO Agreements

Hi Leann,

Just to confirm our discussion from the conference call, these are the versions of the agreements that I will be sending to NFPA & IAPMO tomorrow. I also want to confirm that the vendor's contract administrator listed in the agreements are correct. That is the POC I will be working with. Thank you

Bruce Betts

Acquisition Analyst

**Contract Services Section** *(Team 3)*

**Office of Business and Acquisition Services Administration Division**

Department of General Services State of California

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**Phone** 916.441-9636

**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

---

From: Betts, Bruce@DGS

Sent: Wednesday, March 30, 2016 7:55 AM

To: de la Motte, Leann@DGS

Subject: NFPA & IAPMO Agreements

Good morning Leann,

As discussed on our conference call Monday, I have attached the final versions of the NFPA and IAPMO agreements. Please confirm that it is ok to send these agreements to the contractors. Also, please verify that the contractor's contract administrator listed on page 2 of the agreements is the correct POC. This is who I will be contacting for review and gathering of the required documents. Thanks

Bruce Betts

Acquisition Analyst

**Contract Services Section** *(Team 3)*

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**From:** [Betts, Bruce@DGS](mailto:Betts_Bruce@DGS)  
**To:** ["de la Motte, Leann@DGS"](mailto:de la Motte, Leann@DGS) [Leann.delaMotte@dgs.ca.gov](mailto:Leann.delaMotte@dgs.ca.gov)  
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Bruce Betts

Acquisition Analyst

**Contract Services Section** *(Team 3)*

**Office of Business and Acquisition Services Administration Division**

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**Phone** 916.441-9636

**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

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Sent: Monday, April 04, 2016 4:36 PM  
To: de la Motte, Leann@DGS  
Cc: Benny, Katrina@DGS; Marvelli, Mia@DGS; Frost, Laura  
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Bruce Betts

Acquisition Analyst

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**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

**From:** [Biedermann, Cynthia@DGS](mailto:Biedermann,_Cynthia@DGS)  
**To:** ["Betts, Bruce@DGS" Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)  
["de la Motte, Leann@DGS" Leann.delaMotte@dgs.ca.gov](mailto:Leann.delaMotte@dgs.ca.gov)  
**Date:** 4/11/2016 9:09:18 AM  
**Subject:** RE: NFPA & IAPMO Agreements

I will follow-up with the publishers this morning

C

CYNTHIA BIEDERMANN      ASSOCIATE GOVERNMENTAL PROGRAM ANALYST      CALIFORNIA BUILDING  
STANDARDS COMMISSION      916.263.1330

**NEW YEAR, NEW CODE**

Publication Date: July 1, 2016      Effective Date: January 1, 2017

---

From: Betts, Bruce@DGS  
Sent: Monday, April 11, 2016 7:46 AM  
To: de la Motte, Leann@DGS  
Cc: Benny, Katrina@DGS; Frost, Laura@DGS; Biedermann, Cynthia@DGS  
Subject: RE: NFPA & IAPMO Agreements

Good morning Leann,

I wanted to update you on the status of the code publication contracts:

- I sent the finalized versions of the ICC publication contracts to Mark Johnson on 4/6/16 asking that they return them signed via expedited mail to arrive NLT today.
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Any assistance you can provide with NFPA & IAPMO is appreciated. We need to allow for the review and processing time OLS requires (10 business days) prior to execution of the agreements. Thank you

Bruce Betts

Acquisition Analyst

**Contract Services Section** *(Team 3)*

**Office of Business and Acquisition Services Administration Division**

Department of General Services State of California

707 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, 2-300, West Sacramento, CA 95605

<http://inside.dgs.ca.gov/ad/obas.aspx>

**Phone** 916.441-9636

**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

---

From: Betts, Bruce@DGS

Sent: Monday, April 04, 2016 4:36 PM

To: de la Motte, Leann@DGS

Cc: Benny, Katrina@DGS; Marvelli, Mia@DGS; Frost, Laura

Subject: FW: NFPA & IAPMO Agreements

Hi Leann,

Just to confirm our discussion from the conference call, these are the versions of the agreements that I will be sending to NFPA & IAPMO tomorrow. I also want to confirm that the vendor's contract administrator listed in the agreements are correct. That is the POC I will be working with. Thank you

Bruce Betts

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**Phone** 916.441-9636

**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

From: Betts, Bruce@DGS  
Sent: Wednesday, March 30, 2016 7:55 AM  
To: de la Motte, Leann@DGS  
Subject: NFPA & IAPMO Agreements

Good morning Leann,

As discussed on our conference call Monday, I have attached the final versions of the NFPA and IAPMO agreements. Please confirm that it is ok to send these agreements to the contractors. Also, please verify that the contractor's contract administrator listed on page 2 of the agreements is the correct POC. This is who I will be contacting for review and gathering of the required documents. Thanks

**Bruce Betts**

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**From:** [Betts, Bruce@DGS](mailto:Betts_Bruce@DGS)  
**To:** ["Biedermann, Cynthia@DGS" Cynthia.Biedermann@dgs.ca.gov](mailto:Cynthia.Biedermann@dgs.ca.gov)  
**Date:** 4/11/2016 9:10:57 AM  
**Subject:** RE: NFPA & IAPMO Agreements

Thank you

Bruce Betts

Acquisition Analyst

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To: Betts, Bruce@DGS; de la Motte, Leann@DGS  
Cc: Benny, Katrina@DGS; Frost, Laura@DGS  
Subject: RE: NFPA & IAPMO Agreements

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CYNTHIA BIEDERMANN

ASSOCIATE GOVERNMENTAL PROGRAM ANALYST  
STANDARDS COMMISSION 916.263.1330

CALIFORNIA BUILDING

**NEW YEAR, NEW CODE**

Publication Date: July 1, 2016 Effective Date: January 1, 2017

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**Phone** 916.441-9636

**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

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Sent: Monday, April 04, 2016 4:36 PM  
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**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

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To: de la Motte, Leann@DGS

Subject: NFPA & IAPMO Agreements

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Thank you

Bruce Betts

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ASSOCIATE GOVERNMENTAL PROGRAM ANALYST  
STANDARDS COMMISSION 916.263.1330

CALIFORNIA BUILDING

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**Phone** 916.441-9636

**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

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From: Betts, Bruce@DGS

Sent: Wednesday, March 30, 2016 7:55 AM

To: de la Motte, Leann@DGS

Subject: NFPA & IAPMO Agreements

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**Phone** 916.441-9636

**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)





**From:** [Marvelli, Mia@DGS](mailto:Marvelli_Mia@DGS)  
**To:** ["Biedermann, Cynthia@DGS" Cynthia.Biedermann@dgs.ca.gov](mailto:Cynthia.Biedermann@dgs.ca.gov)  
**Date:** 4/11/2016 10:39:03 AM  
**Subject:** FW: California Contract

Cynthia.. I let Leann know too.

**Mia Marvelli**, Executive Director  
*California Building Standards Commission*  
[www.BSC.ca.gov](http://www.BSC.ca.gov)  
916.263.0916

---

From: Mark Johnson [mailto:mjohnson@icc-es.org]  
Sent: Monday, April 11, 2016 10:10 AM  
To: Marvelli, Mia@DGS  
Cc: Dave Walls  
Subject: California Contract

A

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**[Register now](http://www.iccsafe.org/EVDS) for the International Code Council's 2016 Committee Action Hearings, April 17 - 27 in Louisville. Reminder - ICC Governmental Memberships must be current by March 18, to participate in the Online Governmental Consensus Vote which follows the hearings.**  
[www.iccsafe.org/EVDS](http://www.iccsafe.org/EVDS).

*Notice: This message is intended only for the individual or entity to which it is addressed and may be confidential and/or privileged. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender by return e-mail, and delete the original message and all copies from your system. Thank you.*

**From:** [Betts, Bruce@DGS](mailto:Betts_Bruce@DGS)  
**To:** ["Biedermann, Cynthia@DGS"](mailto:Biedermann,Cynthia@DGS) [Cynthia.Biedermann@dgs.ca.gov](mailto:Cynthia.Biedermann@dgs.ca.gov)  
**Date:** 4/11/2016 11:33:26 AM  
**Subject:** RE: California Contract- NFPA Update

Hi Cynthia,

Allowing NFPA another week to review will put the May 1<sup>st</sup> execution date in jeopardy. OLS requires a minimum of 10 working days to approve contracts. If this is not acceptable to CBSC, could you use your contacts at NFPA to expedite their response I had already spoken with Deb on 4/6/16 and emphasized that we needed the proposed changes back by April 8<sup>th</sup>.

Bruce Betts

Acquisition Analyst

**Contract Services Section** (*Team 3*)

**Office of Business and Acquisition Services Administration Division**

Department of General Services State of California

707 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, 2-300, West Sacramento, CA 95605

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**Phone** 916.441-9636

**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

---

From: Biedermann, Cynthia@DGS  
Sent: Monday, April 11, 2016 11:04 AM  
To: Betts, Bruce@DGS  
Cc: Marvelli, Mia@DGS; Benny, Katrina@DGS; Day, Kevin@DGS; de la Motte, Leann@DGS  
Subject: FW: California Contract- NFPA Update

Bruce,

Please see the NFPA update that follows. As we're looking at another week of review let me know if you'd like to coordinate a call with Dennis/NFPA or in an effort to expedite the process.

C

**NEW YEAR, NEW CODE**

Publication Date: July 1, 2016 Effective Date: January 1, 2017

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From: Berry, Dennis [<mailto:dberry@NFPA.org>]

Sent: Monday, April 11, 2016 10:51 AM

To: Biedermann, Cynthia@DGS

Subject: RE: California Contract

A

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Sent: o A A r 11 201 1 1  
To: Berr e        [err](#)        [F A.or](#)  
Cc: Ro e e r A        [ro e](#)        [A.or](#)  
Subject: A or A o r A

Hi Dennis,

Do you have an update on the California 2016 contract I see that Deb is out this week and our procurement folks are asking for an update.

Please let me know if you have any questions

Thank you so much,

Cynthia

CYNTHIA BIEDERMANN        ASSOCIATE GOVERNMENTAL PROGRAM ANALYST        CALIFORNIA BUILDING  
STANDARDS COMMISSION        916.263.1330

**NEW YEAR, NEW CODE**

Publication Date: July 1, 2016        Effective Date: January 1, 2017

**From:** [Frost, Laura@DGS](mailto:Frost_Laura@DGS)  
**To:** ["Benny, Katrina@DGS"](mailto:Benny_Katrina@DGS) [Katrina.Benny@dgs.ca.gov](mailto:Katrina.Benny@dgs.ca.gov)  
["Betts, Bruce@DGS"](mailto:Betts_Bruce@DGS) [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)  
["de la Motte, Leann@DGS"](mailto:de_la_Motte_Leann@DGS) [Leann.delaMotte@dgs.ca.gov](mailto:Leann.delaMotte@dgs.ca.gov)  
**Date:** 4/11/2016 12:23:27 PM  
**Subject:** RE: Consideration Value of Code Publications

Hi Katrina,

I followed up on this issue to determine how it might affect the routing for approvals. When OLS reviews the package, one of things they would review is the signature authority of the signer of the 213 and NCB approval authority within PD. Additionally, the value of the contract determines if a second level review in OLS is also required.

In order to confirm those approval levels, all reviewers will need to know the maximum value of this contract to the vendor.

Could you please give an estimated number of books the vendor might sell under this agreement based on historical averages. You may need to call the vendor for this. A ballpark number even would be helpful.

The estimated value will only be included on internal documents to give the approvers an understanding of what level of authority is required.

Thanks,

Laura Frost  
OBAS/Contract Services  
Ph: (916) 375-4989

---

From: Benny, Katrina@DGS  
Sent: Wednesday, April 06, 2016 2:45 PM  
To: Betts, Bruce@DGS; de la Motte, Leann@DGS  
Cc: Frost, Laura@DGS; Biedermann, Cynthia@DGS; Day, Kevin@DGS  
Subject: RE: Consideration Value of Code Publications

Bruce,

In reading 7.45, 4.03 and 4.04 of the SCM, even though the contract is a zero dollar amount between the state and the publishers it is certain that the dollar amount the publishers receive is higher than the threshold specified in the SCM that would require a DGS/OLS review. In addition, it has already been determined that these contracts will be going to OLS for review. So I am submitting the following information in answer to your question. Once we

have reports from the publisher we will have a better idea for the next set of contracts.

The respective publishers (International Code Council, NFPA, and IAPMO) do not charge the State of California for their publication services, nor does the State receive royalties from the sales. The actual cash value of the contract(s) to the State of California is nil and the perceived value is indeterminate, but estimated value could be in excess of \$150,000.

### 7.45 CONTRACTS WITH NO DOLLAR AMOUNT

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### 4.03 CONTRACTS REQUIRING DGS/OLS APPROVAL

(Rev 1/14)

DGS/OLS has statutory authority under several sources to approve contracts. PCC §§ 10295, 10297, 10335 and GC § 11256 are the primary legal authority for DGS/OLS' review and approval of contracts. GC § 14615 is the legal authority for the supervision of the State's financial and business policies, and GC § 14616 is the legal authority for some exemptions from DGS/OLS approval of contracts.

A A e erA r e S/O SA rovA re re o A erv e o rA over 50 000 or A 150 000 A A ove A A e A  
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**Katrina Benny**

Manager, CBSC  
Phone 916-263-1350

---

From: Betts, Bruce@DGS  
Sent: Wednesday, April 06, 2016 8:47 AM  
To: de la Motte, Leann@DGS  
Cc: Frost, Laura@DGS; Biedermann, Cynthia@DGS; Benny, Katrina@DGS  
Subject: Consideration Value of Code Publications

Good morning Leann,

SCM Vol 1 7.45 requires that we establish a monetary value of the consideration that agreements provide to the

contractors. We will need to estimate, perhaps with the contractors' assistance, the value of consideration each agreement will provide. I have attached information from each vendor's web site indicating the pricing for the 2013 code books. If the 2013 contracts required reporting of sales, we could use this information to estimate the consideration value of the 2016 publications. If not, CBSC will need to estimate the future annual sales. We will need this information early next week prior to the agreements going to OLS. Thank you

Bruce Betts

Acquisition Analyst

**Contract Services Section** *(Team 3)*

**Office of Business and Acquisition Services Administration Division**

Department of General Services State of California

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["de la Motte, Leann@DGS" Leann.delaMotte@dgs.ca.gov](mailto:Leann.delaMotte@dgs.ca.gov)  
**Date:** 4/12/2016 10:15:36 AM  
**Subject:** four publishing contracts

I just spoke to Jonette and she asked if we could reach out to the publishers and find out what is the estimated value for each contract. Even though the state does not profit from the sale or pays the publisher for the publication; the estimate is needed to show estimated value of each contract.

Please include the contract numbers for her reference.

ICC Parts 2, 2.5, 9, 10

ICC Parts 1, 6, 8, 11

BNi Part 3

IAPMO Parts 4, 5

**Mia Marvelli**, Executive Director

*California Building Standards Commission*

[www.BSC.ca.gov](http://www.BSC.ca.gov)

916.263.0916



**From:** [Biedermann, Cynthia@DGS](mailto:Biedermann_Cynthia@DGS)  
**To:** ["Mark Johnson" mjohnson@icc-es.org](mailto:Mark Johnson)  
**Date:** 4/12/2016 10:26:58 AM  
**Subject:** 2016 California Contracts

Dear Mark,

The Department of General Services- Office of Legal Services is requesting an estimated dollar value of each of the 2016 CBSC/ICC agreements:

- ICC Parts 2, 2.5, 9, 10
- ICC Parts 1, 6, 8, 11, 12

Could you provide an estimate at your earliest convenience Legal cannot sign off/execute the contracts until they have this information. Please let me know if you have any questions.

Regards,

Cynthia

CYNTHIA BIEDERMANN      ASSOCIATE GOVERNMENTAL PROGRAM ANALYST      CALIFORNIA BUILDING  
STANDARDS COMMISSION      916.263.1330

**NEW YEAR, NEW CODE**

Publication Date: July 1, 2016      Effective Date: January 1, 2017

**From:** "Dave Walls" [dwalls@ICCSafe.ORG](mailto:dwalls@ICCSafe.ORG)  
**To:** "Biedermann, Cynthia@DGS" [Cynthia.Biedermann@dgs.ca.gov](mailto:Cynthia.Biedermann@dgs.ca.gov)  
"Mark Johnson" [mjohnson@icc-es.org](mailto:mjohnson@icc-es.org)  
**Date:** 4/12/2016 10:30:40 AM  
**Subject:** RE: 2016 California Contracts

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From: Biedermann, Cynthia@DGS [mailto:Cynthia.Biedermann@dgs.ca.gov]  
Sent: Tuesday, April 12, 2016 10:27 AM  
To: Mark Johnson  
Cc: Dave Walls; Casey Thomas; Marvelli, Mia@DGS  
Subject: 2016 California Contracts

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Regards,

Cynthia

CYNTHIA BIEDERMANN ASSOCIATE GOVERNMENTAL PROGRAM ANALYST CALIFORNIA BUILDING STANDARDS COMMISSION 916.263.1330

**NEW YEAR, NEW CODE**

Publication Date: July 1, 2016 Effective Date: January 1, 2017

[Register now](#) for the International Code Council's 2016 Committee Action Hearings, April 17 - 27 in Louisville. Reminder - ICC Governmental Memberships must be current by March 18, to participate in the Online Governmental Consensus Vote which follows the hearings [www.iccsafe.org/EVDS](http://www.iccsafe.org/EVDS).

**From:** "Mark Johnson" [mjohnson@icc-es.org](mailto:mjohnson@icc-es.org)  
**To:** "Biedermann, Cynthia@DGS" [Cynthia.Biedermann@dgs.ca.gov](mailto:Cynthia.Biedermann@dgs.ca.gov)  
**Date:** 4/12/2016 10:30:53 AM  
**Subject:** Re: 2016 California Contracts

Cynthia,

I have a couple of questions on this. Am in a meeting currently but will call you when I get out.

Mark

Sent from my iPhone

On Apr 12, 2016, at 10:27 AM, Biedermann, Cynthia@DGS [Cynthia.Biedermann@dgs.ca.gov](mailto:Cynthia.Biedermann@dgs.ca.gov) wrote:

Dear Mark,

The Department of General Services- Office of Legal Services is requesting an estimated dollar value of each of the 2016 CBSC/ICC agreements:

- ICC Parts 2, 2.5, 9, 10
- ICC Parts 1, 6, 8, 11, 12

Could you provide an estimate at your earliest convenience Legal cannot sign off/execute the contracts until they have this information. Please let me know if you have any questions.

Regards,

Cynthia

CYNTHIA BIEDERMANN    ASSOCIATE GOVERNMENTAL PROGRAM ANALYST    CALIFORNIA BUILDING STANDARDS COMMISSION    916.263.1330

**NEW YEAR, NEW CODE**

Publication Date: July 1, 2016    Effective Date: January 1, 2017

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12/17/2016

**From:** [Biedermann, Cynthia@DGS](mailto:Biedermann_Cynthia@DGS)  
**To:** ["Russ Chaney" Russ.Chaney@iapmo.org](mailto:Russ.Chaney@iapmo.org)  
**Date:** 4/12/2016 10:32:40 AM  
**Subject:** 2016 California Mechanical & Plumbing Contracts

Dear Mark,

Dear Russ,

The Department of General Services- Office of Legal Services is requesting an estimated dollar value of the 2016 CBSC/IAPMO agreement.

Could you provide an estimate at your earliest convenience Legal cannot sign off/execute the contracts until they have this information. Please let me know if you have any questions.

Regards,

Cynthia

CYNTHIA BIEDERMANN      ASSOCIATE GOVERNMENTAL PROGRAM ANALYST      CALIFORNIA BUILDING  
STANDARDS COMMISSION      916.263.1330

**NEW YEAR, NEW CODE**

Publication Date: July 1, 2016      Effective Date: January 1, 2017

**From:** [Benny, Katrina@DGS](mailto:Benny_Katrina@DGS)  
**To:** ["Biedermann, Cynthia@DGS" Cynthia.Biedermann@dgs.ca.gov](mailto:Cynthia.Biedermann@dgs.ca.gov)  
**Date:** 4/12/2016 10:41:29 AM  
**Subject:** FW: Consideration Value of Code Publications

## Katrina Benny

Manager, CBSC  
Phone 916-263-1350

---

From: Frost, Laura@DGS  
Sent: Monday, April 11, 2016 12:23 PM  
To: Benny, Katrina@DGS; Betts, Bruce@DGS; de la Motte, Leann@DGS  
Cc: Biedermann, Cynthia@DGS; Day, Kevin@DGS  
Subject: RE: Consideration Value of Code Publications

Hi Katrina,

I followed up on this issue to determine how it might affect the routing for approvals. When OLS reviews the package, one of things they would review is the signature authority of the signer of the 213 and NCB approval authority within PD. Additionally, the value of the contract determines if a second level review in OLS is also required.

In order to confirm those approval levels, all reviewers will need to know the maximum value of this contract to the vendor.

Could you please give an estimated number of books the vendor might sell under this agreement based on historical averages You may need to call the vendor for this. A ballpark number even would be helpful.

The estimated value will only be included on internal documents to give the approvers an understanding of what level of authority is required.

Thanks,

Laura Frost  
OBAS/Contract Services  
Ph: (916) 375-4989

---

From: Benny, Katrina@DGS  
Sent: Wednesday, April 06, 2016 2:45 PM  
To: Betts, Bruce@DGS; de la Motte, Leann@DGS  
Cc: Frost, Laura@DGS; Biedermann, Cynthia@DGS; Day, Kevin@DGS  
Subject: RE: Consideration Value of Code Publications

Bruce,

In reading 7.45, 4.03 and 4.04 of the SCM, even though the contract is a zero dollar amount between the state and the publishers is it is certain that the dollar amount the publishers receive is higher than the threshold specified in the SCM that would require a DGS/OLS review. In addition, it has already been determined that these contracts will be going to OLS for review. So I am submitting the following information in answer to your question. Once we have reports from the publisher we will have a better idea for the next set of contracts.

The respective publishers (International Code Council, NFPA, and IAPMO) do not charge the State of California for their publication services, nor does the State receive royalties from the sales. The actual cash value of the contract(s) to the State of California is nil and the perceived value is indeterminate, but estimated value could be in excess of \$150,000.

### 7.45 CONTRACTS WITH NO DOLLAR AMOUNT

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### 4.03 CONTRACTS REQUIRING DGS/OLS APPROVAL

(Rev 1/14)

DGS/OLS has statutory authority under several sources to approve contracts. PCC §§ 10295, 10297, 10335 and GC § 11256 are the primary legal authority for DGS/OLS' review and approval of contracts. GC § 14615 is the legal authority for the supervision of the State's financial and business policies, and GC § 14616 is the legal authority for some exemptions from DGS/OLS approval of contracts.

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**Katrina Benny**

Manager, CBSC  
Phone 916-263-1350

---

From: Betts, Bruce@DGS  
Sent: Wednesday, April 06, 2016 8:47 AM  
To: de la Motte, Leann@DGS  
Cc: Frost, Laura@DGS; Biedermann, Cynthia@DGS; Benny, Katrina@DGS  
Subject: Consideration Value of Code Publications

Good morning Leann,

SCM Vol 1 7.45 requires that we establish a monetary value of the consideration that agreements provide to the contractors. We will need to estimate, perhaps with the contractors' assistance, the value of consideration each agreement will provide. I have attached information from each vendor's web site indicating the pricing for the 2013 code books. If the 2013 contracts required reporting of sales, we could use this information to estimate the consideration value of the 2016 publications. If not, CBSC will need to estimate the future annual sales. We will need this information early next week prior to the agreements going to OLS. Thank you

Bruce Betts

Acquisition Analyst

**Contract Services Section** *(Team 3)*

**Office of Business and Acquisition Services Administration Division**

Department of General Services State of California

707 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, 2-300, West Sacramento, CA 95605

<http://inside.dgs.ca.gov/ad/obas.aspx>

**Phone** 916.441-9636

**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

**From:** ["Russ Chaney" Russ.Chaney@iapmo.org](mailto:Russ.Chaney@iapmo.org)  
**To:** ["Biedermann, Cynthia@DGS" Cynthia.Biedermann@dgs.ca.gov](mailto:Cynthia.Biedermann@dgs.ca.gov)  
**Date:** 4/12/2016 10:42:58 AM  
**Subject:** Re: 2016 California Mechanical & Plumbing Contracts

Hi Cynthia

I'm forwarding your request to our in-house legal department of Monte Bogatz and Heather Koffman. I'm confident they can get the info to you quickly as we know you are trying to get these contracts wrapped up.

Monte, Heather, please get back to Cynthia

All the best

Russ  
GP Russ Chaney  
CEO, The IAPMO Group

From: "Biedermann, Cynthia@DGS" [Cynthia.Biedermann@dgs.ca.gov](mailto:Cynthia.Biedermann@dgs.ca.gov) <mailto:Cynthia.Biedermann@dgs.ca.gov>  
Date: Tuesday, April 12, 2016 at 10:32 AM  
To: Russ Chaney [Russ.Chaney@iapmo.org](mailto:Russ.Chaney@iapmo.org) <mailto:Russ.Chaney@iapmo.org>  
Cc: Leticia Gallegos [leticia.gallegos@iapmo.org](mailto:leticia.gallegos@iapmo.org) <mailto:leticia.gallegos@iapmo.org> , "Marvelli, Mia@DGS" [Mia.Marvelli@dgs.ca.gov](mailto:Mia.Marvelli@dgs.ca.gov) <mailto:Mia.Marvelli@dgs.ca.gov>  
Subject: 2016 California Mechanical & Plumbing Contracts

Dear Mark,  
Dear Russ,  
The Department of General Services- Office of Legal Services is requesting an estimated dollar value of the 2016 CBSC/IAPMO agreement. Could you provide an estimate at your earliest convenience. Legal cannot sign off/execute the contracts until they have this information. Please let me know if you have any questions.  
Regards,  
Cynthia

CYNTHIA BIEDERMANN ASSOCIATE GOVERNMENTAL PROGRAM ANALYST CALIFORNIA BUILDING STANDARDS COMMISSION  
916.263.1330

NEW YEAR, NEW CODE  
Publication Date: July 1, 2016 Effective Date: January 1, 2017



**From:** [Biedermann, Cynthia@DGS](mailto:Cynthia.Biedermann@DGS)  
**To:** ["Russ Chaney" Russ.Chaney@iapmo.org](mailto:Russ.Chaney@iapmo.org)  
**Date:** 4/12/2016 10:44:09 AM  
**Subject:** RE: 2016 California Mechanical & Plumbing Contracts

Thank you Russ

Cynthia

CYNTHIA BIEDERMANN ASSOCIATE GOVERNMENTAL PROGRAM ANALYST CALIFORNIA BUILDING STANDARDS COMMISSION 916.263.1330

NEW YEAR, NEW CODE

Publication Date: July 1, 2016 Effective Date: January 1, 2017

-----Original Message-----

From: Russ Chaney [mailto:Russ.Chaney@iapmo.org]  
Sent: Tuesday, April 12, 2016 10:43 AM  
To: Biedermann, Cynthia@DGS  
Cc: Leticia Gallegos; Marvelli, Mia@DGS; Monte Bogatz; Heather Koffman  
Subject: Re: 2016 California Mechanical & Plumbing Contracts

Hi Cynthia

I'm forwarding your request to our in-house legal department of Monte Bogatz and Heather Koffman. I'm confident they can get the info to you quickly as we know you are trying to get these contracts wrapped up.

Monte, Heather, please get back to Cynthia

All the best

Russ  
GP Russ Chaney  
CEO, The IAPMO Group

From: "Biedermann, Cynthia@DGS" Cynthia.Biedermann@dgs.ca.gov mailto:Cynthia.Biedermann@dgs.ca.gov  
Date: Tuesday, April 12, 2016 at 10:32 AM  
To: Russ Chaney Russ.Chaney@iapmo.org mailto:Russ.Chaney@iapmo.org  
Cc: Leticia Gallegos leticia.gallegos@iapmo.org mailto:leticia.gallegos@iapmo.org , "Marvelli, Mia@DGS" Mia.Marvelli@dgs.ca.gov mailto:Mia.Marvelli@dgs.ca.gov  
Subject: 2016 California Mechanical & Plumbing Contracts

Dear Mark,  
Dear Russ,  
The Department of General Services- Office of Legal Services is requesting an estimated dollar value of the 2016 CBSC/IAPMO agreement.  
Could you provide an estimate at your earliest convenience Legal cannot sign off/execute the contracts until they have this information. Please let me know if you have any questions.  
Regards,  
Cynthia

CYNTHIA BIEDERMANN ASSOCIATE GOVERNMENTAL PROGRAM ANALYST CALIFORNIA BUILDING STANDARDS COMMISSION 916.263.1330

NEW YEAR, NEW CODE

Publication Date: July 1, 2016 Effective Date: January 1, 2017

12/17/2016

**From:** [Biedermann, Cynthia@DGS](mailto:Cynthia@DGS)  
**To:** ["Dave Walls" dwalls@ICCSafe.ORG](mailto:dwalls@ICCSafe.ORG)  
["Mark Johnson" mjohnson@icc-es.org](mailto:mjohnson@icc-es.org)  
**Date:** 4/12/2016 10:45:43 AM  
**Subject:** RE: 2016 California Contracts

Hi Dave

Katrina forwarded the following 2013 information but it was deemed insufficient:

- The respective publishers (International Code Council, NFPA, and IAPMO) do not charge the State of California for their publication services, nor does the State receive royalties from the sales. The actual cash value of the contract(s) to the State of California is nil and the perceived value is indeterminate, but estimated value could be in excess of \$150,000.

Thanks for the follow-up.

C

CYNTHIA BIEDERMANN      ASSOCIATE GOVERNMENTAL PROGRAM ANALYST      CALIFORNIA BUILDING  
STANDARDS COMMISSION      916.263.1330

**NEW YEAR, NEW CODE**

Publication Date: July 1, 2016      Effective Date: January 1, 2017

---

From: Dave Walls [mailto:[dwalls@ICCSafe.ORG](mailto:dwalls@ICCSafe.ORG)]  
Sent: Tuesday, April 12, 2016 10:31 AM  
To: Biedermann, Cynthia@DGS; Mark Johnson  
Cc: Casey Thomas; Marvelli, Mia@DGS  
Subject: RE: 2016 California Contracts

A

---

From: Biedermann, Cynthia@DGS [<mailto:Cynthia.Biedermann@dgs.ca.gov>]  
Sent: Tuesday, April 12, 2016 10:27 AM  
To: Mark Johnson  
Cc: Dave Walls; Casey Thomas; Marvelli, Mia@DGS  
Subject: 2016 California Contracts

Dear Mark,

The Department of General Services- Office of Legal Services is requesting an estimated dollar value of each of the 2016 CBSC/ICC agreements:

- ICC Parts 2, 2.5, 9, 10
- ICC Parts 1, 6, 8, 11, 12

Could you provide an estimate at your earliest convenience Legal cannot sign off/execute the contracts until they have this information. Please let me know if you have any questions.

Regards,

Cynthia

CYNTHIA BIEDERMANN      ASSOCIATE GOVERNMENTAL PROGRAM ANALYST      CALIFORNIA BUILDING  
STANDARDS COMMISSION      916.263.1330

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**From:** [Frost, Laura@DGS](mailto:Frost_Laura@DGS)  
**To:** ["Benny, Katrina@DGS"](mailto:Benny_Katrina@DGS) [Katrina.Benny@dgs.ca.gov](mailto:Katrina.Benny@dgs.ca.gov)  
["Betts, Bruce@DGS"](mailto:Betts_Bruce@DGS) [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)  
["de la Motte, Leann@DGS"](mailto:de_la_Motte_Leann@DGS) [Leann.delaMotte@dgs.ca.gov](mailto:Leann.delaMotte@dgs.ca.gov)  
**Date:**  
**Subject:** RE: Consideration Value of Code Publications

Hi Katrina,

I followed up on this issue to determine how it might affect the routing for approvals. When OLS reviews the package, one of things they would review is the signature authority of the signer of the 213 and NCB approval authority within PD. Additionally, the value of the contract determines if a second level review in OLS is also required.

In order to confirm those approval levels, all reviewers will need to know the maximum value of this contract to the vendor.

Could you please give an estimated number of books the vendor might sell under this agreement based on historical averages. You may need to call the vendor for this. A ballpark number even would be helpful.

The estimated value will only be included on internal documents to give the approvers an understanding of what level of authority is required.

Thanks,

Laura Frost

OBAS/Contract Services

Ph: (916) 375-4989

From: Benny, Katrina@DGS  
Sent: Wednesday, April 06, 2016 2:45 PM  
To: Betts, Bruce@DGS; de la Motte, Leann@DGS  
Cc: Frost, Laura@DGS; Biedermann, Cynthia@DGS; Day, Kevin@DGS  
Subject: RE: Consideration Value of Code Publications

Bruce,

In reading 7.45, 4.03 and 4.04 of the SCM, even though the contract is a zero dollar amount between the state and the publishers is it is certain that the dollar amount the publishers receive is higher than the threshold specified in the SCM that would require a DGS/OLS review. In addition, it has already been determined that these contracts will be going to OLS for review. So I am submitting the following information in answer to your question. Once we have reports from the publisher we will have a better idea for the next set of contracts.

The respective publishers (International Code Council, NFPA, and IAPMO) do not charge the State of California for their publication services, nor does the State receive royalties from the sales. The actual cash value of the contract(s) to the State of California is nil and the perceived value is indeterminate, but estimated value could be in excess of \$150,000.

#### 7.45 CONTRACTS WITH NO DOLLAR AMOUNT

In agreements in which only in kind services are used and in which the performance is other than monetary, the consideration must be valued on a monetary basis for the purpose of determining whether DGS/OLS approval is required.

#### 4.03 CONTRACTS REQUIRING DGS/OLS APPROVAL

(Rev 1/14)

DGS/OLS has statutory authority under several sources to approve contracts. PCC §§ 10295, 10297, 10335 and GC § 11256 are the primary legal authority for DGS/OLS' review and approval of contracts. GC § 14615 is the legal authority for the supervision of the State's financial and business policies, and GC § 14616 is the legal authority for some exemptions from DGS/OLS approval of contracts.

As a general rule, DGS/OLS approval is required on all services contracts over \$50,000; or at \$150,000 and above if an agency has applied for and received this higher exemption level (see SCM 1, section 4.05). The approval requirement applies to all non-IT services contracts, including but not limited to consulting services and

interagency agreements, subject to express exemptions identified in section 4.04 below.

Katrina Benny

Manager, CBSC

Phone 916-263-1350

From: Betts, Bruce@DGS

Sent: Wednesday, April 06, 2016 8:47 AM

To: de la Motte, Leann@DGS

Cc: Frost, Laura@DGS; Biedermann, Cynthia@DGS; Benny, Katrina@DGS

Subject: Consideration Value of Code Publications

Good morning Leann,

SCM Vol 1 7.45 requires that we establish a monetary value of the consideration that agreements provide to the contractors. We will need to estimate, perhaps with the contractors' assistance, the value of consideration each agreement will provide. I have attached information from each vendor's web site indicating the pricing for the 2013 code books. If the 2013 contracts required reporting of sales, we could use this information to estimate the consideration value of the 2016 publications. If not, CBSC will need to estimate the future annual sales. We will need this information early next week prior to the agreements going to OLS. Thank you

Bruce Betts

Acquisition Analyst

Contract Services Section (Team 3)

Office of Business and Acquisition Services Administration Division

Department of General Services State of California

707 3rd Street, 2nd Floor, 2-300, West Sacramento, CA 95605

<http://inside.dgs.ca.gov/ad/obas.aspx>

Phone 916.441-9636

Email [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)



**From:** [Benny\\_Katrina@DGS](mailto:Benny_Katrina@DGS)  
**To:** ["Marvelli, Mia@DGS"](mailto:Marvelli_Mia@DGS) [Mia.Marvelli@dgs.ca.gov](mailto:Mia.Marvelli@dgs.ca.gov)  
["Biedermann, Cynthia@DGS"](mailto:Biedermann_Cynthia@DGS) [Cynthia.Biedermann@dgs.ca.gov](mailto:Cynthia.Biedermann@dgs.ca.gov)  
["de la Motte, Leann@DGS"](mailto:de_la_Motte_Leann@DGS) [Leann.delaMotte@dgs.ca.gov](mailto:Leann.delaMotte@dgs.ca.gov)  
**Date:** 4/12/2016 10:53:57 AM  
**Subject:** RE: four publishing contracts  
**Attachments:** [RE: Consideration Value of Code Publications.msg](#)

Mia,

We have been working on this and going round and round with contracts – please see the attached email that we have been involved with.

## Katrina Benny

Manager, CBSC  
Phone 916-263-1350

---

From: Marvelli, Mia@DGS  
Sent: Tuesday, April 12, 2016 10:16 AM  
To: Biedermann, Cynthia@DGS; de la Motte, Leann@DGS  
Cc: Nearman, Michael@DGS; Benny, Katrina@DGS  
Subject: four publishing contracts

I just spoke to Jonette and she asked if we could reach out to the publishers and find out what is the estimated value for each contract. Even though the state does not profit from the sale or pays the publisher for the publication; the estimate is needed to show estimated value of each contract.

Please include the contract numbers for her reference.

ICC Parts 2, 2.5, 9, 10

ICC Parts 1, 6, 8, 11

BNi Part 3

IAPMO Parts 4, 5

Mia Marvelli, Executive Director  
*California Building Standards Commission*  
[www.BSC.ca.gov](http://www.BSC.ca.gov)  
916.263.0916

**From:** ["Dave Walls" dwalls@ICCSafe.ORG](mailto:dwalls@ICCSafe.ORG)  
**To:** ["Biedermann, Cynthia@DGS" Cynthia.Biedermann@dgs.ca.gov](mailto:Cynthia.Biedermann@dgs.ca.gov)  
["Mark Johnson" mjohnson@icc-es.org](mailto:mjohnson@icc-es.org)  
**Date:** 4/12/2016 11:21:29 AM  
**Subject:** RE: 2016 California Contracts

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From: Biedermann, Cynthia@DGS [mailto:Cynthia.Biedermann@dgs.ca.gov]  
Sent: Tuesday, April 12, 2016 10:46 AM  
To: Dave Walls; Mark Johnson  
Cc: Casey Thomas; Marvelli, Mia@DGS; Benny, Katrina@DGS  
Subject: RE: 2016 California Contracts

Hi Dave

Katrina forwarded the following 2013 information but it was deemed insufficient:

- The respective publishers (International Code Council, NFPA, and IAPMO) do not charge the State of California for their publication services, nor does the State receive royalties from the sales. The actual cash value of the contract(s) to the State of California is nil and the perceived value is indeterminate, but estimated value could be in excess of \$150,000.

Thanks for the follow-up.

C

CYNTHIA BIEDERMANN      ASSOCIATE GOVERNMENTAL PROGRAM ANALYST      CALIFORNIA BUILDING  
STANDARDS COMMISSION      916.263.1330

**NEW YEAR, NEW CODE**

Publication Date: July 1, 2016      Effective Date: January 1, 2017

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From: Dave Walls [<mailto:dwalls@ICCSafe.ORG>]  
Sent: Tuesday, April 12, 2016 10:31 AM  
To: Biedermann, Cynthia@DGS; Mark Johnson  
Cc: Casey Thomas; Marvelli, Mia@DGS  
Subject: RE: 2016 California Contracts

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From: Biedermann, Cynthia@DGS [<mailto:Cynthia.Biedermann@dgs.ca.gov>]  
Sent: Tuesday, April 12, 2016 10:27 AM  
To: Mark Johnson  
Cc: Dave Walls; Casey Thomas; Marvelli, Mia@DGS  
Subject: 2016 California Contracts

Dear Mark,

The Department of General Services- Office of Legal Services is requesting an estimated dollar value of each of the 2016 CBSC/ICC agreements:

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- ICC Parts 1, 6, 8, 11, 12

Could you provide an estimate at your earliest convenience Legal cannot sign off/execute the contracts until they have this information. Please let me know if you have any questions.

Regards,

Cynthia

CYNTHIA BIEDERMANN      ASSOCIATE GOVERNMENTAL PROGRAM ANALYST      CALIFORNIA BUILDING  
STANDARDS COMMISSION      916.263.1330

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***[Register now](http://www.iccsafe.org/EVDS) for the International Code Council's 2016 Committee Action Hearings, April 17 - 27 in Louisville. Reminder - ICC Governmental Memberships must be current by March 18, to participate in the Online Governmental Consensus Vote which follows the hearings. [www.iccsafe.org/EVDS](http://www.iccsafe.org/EVDS).***

**From:** [Benny, Katrina@DGS](mailto:Benny_Katrina@DGS)  
**To:** ["Dave Walls" dwalls@ICCSafe.ORG](mailto:dwalls@ICCSafe.ORG)  
["Biedermann, Cynthia@DGS" Cynthia.Biedermann@dgs.ca.gov](mailto:Cynthia.Biedermann@dgs.ca.gov)  
**Date:** 4/12/2016 11:31:50 AM  
**Subject:** RE: 2016 California Contracts

Dave – first off I feel your pain it really wasn't that they *deemed insufficient or what additional information they need to make it sufficient?* It was more of the fact that they need to know what signature authority needs to approve the contract. See below from Contracts:

When OLS reviews the package, one of things they would review is the signature authority of the signer of the 213 and NCB approval authority within PD. Additionally, the value of the contract determines if a second level review in OLS is also required.

In order to confirm those approval levels, all reviewers will need to know the maximum value of this contract to the vendor.

My feelings are just have the highest legal person sign the contract

## Katrina Benny

Manager, CBSC  
 Phone 916-263-1350

---

From: Dave Walls [mailto:dwalls@ICCSafe.ORG]  
 Sent: Tuesday, April 12, 2016 11:21 AM  
 To: Biedermann, Cynthia@DGS; Mark Johnson  
 Cc: Casey Thomas; Marvelli, Mia@DGS; Benny, Katrina@DGS  
 Subject: RE: 2016 California Contracts

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From: Biedermann, Cynthia@DGS [<mailto:Cynthia.Biedermann@dgs.ca.gov>]  
Sent: Tuesday, April 12, 2016 10:46 AM  
To: Dave Walls; Mark Johnson  
Cc: Casey Thomas; Marvelli, Mia@DGS; Benny, Katrina@DGS  
Subject: RE: 2016 California Contracts

Hi Dave

Katrina forwarded the following 2013 information but it was deemed insufficient:

- The respective publishers (International Code Council, NFPA, and IAPMO) do not charge the State of California for their publication services, nor does the State receive royalties from the sales. The actual cash value of the contract(s) to the State of California is nil and the perceived value is indeterminate, but estimated value could be in excess of \$150,000.

Thanks for the follow-up.

C

CYNTHIA BIEDERMANN      ASSOCIATE GOVERNMENTAL PROGRAM ANALYST      CALIFORNIA BUILDING  
STANDARDS COMMISSION      916.263.1330

**NEW YEAR, NEW CODE**

Publication Date: July 1, 2016      Effective Date: January 1, 2017

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From: Dave Walls [<mailto:dwalls@ICCSafe.ORG>]  
Sent: Tuesday, April 12, 2016 10:31 AM  
To: Biedermann, Cynthia@DGS; Mark Johnson  
Cc: Casey Thomas; Marvelli, Mia@DGS  
Subject: RE: 2016 California Contracts

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From: Biedermann, Cynthia@DGS [<mailto:Cynthia.Biedermann@dgs.ca.gov>]

Sent: Tuesday, April 12, 2016 10:27 AM

To: Mark Johnson

Cc: Dave Walls; Casey Thomas; Marvelli, Mia@DGS

Subject: 2016 California Contracts

Dear Mark,

The Department of General Services- Office of Legal Services is requesting an estimated dollar value of each of the 2016 CBSC/ICC agreements:

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Regards,

Cynthia

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**From:** ["Dave Walls" dwalls@ICCSafe.ORG](mailto:dwalls@ICCSafe.ORG)  
**To:** ["Benny, Katrina@DGS" Katrina.Benny@dgs.ca.gov](mailto:Katrina.Benny@dgs.ca.gov)  
**Date:** 4/12/2016 11:43:34 AM  
**Subject:** Re: 2016 California Contracts

Thanks Katrina, fortunately, that was my pain back then. I understand the complexity of the state process. Lots of fun. :-)

Sent from my iPhone

On Apr 12, 2016, at 11:32 AM, Benny, Katrina@DGS [Katrina.Benny@dgs.ca.gov](mailto:Katrina.Benny@dgs.ca.gov) wrote:

Dave – first off I feel your pain it really wasn't that they *deemed insufficient or what additional information they need to make it sufficient?* It was more of the fact that they need to know what signature authority needs to approve the contract. See below from Contracts:

When OLS reviews the package, one of things they would review is the signature authority of the signer of the 213 and NCB approval authority within PD. Additionally, the value of the contract determines if a second level review in OLS is also required.

In order to confirm those approval levels, all reviewers will need to know the maximum value of this contract to the vendor.

My feelings are just have the highest legal person sign the contract

## Katrina Benny

Manager, CBSC

Phone 916-263-1350

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Sent: Tuesday, April 12, 2016 11:21 AM  
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Subject: RE: 2016 California Contracts

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**To:** ["Dave Walls" dwalls@ICCSafe.ORG](mailto:dwalls@ICCSafe.ORG)  
["Mark Johnson" mjohnson@icc-es.org](mailto:mjohnson@icc-es.org)  
**Date:** 4/12/2016 2:11:24 PM  
**Subject:** RE: 2016 California Contracts

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["Mark Johnson" mjohnson@icc-es.org](mailto:mjohnson@icc-es.org)

**Date:** 4/12/2016 2:14:30 PM

**Subject:** RE: 2016 California Contracts

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Sent: Tuesday, April 12, 2016 2:11 PM  
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**To:** ["Biedermann, Cynthia@DGS" Cynthia.Biedermann@dgs.ca.gov](mailto:Cynthia.Biedermann@dgs.ca.gov)  
["Dave Walls" dwalls@ICCSafe.ORG](mailto:dwalls@ICCSafe.ORG)

**Date:** 4/12/2016 3:11:19 PM

**Subject:** RE: 2016 California Contracts

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**From:** [Benny, Katrina@DGS](mailto:Benny_Katrina@DGS)

**To:** ["Mark Johnson" mjohnson@icc-es.org](mailto:mjohnson@icc-es.org)  
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["Dave Walls" dwalls@ICCSafe.ORG](mailto:dwalls@ICCSafe.ORG)

**Date:** 4/12/2016 3:29:00 PM

**Subject:** RE: 2016 California Contracts

Hello everyone,

I just got back from the ZIG and have both ICC contracts in my possession. I will have Mia sign them as soon as she gets out of her meeting and then they will be returned to DGS contract unit tomorrow (or today).

I was able to get some clarification from contracts and we don't need to overthink this information, (*i.e., units sold, value of intellectual property, typesetter, editor, printing and distribution costs, marketing*).

Mark or Dave, can you give us a rough estimate on how many sets of 2013 California Code books you have sold That's it, plain and simple. If you can get this count, I think we can wrap this up in no time at all.

Thanks,

**Katrina Benny**

Manager, CBSC  
Phone 916-263-1350

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Subject: RE: 2016 California Contracts

Hi Dave

Katrina forwarded the following 2013 information but it was deemed insufficient:

- The respective publishers (International Code Council, NFPA, and IAPMO) do not charge the State of California for their publication services, nor does the State receive royalties from the sales. The actual cash value of the contract(s) to the State of California is nil and the perceived value is indeterminate, but estimated value could be in excess of \$150,000.

Thanks for the follow-up.

C

CYNTHIA BIEDERMANN ASSOCIATE GOVERNMENTAL PROGRAM ANALYST CALIFORNIA BUILDING  
STANDARDS COMMISSION 916.263.1330

NEW YEAR, NEW CODE

12/17/2016

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From: Dave Walls [<mailto:dwalls@ICCSafe.ORG>]  
 Sent: Tuesday, April 12, 2016 10:31 AM  
 To: Biedermann, Cynthia@DGS; Mark Johnson  
 Cc: Casey Thomas; Marvelli, Mia@DGS  
 Subject: RE: 2016 California Contracts

A

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From: Biedermann, Cynthia@DGS [<mailto:Cynthia.Biedermann@dgs.ca.gov>]  
 Sent: Tuesday, April 12, 2016 10:27 AM  
 To: Mark Johnson  
 Cc: Dave Walls; Casey Thomas; Marvelli, Mia@DGS  
 Subject: 2016 California Contracts

Dear Mark,

The Department of General Services- Office of Legal Services is requesting an estimated dollar value of each of the 2016 CBSC/ICC agreements:

- ICC Parts 2, 2.5, 9, 10
- ICC Parts 1, 6, 8, 11, 12

Could you provide an estimate at your earliest convenience    Legal cannot sign off/execute the contracts until they have this information. Please let me know if you have any questions.

Regards,

Cynthia

CYNTHIA BIEDERMANN      ASSOCIATE GOVERNMENTAL PROGRAM ANALYST      CALIFORNIA BUILDING  
STANDARDS COMMISSION      916.263.1330

**NEW YEAR, NEW CODE**

Publication Date: July 1, 2016      Effective Date: January 1, 2017

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**From:** [Biedermann, Cynthia@DGS](mailto:Biedermann_Cynthia@DGS)  
**To:** ["Monte Bogatz" monte.bogatz@iapmo.org](mailto:monte.bogatz@iapmo.org)  
["Russ Chaney" Russ.Chaney@iapmo.org](mailto:Russ.Chaney@iapmo.org)  
**Date:** 4/12/2016 3:31:26 PM  
**Subject:** RE: 2016 California Mechanical & Plumbing Contracts

Dear Monte,

Thank you for your quick follow-up concerning our inquiry. Can you advise how many copies of the 2013 CMC and CPC have been sold

Regards,

Cynthia

CYNTHIA BIEDERMANN      ASSOCIATE GOVERNMENTAL PROGRAM ANALYST      CALIFORNIA BUILDING  
STANDARDS COMMISSION      916.263.1330

**NEW YEAR, NEW CODE**

Publication Date: July 1, 2016      Effective Date: January 1, 2017

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From: Monte Bogatz [mailto:monte.bogatz@iapmo.org]  
Sent: Tuesday, April 12, 2016 10:48 AM  
To: Russ Chaney; Biedermann, Cynthia@DGS  
Cc: Leticia Gallegos; Marvelli, Mia@DGS; Heather Koffman  
Subject: RE: 2016 California Mechanical & Plumbing Contracts

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Sent: e A A r 12 201 10 3 A  
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Cc: e A A e o [e A A e o A mo.or](#) Arve A S [A Arve . A ov](#) o e Bo A  
[mo e. o A A mo.or](#) eA er o mA [eA er. o mA A mo.or](#)  
Subject: Re 201 A or A e A A m o rA

Hi Cynthia

I'm forwarding your request to our in-house legal department of Monte Bogatz and Heather Koffman. I'm confident they can get the info to you quickly as we know you are trying to get these contracts wrapped up.

Monte, Heather, please get back to Cynthia

A e e



**Russ**

**GP Russ Chaney**

O e A O ro

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 Date: e A A r 12 201 A 10 32 A  
 To: R A e [R . A e A mo.or](#)  
 Cc: e A A e o [e A A e o A mo.or](#) Arve A S [A Arve . A ov](#)  
 Subject: 201 A or A e A A m o rA

Dear Mark,

Dear Russ,

The Department of General Services- Office of Legal Services is requesting an estimated dollar value of the 2016 CBSC/IAPMO agreement.

Could you provide an estimate at your earliest convenience Legal cannot sign off/execute the contracts until they have this information. Please let me know if you have any questions.

Regards,

Cynthia

CYNTHIA BIEDERMANN ASSOCIATE GOVERNMENTAL PROGRAM ANALYST CALIFORNIA BUILDING  
 STANDARDS COMMISSION 916.263.1330

**NEW YEAR, NEW CODE**

Publication Date: July 1, 2016 Effective Date: January 1, 2017

**From:** ["Mark Johnson" mjohnson@icc-es.org](mailto:mjohnson@icc-es.org)  
**To:** ["Benny, Katrina@DGS" Katrina.Benny@dgs.ca.gov](mailto:Katrina.Benny@dgs.ca.gov)  
["Biedermann, Cynthia@DGS" Cynthia.Biedermann@dgs.ca.gov](mailto:Cynthia.Biedermann@dgs.ca.gov)  
["Dave Walls" dwalls@ICCSafe.ORG](mailto:dwalls@ICCSafe.ORG)  
**Date:** 4/12/2016 3:55:11 PM  
**Subject:** RE: 2016 California Contracts

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From: Benny, Katrina@DGS [mailto:Katrina.Benny@dgs.ca.gov]  
Sent: Tuesday, April 12, 2016 3:29 PM  
To: Mark Johnson; Biedermann, Cynthia@DGS; Dave Walls  
Cc: Casey Thomas; Marvelli, Mia@DGS  
Subject: RE: 2016 California Contracts

Hello everyone,

I just got back from the ZIG and have both ICC contracts in my possession. I will have Mia sign them as soon as she gets out of her meeting and then they will be returned to DGS contract unit tomorrow (or today).

I was able to get some clarification from contracts and we don't need to overthink this information, (*i.e., units sold, value of intellectual property, typesetter, editor, printing and distribution costs, marketing*).

Mark or Dave, can you give us a rough estimate on how many sets of 2013 California Code books you have sold That's it, plain and simple. If you can get this count, I think we can wrap this up in no time at all.

Thanks,

## Katrina Benny

Manager, CBSC  
Phone 916-263-1350

---

From: Mark Johnson [<mailto:mjohnson@icc-es.org>]  
Sent: Tuesday, April 12, 2016 3:11 PM  
To: Biedermann, Cynthia@DGS; Dave Walls  
Cc: Casey Thomas; Marvelli, Mia@DGS; Benny, Katrina@DGS  
Subject: RE: 2016 California Contracts

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From: Biedermann, Cynthia@DGS [<mailto:Cynthia.Biedermann@dgs.ca.gov>]  
Sent: Tuesday, April 12, 2016 2:11 PM  
To: Dave Walls; Mark Johnson  
Cc: Casey Thomas; Marvelli, Mia@DGS; Benny, Katrina@DGS  
Subject: RE: 2016 California Contracts

Dear Mark and Dave,

Thank you for the follow-up call and email. We are sitting down with Mia as soon as possible to clarify what the estimated value of the contract in dollars should be based on (i.e., units sold, value of intellectual property, typesetter, editor, printing and distribution costs, marketing).

Regards,

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From: Dave Walls [\[mailto:dwalls@ICCSafe.ORG\]](mailto:dwalls@ICCSafe.ORG)  
Sent: Tuesday, April 12, 2016 11:21 AM  
To: Biedermann, Cynthia@DGS; Mark Johnson  
Cc: Casey Thomas; Marvelli, Mia@DGS; Benny, Katrina@DGS  
Subject: RE: 2016 California Contracts

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From: Biedermann, Cynthia@DGS [<mailto:Cynthia.Biedermann@dgs.ca.gov>]  
Sent: Tuesday, April 12, 2016 10:46 AM  
To: Dave Walls; Mark Johnson  
Cc: Casey Thomas; Marvelli, Mia@DGS; Benny, Katrina@DGS  
Subject: RE: 2016 California Contracts

Hi Dave

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**To:** ["Mark Johnson" mjohnson@icc-es.org](mailto:mjohnson@icc-es.org)  
["Biedermann, Cynthia@DGS" Cynthia.Biedermann@dgs.ca.gov](mailto:Cynthia.Biedermann@dgs.ca.gov)  
["Dave Walls" dwalls@ICCSafe.ORG](mailto:dwalls@ICCSafe.ORG)

**Date:** 4/12/2016 3:56:48 PM

**Subject:** RE: 2016 California Contracts

Mark,

That would be great – however, I wouldn't include the complimentary or promotional copies.

## Katrina Benny

Manager, CBSC  
Phone 916-263-1350

---

From: Mark Johnson [mailto:mjohnson@icc-es.org]  
Sent: Tuesday, April 12, 2016 3:55 PM  
To: Benny, Katrina@DGS; Biedermann, Cynthia@DGS; Dave Walls  
Cc: Casey Thomas; Marvelli, Mia@DGS  
Subject: RE: 2016 California Contracts

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Subject: RE: 2016 California Contracts

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Cynthia

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**From:** [Benny, Katrina@DGS](mailto:Benny_Katrina@DGS)  
**To:** ["Betts, Bruce@DGS" Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)  
["Biedermann, Cynthia@DGS" Cynthia.Biedermann@dgs.ca.gov](mailto:Cynthia.Biedermann@dgs.ca.gov)  
**Date:** 4/19/2016 2:08:28 PM  
**Subject:** RE: California Contract- NFPA Update

Bruce,

We haven't heard from NFPA as of yet, but Cynthia is going to shoot them another email to inquire about their contract.

Can we proceed with the other 3 contracts for Legal review

## Katrina Benny

Manager, CBSC  
Phone 916-263-1350

---

From: Betts, Bruce@DGS  
Sent: Tuesday, April 19, 2016 1:13 PM  
To: Biedermann, Cynthia@DGS  
Cc: Benny, Katrina@DGS; Day, Kevin@DGS; de la Motte, Leann@DGS  
Subject: RE: California Contract- NFPA Update

Hello Cynthia,

Have you heard anything further from Dennis Berry at NFPA I will follow up with him this afternoon but wanted to check in with you first. Thank you.

Bruce Betts

Acquisition Analyst

**Contract Services Section** (Team 3)

**Office of Business and Acquisition Services Administration Division**

Department of General Services State of California

707 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, 2-300, West Sacramento, CA 95605

<http://inside.dgs.ca.gov/ad/obas.aspx>

**Phone** 916.441-9636

**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

---

From: Biedermann, Cynthia@DGS  
Sent: Monday, April 11, 2016 11:04 AM  
To: Betts, Bruce@DGS  
Cc: Marvelli, Mia@DGS; Benny, Katrina@DGS; Day, Kevin@DGS; de la Motte, Leann@DGS  
Subject: FW: California Contract- NFPA Update

Bruce,

Please see the NFPA update that follows. As we're looking at another week of review let me know if you'd like to coordinate a call with Dennis/NFPA or in an effort to expedite the process.

C

CYNTHIA BIEDERMANN      ASSOCIATE GOVERNMENTAL PROGRAM ANALYST      CALIFORNIA BUILDING  
STANDARDS COMMISSION      916.263.1330

**NEW YEAR, NEW CODE**

Publication Date: July 1, 2016      Effective Date: January 1, 2017

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From: Berry, Dennis [<mailto:dberry@NFPA.org>]  
Sent: Monday, April 11, 2016 10:51 AM  
To: Biedermann, Cynthia@DGS  
Subject: RE: California Contract



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Subject: A or A o rA

Hi Dennis,

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Please let me know if you have any questions

Thank you so much,

Cynthia

CYNTHIA BIEDERMANN      ASSOCIATE GOVERNMENTAL PROGRAM ANALYST      CALIFORNIA BUILDING  
STANDARDS COMMISSION      916.263.1330

**NEW YEAR, NEW CODE**

Publication Date: July 1, 2016      Effective Date: January 1, 2017

**From:** [Betts, Bruce@DGS](mailto:Betts_Bruce@DGS)  
**To:** ["Benny, Katrina@DGS"](mailto:Benny_Katrina@DGS) [Katrina.Benny@dgs.ca.gov](mailto:Katrina.Benny@dgs.ca.gov)  
["Biedermann, Cynthia@DGS"](mailto:Biedermann_Cynthia@DGS) [Cynthia.Biedermann@dgs.ca.gov](mailto:Cynthia.Biedermann@dgs.ca.gov)  
**Date:** 4/19/2016 2:10:27 PM  
**Subject:** RE: California Contract- NFPA Update

Hi Katrina,

I have not received the 215s back from OFS yet but I have an expedite request in. I expect them back today or tomorrow and once I have them, I can send the packages to OLS. I will let you know once they move to OLS.

Bruce Betts

Acquisition Analyst

**Contract Services Section** (*Team 3*)

**Office of Business and Acquisition Services Administration Division**

Department of General Services State of California

707 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, West Sacramento, CA 95605

<http://inside.dgs.ca.gov/ad/obas.aspx>

**Phone** 916.441-9636

**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

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Sent: Tuesday, April 19, 2016 2:08 PM  
To: Betts, Bruce@DGS; Biedermann, Cynthia@DGS  
Cc: Day, Kevin@DGS; de la Motte, Leann@DGS  
Subject: RE: California Contract- NFPA Update

Bruce,

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Can we proceed with the other 3 contracts for Legal review

**Katrina Benny**

Manager, CBSC

Phone 916-263-1350

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Sent: Tuesday, April 19, 2016 1:13 PM  
To: Biedermann, Cynthia@DGS  
Cc: Benny, Katrina@DGS; Day, Kevin@DGS; de la Motte, Leann@DGS  
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Subject: FW: California Contract- NFPA Update

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**NEW YEAR, NEW CODE**

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Sent: Monday, April 11, 2016 10:51 AM  
To: Biedermann, Cynthia@DGS  
Subject: RE: California Contract

A

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From: B e ermA A S mA o ABe ermA . A ov  
Sent: o A A r 11 201 1 1  
To: Berr e err F A.or  
Cc: Ro e e rA ro e Aor  
Subject: A or A o rA

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["Biedermann, Cynthia@DGS" Cynthia.Biedermann@dgs.ca.gov](mailto:Cynthia.Biedermann@dgs.ca.gov)  
**Date:** 4/19/2016 2:10:58 PM  
**Subject:** RE: California Contract- NFPA Update

Thanks Bruce.

## Katrina Benny

Manager, CBSC  
Phone 916-263-1350

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From: Betts, Bruce@DGS  
Sent: Tuesday, April 19, 2016 2:10 PM  
To: Benny, Katrina@DGS; Biedermann, Cynthia@DGS  
Cc: Day, Kevin@DGS; de la Motte, Leann@DGS  
Subject: RE: California Contract- NFPA Update

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Subject: FW: California Contract- NFPA Update

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From: Be ermA A S mA o ABe ermA . A ov

Sent: o A A r 11 201 1 1

To: Berr e err F A.or

Cc: Ro e e rA ro e Aor

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**To:** ["Benny, Katrina@DGS"](mailto:Benny_Katrina@DGS) [Katrina.Benny@dgs.ca.gov](mailto:Katrina.Benny@dgs.ca.gov)  
**Date:** 4/21/2016 7:45:18 AM  
**Subject:** RE: California Contract- NFPA Update

Hi Katrina,

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Bruce Betts

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Cc: Day, Kevin@DGS; de la Motte, Leann@DGS  
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Manager, CBSC

Phone 916-263-1350

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STANDARDS COMMISSION      916.263.1330

**NEW YEAR, NEW CODE**

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**To:** ["Betts, Bruce@DGS"](mailto:Betts_Bruce@DGS) [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)  
**Date:** 4/21/2016 8:24:42 AM  
**Subject:** RE: California Contract- NFPA Update

So for me to understand this better please verify the below chart:

Contract	With Publisher	OFS review	OLS for review
ICC (2)	Signed and returned	Signed and returned	Going today 4-21
IAPMO	Signed and returned	Signed and returned	Going today 4-21
NFPA	Still with publisher ETA unknown		

## Katrina Benny

Manager, CBSC  
 Phone 916-263-1350

---

From: Betts, Bruce@DGS  
 Sent: Thursday, April 21, 2016 7:45 AM  
 To: Benny, Katrina@DGS  
 Cc: Day, Kevin@DGS; de la Motte, Leann@DGS; Frost, Laura@DGS; Biedermann, Cynthia@DGS  
 Subject: RE: California Contract- NFPA Update

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From: B e r m A            A    S [mA\\_o](#)        [A B e r m A](#)        . [A\\_ov](#)  
Sent: o A A r 11 201 1 1  
To: Berr e        [err](#)        [F A.or](#)  
Cc: Ro e e r A        [ro e](#)        [A.or](#)  
Subject: A or A o r A

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**To:** ["de la Motte, Leann@DGS"](mailto:de la Motte, Leann@DGS) [Leann.delaMotte@dgs.ca.gov](mailto:Leann.delaMotte@dgs.ca.gov)  
**Date:** 4/25/2016 1:35:26 PM  
**Subject:** 3188106.BSC.IAPMO Code 2016 Parts 4 & 5

Hello Leann,

Contract #3188106 has been approved and will be sent to the contractor today. The final contract documents can be located here:

<http://dgssp.dgs.ca.gov/sites/OBAS/CMS/Forms/AllItems.aspx> RootFolder 2Fsites 2FOBAS 2FCMS 2FContracts 2FISD 20 2D 20Building 20Standards 20Commission 2F3188106 2EBSC 2EIAPMO 20Code 202016 204 2C 205&FolderCTID 0x0120001EB3E94E87778045A642006BF91DD47A&View 7B80823591 2D0E38 2D4EEF 2D8785 2DE21E3E4E9A01 7D

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Acquisition Analyst

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**Phone** 916.441-9636

**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

**From:** [Betts, Bruce@DGS](mailto:Betts_Bruce@DGS)  
**To:** ["de la Motte, Leann@DGS"](mailto:de la Motte, Leann@DGS) [Leann.delaMotte@dgs.ca.gov](mailto:Leann.delaMotte@dgs.ca.gov)  
**Date:** 4/25/2016 1:38:28 PM  
**Subject:** 3187607.BSC.ICC Code 2016 Parts 1, 5, 8, 11, 12

Hello Leann,

Contract #3187607 has been approved and will be sent to the contractor today. The final contract documents can be located here:

<http://dgssp.dgs.ca.gov/sites/OBAS/CMS/Forms/AllItems.aspx> RootFolder 2Fsites 2FOBAS 2FCMS 2FContracts 2FISD 20 2D 20Building 20Standards 20Commission 2F3187607 2EBSC 2EICC 20Code 202016 201 2C 206 2C 208 2C 2011 2C 2012&FolderCTID 0x0120001EB3E94E87778045A642006BF91DD47A&View 7B80823591 2D0E38 2D4EEF 2D8785 2DE21E3E4E9A01 7D&InitialTabId Ribbon 2ERead&VisibilityContext WSSTabPersistence

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**Office of Business and Acquisition Services Administration Division**

Department of General Services State of California

707 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, 2-300, West Sacramento, CA 95605

<http://inside.dgs.ca.gov/ad/obas.aspx>

**Phone** 916.441-9636

**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)



**From:** [Betts, Bruce@DGS](mailto:Betts_Bruce@DGS)  
**To:** ["de la Motte, Leann@DGS"](mailto:de la Motte, Leann@DGS) [Leann.delaMotte@dgs.ca.gov](mailto:Leann.delaMotte@dgs.ca.gov)  
**Date:** 4/25/2016 1:40:46 PM  
**Subject:** 3187605.BSC.ICC Code 2016 Parts 2, 2.5, 9, 10

Hello Leann,

Contract #3187605 has been approved and will be sent to the contractor today. The final contract documents can be located here:

<http://dgssp.dgs.ca.gov/sites/OBAS/CMS/Forms/AllItems.aspx> RootFolder 2Fsites 2FOBAS 2FCMS 2FContracts 2FISD 20 2D 20Building 20Standards 20Commission 2F3187605 2EBSC 2EICC 20Code 202016 202 2C 202 2E5 2C 209 2C 2010&FolderCTID 0x0120001EB3E94E87778045A642006BF91DD47A&View 7B80823591 2D0E38 2D4EEF 2D8785 2DE21E3E4E9A01 7D

Please let me know if you have any questions.

Bruce Betts

Acquisition Analyst

**Contract Services Section** *(Team 3)*

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**Phone** 916.441-9636

**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

**From:** [Benny\\_Katrina@DGS](mailto:Benny_Katrina@DGS)  
**To:** ["Betts\\_Bruce@DGS"](mailto:Betts_Bruce@DGS) [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)  
["de la Motte\\_Leann@DGS"](mailto:de_la_Motte_Leann@DGS) [Leann.delaMotte@dgs.ca.gov](mailto:Leann.delaMotte@dgs.ca.gov)  
**Date:** 4/25/2016 1:47:03 PM  
**Subject:** RE: 3187605.BSC.ICC Code 2016 Parts 2, 2.5, 9, 10

Hi Bruce,

Thank you, what a quick turnaround time with Legal

I am not sure if Leann already updated you, but we had a good conversation with NFPA and their proposed changes to the contract. I think we both came to a mutual agreement of all of them, a real win/win situation. Leann is going to make the changes and hopefully have them back to you this afternoon or tomorrow morning.

## Katrina Benny

Manager, CBSC  
Phone 916-263-1350

---

From: Betts, Bruce@DGS  
Sent: Monday, April 25, 2016 1:41 PM  
To: de la Motte, Leann@DGS  
Cc: Benny, Katrina@DGS; Biedermann, Cynthia@DGS  
Subject: 3187605.BSC.ICC Code 2016 Parts 2, 2.5, 9, 10

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[http://dgssp.dgs.ca.gov/sites/OBAS/CMS/Forms/](http://dgssp.dgs.ca.gov/sites/OBAS/CMS/Forms/AllItems.aspx)  
[AllItems.aspx](#) [RootFolder](#) [2Fsites](#) [2FOBAS](#) [2FCMS](#) [2FContracts](#) [2FISD](#) [20](#) [2D](#) [20Building](#) [20Standards](#) [20Commission](#) [2F3187605](#) [2EBSC](#) [2EI](#)  
[CC](#) [20Code](#) [202016](#) [202](#) [2C](#) [202](#) [2E5](#) [2C](#) [209](#) [2C](#) [2010&FolderCTID=0x0120001EB3E94E87778045A642006BF91DD47A&View=7B80823591\\_2D0E38\\_2D4EEF\\_2D8785\\_2DE21E3E4E9A01\\_7D](#)

Please let me know if you have any questions.

## Bruce Betts

Acquisition Analyst  
**Contract Services Section** (Team 3)  
**Office of Business and Acquisition Services** Administration Division  
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**To:** ["Benny, Katrina@DGS"](mailto:Benny_Katrina@DGS) [Katrina.Benny@dgs.ca.gov](mailto:Katrina.Benny@dgs.ca.gov)  
["de la Motte, Leann@DGS"](mailto:de_la_Motte_Leann@DGS) [Leann.delaMotte@dgs.ca.gov](mailto:Leann.delaMotte@dgs.ca.gov)  
**Date:** 4/25/2016 1:48:49 PM  
**Subject:** RE: 3187605.BSC.ICC Code 2016 Parts 2, 2.5, 9, 10

Awesome news Katrina We will get the NFPA agreement processed immediately.

Bruce Betts

Acquisition Analyst

**Contract Services Section** (Team 3)

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**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

---

From: Benny, Katrina@DGS  
Sent: Monday, April 25, 2016 1:47 PM  
To: Betts, Bruce@DGS; de la Motte, Leann@DGS  
Cc: Biedermann, Cynthia@DGS; Day, Kevin@DGS  
Subject: RE: 3187605.BSC.ICC Code 2016 Parts 2, 2.5, 9, 10

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**Katrina Benny**

Manager, CBSC

Phone 916-263-1350

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**Bruce Betts**

Acquisition Analyst

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**From:** [Benny, Katrina@DGS](mailto:Benny_Katrina@DGS)

**To:** ["Marvelli, Mia@DGS" Mia.Marvelli@dgs.ca.gov](mailto:Marvelli_Mia@DGS)  
["Biedermann, Cynthia@DGS" Cynthia.Biedermann@dgs.ca.gov](mailto:Biedermann_Cynthia@DGS)  
["de la Motte, Leann@DGS" Leann.delaMotte@dgs.ca.gov](mailto:de_la_Motte_Leann@DGS)

**Date:** 5/6/2016 12:19:16 PM

**Subject:** FW: Agreement #3188107 2016 California Building Standards Code Part 3

FYI -

## Katrina Benny

Manager, CBSC  
Phone 916-263-1350

---

From: Rose, Debra [mailto:drose@nfpa.org]  
Sent: Friday, May 06, 2016 12:03 PM  
To: Betts, Bruce@DGS  
Cc: Benny, Katrina@DGS  
Subject: RE: Agreement #3188107 2016 California Building Standards Code Part 3

Hi Bruce,

We will not be able to make the Monday due date on returning the signed contracts. My manager has not been able to review the contract in the last few days and she wants to talk with Dennis once she has reviewed it. I will keep you posted.

Have a good weekend

Debra

Best regards,

Debra  
617-984-7595  
[drose@nfpa.org](mailto:drose@nfpa.org)

**National Fire Protection Association**

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---

From: Bruce S. Moore, Sr. [mailto:[Bruce.S.Moore@nfpa.org](mailto:Bruce.S.Moore@nfpa.org)]  
Sent: 10/11/2016 5:11 AM  
To: Rose A. [mailto:[Rose.A@nfpa.org](mailto:Rose.A@nfpa.org)]  
Cc: Rose A. [mailto:[Rose.A@nfpa.org](mailto:Rose.A@nfpa.org)]  
Subject: Agreement #3188107 for the Department of General Services, California Building Standards Commission

Hello Debra,

Agreement #3188107 is attached for signature. The agreement are for the 2016 California Building Standards Codes Part 3 for the Department of General Services, California Building Standards Commission.

Please print and sign four original, single-sided copies of the STD 213 (first page of the electronic files) and return these to me at the address listed below in my signature block via expedited mail. We would like to have the signed documents back no later than May 9th, 2016 if possible. Once we receive the documents we will obtain the other signatures and approvals to get the agreement executed as quickly as possible.

Please let me know if you find any errors or discrepancies.

Thank you and have a great day

Bruce Betts

Acquisition Analyst

**Contract Services Section** (Team 3)

**Office of Business and Acquisition Services Administration Division**

Department of General Services State of California

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**Email** [Bruce.Betts@dgs.ca.gov](mailto:Bruce.Betts@dgs.ca.gov)

**From:** [Marvelli, Mia@DGS](mailto:Marvelli_Mia@DGS)  
**To:** ["Hunter, Alexander@DGS"](mailto:Hunter,Alexander@DGS) [Alexander.Hunter@dgs.ca.gov](mailto:Alexander.Hunter@dgs.ca.gov)  
["Nearman, Michael@DGS"](mailto:Nearman,Michael@DGS) [Michael.Nearman@dgs.ca.gov](mailto:Michael.Nearman@dgs.ca.gov)  
**Date:** 11/7/2016 5:01:31 PM  
**Subject:** FW: title 24 available for free

In our future response to Mr. Malamud please keep this info. It may be useful.  
Mike, If you haven't already done so, please read the contracts with ICC, NEC & IAPMO about any language allowing BSC to post their links on the webpage, or if the copyright language allows us to do so. Somewhere there must be a discussion between the publishers and BSC regarding links to the CA codes.

Mia Marvelli, Executive Director  
*California Building Standards Commission*  
[www.BSC.ca.gov](http://www.BSC.ca.gov)  
916.263.0916

From: Mia Marvelli [mailto:miamarvelli@gmail.com]  
Sent: Saturday, November 05, 2016 8:50 PM  
To: Marvelli, Mia@DGS  
Subject: title 24 available for free

FORWARD TO ALE AS THIS MAY BE USEFUL FOR THE REPOSE TO MR. MALAMUD

THE FOLLOWING WAS COPIED FROM OAL'S WEBPAGE

### CAUTION REGARDING OFFICIAL CODE:

Government Code section 11344 requires OAL to provide for the official compilation, printing and publication of state regulations in the California Code of Regulations. The online CCR contains the full text of the California Code of Regulations. OAL updates the official hard-copy and online versions of the code once weekly to reflect newly adopted, amended or repealed regulations. OAL cannot verify the authenticity of regulations downloaded from websites other than <http://ccr.oal.ca.gov/>, or confirm whether those versions reflect the existing content of the code.

### CCR BROWSING TIPS:

**Pop-Up Blocker/Westlaw:** If a yellow "pop-up blocker detected" screen appears, you may simply click on "continue to weblinks" to access the online CCR. If a window appears stating "Westlaw is unable to accept your password," clear cookies and close your browser before trying again.

**Documents in Sequence:** The Documents in Sequence function at the bottom of each section will allow you to view CCR sections in sequence. For example, if you retrieve 1 CCR § 260, click **Docs in Sequence** to view 1 CCR § 270. Use the **Prev** and **Next** arrows located at the bottom of the document to view other consecutive documents.

### \* NOTE ABOUT TITLE 24:

Title 24, the Building Standards Code, is maintained by the Building Standards Commission, not by OAL, and is not included in the on-line CCR or printed CCR. To locate a copy of Title 24, please contact the Building Standards Commission [www.bsc.ca.gov/](http://www.bsc.ca.gov/).