

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 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