NCB Coordination Sheet Department of General

EO Assignment Number:		sion/ Assistant/ Phone Number: ling Standards Commission	-	
Subject: NCB's for Publishing Title 24 Co Books	B's for Publishing Title 24 Code Katrina Benny			
Action Requested CBSC is seeking NCB approv 24, California Code of Regula	ral for our Pritions, this N	ublishing Contracts of the 2016 Trienni CB process is renewed every 4.5 year	ial, Title	
Brief Description of Pac 4 sets of NCB Contract Justific Printing Waiver, for publishing Regulations.	cations, Coi	ntract Adverting Exemption Request ar 3 Triennial Title 24, California Code of	nd OSP	
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real property, or interest in that may involve this proje	n any com ect or cont			
By signing this form, I dec real property, or interest in that may involve this project Program Approval	n any comect or cont	pany, business entity, or organiz		
By signing this form, I ded real property, or interest in that may involve this project Program Approval Program Author Katrina Benny Program Reviewers	Date	pany, business entity, or organizeract. Executive Office Chief Deputy Director		
By signing this form, I decreal property, or interest in that may involve this project Program Approval Program Author Katrina Benny Program Reviewers Jim McGowan Procurement and Contracting Official	n any comect or cont	pany, business entity, or organizaract. Executive Office Chief Deputy Director Agency Secretary (Must approve before		
By signing this form, I dec real property, or interest in that may involve this project Program Approval Program Author Katrina Benny Program Reviewers Jim McGowan	Date	pany, business entity, or organizaract. Executive Office Chief Deputy Director Agency		
By signing this form, I ded real property, or interest in that may involve this project Program Approval Program Author Katrina Benny Program Reviewers Jim McGowan Procurement and Contracting Official (PCO) – (AD Deputy Director) Office of Legal Services	Date	pany, business entity, or organizaract. Executive Office Chief Deputy Director Agency Secretary (Must approve before		
By signing this form, I ded real property, or interest in that may involve this project Program Approval Program Author Katrina Benny Program Reviewers Jim McGowan Procurement and Contracting Official (PCO) — (AD Deputy Director) Office of Legal Services Alex Holtz	Date 5 20 15	pany, business entity, or organizaract. Executive Office Chief Deputy Director Agency Secretary (Must approve before		
By signing this form, I ded real property, or interest in that may involve this project that may	Date 5/20/15 Date Date	pany, business entity, or organizaract. Executive Office Chief Deputy Director Agency Secretary (Must approve before routing to PD)	ation	
By signing this form, I ded real property, or interest in that may involve this project Program Approval Program Author Katrina Benny Program Reviewers Jim McGowan Procurement and Contracting Official (PCO) — (AD Deputy Director) Office of Legal Services Alex Holtz	Date 5 20 15	pany, business entity, or organizaract. Executive Office Chief Deputy Director Agency Secretary (Must approve before routing to PD)		
By signing this form, I ded real property, or interest in that may involve this project that may involve the may involve this project that may involve this	Date 5/20/15 Date Date	pany, business entity, or organizaract. Executive Office Chief Deputy Director Agency Secretary (Must approve before routing to PD)	ation	

For PD Use only NCB#

NON-COMPETITIVELY BID (NCB) CONTRACT JUSTIFICATION

For use on all information technology (IT) and non-IT goods and services acquisitions.

Attach to Std. 65, Std. 66 or Std. 821, as applicable.

This justification document consists of two (2) pages. All information must be provided and all questions must be answered. The "Required Approvais" section must include a date for each signature, as appropriate for the transaction

	section	must include a	date for each	n signa	iture, as app	ropriate to	or the transaction.		
		Reque	esting Dep	oartm	ent Infor	mation			
Agency:				Department: DGS -					
Governmental Operation	าร			California Building Standards Commission (CBSC)					
					(*Includes Boards, Commissions, and Associations)				
Institution (if applicable)) :								
	<u>.</u> .	Dep	artment C						
Contact/Buyers Name:					et Addres				
Molly Lovett							Orive, Suite 13	0	
Telephone:				Saci	ramento (CA 9583	3		
(916) 376-1844				- N. M Y11					
FAX:					ing Addre				
(916) E-Mail:				Sam	e as abov	ve			
C-iwati.								1	
Technical Contact Name	\ •			Tala	phone:		E-mail:		
Katrina Benny	•				5) 26 3-135	50		benny@dgs.ca.gov	
		Rec	uired Cor						
Contractor Name:						******			
International Code Coun	cii (ICC)								
Contractor Address:									
5203 Leeburg Pike, Suite	600, Fal	ls Church, V	irginia 22	041-3	405		21	-	
			_						
Original Contract	Total O	riginal	Amenda	ment		Amen	ded Contract	Has work	
Amount Excluding:**	Contrac	t Amount:*	Amount	nt:* (if applicable) Amoun			nt:*	commenced?	
•								☐ Yes ⊠ No	
\$ 0.00	\$ 0.00		\$ N/A			\$ N/A		Have goods been	
(*Includes original contract	(*includes	original					es original	acquired?	
and previously approved		nd previously	("Current a	t amendment only) contract :			nents, including	☐ Yes ☐ No	
amendments)	approved	amendments)					amendment)	Attach explanations for any "Yes" answers.	
Provide a brief description	on of the	acquisition;	including	áll g	oods and	l/or ser	vices the conf	ractor will provide:	
ICC will provide services for	or the put	lication of the	2016 trie	nnial	edition of	Californi	ia Code of Reg	julations, Title 24, Parts 1	
(CA Building Standards Ad	dministrat	ve Code), 6 (CA Energy	y Coo	ie), 7 (Vad	cant), 8 ((CA Historical I	Building Code), Part 11	
(CA Green Building Standa	ards Code							and errata these Parts.	
			Contract 7	Гуре					
Contract Type:		ntract Term			Type of	Award:		s transaction be	
Select One: Non-IT God							finance		
Non-IT Ser IT Goods ■		gin: 07/01/201 d; 12/31/2019	5		CMAS:	님	No _X	Yes	
☐ IT Service	- 1	olain late contr	aat oubmitte	-1	Master:	. 님	16.,,,,,	Hank the Otatawant of	
☐ iT Goods &		rvices only):	aci Subiliilla	aı	Competit Form 42:	=	If yes, attach the Statement of Compliance to the State Financial		
Services (3677668 67119).					FUIIII 42.			lace to this form	
A SALAM PROMISE	S. S. William		Require	d Ap	provals	新安全 国		Mark State State State	
Department				gency				of General Services	
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Signature of Diseases 2	<u> </u>	Clamater	of A===== ^	\+					
Signature of Director or Des	ignee/Datë	Signature	of Agency S	ecreta	iry or Design	ee/Date	Signature of D	irector or Designee/Date	
Jim McGowan									
Type Name of Directo		Ту	pe Name of A	of Agency Secretary or Type Name of Director or Designee					
				page instructions					

Excluding sales and use tax, finance charges, postage and handling. Shipping charges are also excluded from the dollar threshold limits unless the shipping charge is included in the evaluation such as Free On Board (FOB) Origin, Freight Collect or FOB Destination

Remit completed form to:

Procurement Division
Intake and Analysis Unit
707 Third Street, 2nd Floor, MS201
West Sacramento, CA 95605

Signature Instructions for Agencies with an Agency Secretary

This form requires approval by Agency Secretary or Agency Undersecretary and the department director or designee. The Agency Secretary may designate one person, in addition to Agency Undersecretary, to sign on his/her behalf, of cabinet officer level (e.g., Assistant Undersecretary, Deputy Secretary, etc., the actual title is dependent upon the Agency's organizational structure). The department director may delegate review and approval authority to his/her deputy directors and/or the Procurement and Contracting Officer. The director's designee shall send ratification notification to their director upon the designee's approval of the NCB transaction. The typed name and signature must match for both signatures.

Signature Instructions for Agencies that do not have an Agency Secretary

This form requires approval by the highest ranking executive officer or designee. The highest ranking officer may designate one person to sign on his/her behalf subject to DGS approval. The highest ranking officer may delegate review and approval authority to his/her deputy directors and/or the Procurement and Contracting Officer. The designee shall send ratification notification to their highest ranking executive officer upon their approval of the NCB. The typed name and signature must match.

Complete responses must be provided for all of the following items.

A. THE GOOD/SERVICE REQUESTED IS RESTRICTED TO ONE SUPPLIER FOR THE REASONS STATED BELOW:

1. Why is the acquisition restricted to this good/service/supplier?

(Explain why the acquisition cannot be competitively bid. Explain if this is an emergency purchase or how the supplier is the only source for the acquisition and reference the PCC that applies, i.e., 12102, 10301/10302, or 10340.

The California Building Standards Administrative Code (CBSAC), California Energy Code (CEC), California Historical Building Code (CHBC), California Green Building Standards Code (CGBSC) and California Referenced Standards Code (CRSC) are not based on model building codes. However, in an advice letter dated June 6, 2001, from the Department of Justice (DOJ), it was stated that, "If it obtains the appropriate administrative approvals, the [California Building Standards] Commission may arrange for publication of [all parts of] the [California] Building Standards Code on a sole-source basis." The reasoning given was that it may be more cost effective and there would be more uniformity if the non-model code based parts were published by one of the model code publishers publishing the model code based parts.

2. Provide the background of events leading to this acquisition.

The publication of the CBSAC, CEC, CHBC, CGBSC and CRSC was competitively bid, prior to DOJ's letter. No publisher could outbid the model code publishing organization, which bid to publish these codes for no money. After a few years, the model code publishing organization became the only bidder.

3. Describe the uniqueness of the acquisition (why was the good/service/supplier chosen?)

In an advice letter dated June 6, 2001, from DOJ, it was stated that, "If it obtains the appropriate administrative approvals, the [California Building Standards] Commission may arrange for publication of [all parts of] the [California] Building Standards Code on a sole-source basis." The reasoning was that it may be more cost effective and there would be more uniformity if the non-model code based parts were published by one of the model code publishers publishing and selling the model code based parts.

4. What are the consequences of not purchasing the good/service or contracting with the proposed supplier?

If the commission does not contract with ICC to publish the CBSAC, CEC, CHBC, CGBSC and CRSC, it will cost the state to have them published, uniformity would be lost in the publication of the California Building Standards Code, and potentially the commission would have to enter into another contract for the sale of the CBSAC, CEC, CHBC, CGBSC and CRSC, if the publisher would not also sell them.

5. What market research was conducted to substantiate no competition, including evaluation of other items considered?

The publication of the CBSAC, CEC, CHBC, CGBSC and CRSC was competitively bid, prior to DOJ's letter. No publisher could outbid the model code publishing organization, which bid to publish these codes for no money. After a few years, the model code publishing organization became the only bidder.

Department of General Services Procurement Division GSPD-09-007 (New 11/09)

B. PRICE ANALYSIS

How was the price offered determined to be fair and reasonable?
 (Explain what the basis was for comparison and include cost analyses as applicable.)

There is no cost involved in this contract. The publisher recoups its publication costs in sales of the codes.

2. Describe any cost savings realized or costs avoided by acquiring the goods/services from this supplier

There is no cost involved in this contract. The publisher recoups its publication costs in sales of the codes.

Department of General Services Procurement Division GSPD-09-007 (New 11/09)

Non-Competitively Bid (NCB) Contract Justification Corrective Action Plan

This section must be completed for any NCB that could have been competitively bid but was not due to insufficient time to complete the competitive acquisition process. This does not apply to emergency procurements in accordance with PCC Sections 10302, 10340(b)(1) and 12102(a)(2).

Complete responses must	be provided for all of the following questions:
-------------------------	-------------------------------------------------

1.	Why is the submission of a NCB necessary and what are the determining factors that caused the problem? Explain why your department has not conducted a competitive bid. Provide the background of events (timeline) leading to the submission of this NCB. Identify any critical time delays or issues that prevented your department from completing this acquisition using a competitive process (i.e., budget, approvals, and/or appropriate analysis).
2.	What are the consequences of not having this NCB approved? Describe in detail the impact to the department and to the program(s) if the NCB is not approved.

3. How will your department ensure adequate planning to prevent submittal of NCB's for goods or services that should have been competitively bid?

Provide a detailed plan of your department's efforts to improve your acquisition planning to maximize the use of competition to meet your needs. This plan must include how the department will provide for a tracking system to ensure timely review of upcoming requirements. Departments acknowledge that submission of a corrective action plan is the basis for how the department will provide for sufficient time to use competition in the acquisition process. Failure to follow the Corrective Action Plan may result in the loss of your department's delegated procurement authority. This plan must be kept on file for future auditing purposes.

STATE OF CALIFORNIA- GENERAL SERVICES PROCUREMENT DIVISION

CONTRACT ADVERTISING EXEMPTION REQUEST (IN CALIFORNIA STATE CONTRACTS REGISTER)

STD. 821 (REV. 10/2006)

Government Code Section 14825 (et seq.) requires that all agreements entered into by state agencies for services shall be published in the California State Contracts Register (CSCR), unless exempted. Agreements which have been exempted by Department of General Services shall be listed in the CSCR.

TYPE OF REQUEST (Check one)		SERV	VICE TYP	E			
NON-COMPETITIVELY BID (NO CONTRACT JUSTIFICATION (8			NON-IT/TELECOM RELATED SERVICE IT/TELECOM RELATED SERVICES				
DEPARTME	NTAL CONTACT INFORMA	ATION	AGENCY BILLING CODE 30140				
	PLEASE TYPE		CONTRA	CT DESCRIPTION			
NAME: Katrina Benny DEPARTMENT: California Building Standards Commission DIVISION:				Publication contract for the publication of the 2016 triennial edition of the California Code of Regulations, Title 24, Parts 1, 6, 7 (vacant), 8, 11, and 12.			
ADDRESS: 2525 Nato	omas Park Dr. Ste 130 to, CA 95833	16	TELÉPHO	ONE NUMBER (Not CALNET-Include A	rea Code)		
			916-26	63-1350			
CONTRACT NUMBER	AMENDMENT NUMBER (If Applicable)	CONTRACT AMOUNT \$	0.00	AMENDMENT AMOUNT (If Applicable)	07/01/2015 - 12/31/2019		
PROVIDE CONTRACTOR'S	CONTRACTOR'S NAME International Code Counc	FEDERAL EMPLOYER IDENTIFICATION NUMBER					
NAME AND ADDRESS ONLY IF A NON- COMPETITIVELY BID	CONTRACTOR' S ADDRESS (Number, Street) 5203 Leesburg Pike, Suite 600						
(NCB) CONTRACT IS PROPOSED	(City, State, ZIP Code) Falls Church, VA, 22041-	3405					
An ex	emption from advertising i Disabled Veteran Bu			tracts Register is not an participation goal attainn			
EXEMPTION JUSTIFICATION (Attach		<u> </u>					
The California Building Standards Administrative Code (California Code of Regulations, Title 24, Part 1), California Energy Code (California Code of Regulations, Title 24, Part 6), (California Code of Regulations, Title 24, Part 7 - Vacant), 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 the California Referenced Standards Code (California Code of Regulations, Title 24, Part 12) are not based on model building codes.							
However, in an advice letter dated June 6, 2001, from the Department of Justice, it was stated that, "if it obtains the appropriate administrative approvals, the [California Building Standards] Commission may arrange for publication of [all parts of] the [California] Building Standards Code on a sole-source basis."							
The reasoning given was that it may be more cost effective and there would be more uniformity if the non-model code based parts were published by one of the model code publishers publishing the model code based parts.							

AUTHORIZED & GNATORE		PROCUREME ACTION TAKEN ON REQUEST APPROVED	NT DIVISION USE DNLY DENIED (See Below)
TELEPHONE NUMBER	DATE SIGNED	AUTHORIZED SIGNATURE	DATE SIGNED
CALNET 263-OTIL	5-28-15	A	
DEPARTMENT OF GENERAL SER DIVISION: ADDRESS: CITY, STATE, ZIP: DEPARTMENT OF GENERAL SER PROCUREMENT DIVISION 707 THIRD ST., Second Floor WEST SACRAMENTO, CA 95605	EVICES IMS CODE Z-1	COMMENTS	

STATE OF CALIFORNIA - GENERAL SERVICES PROCUREMENT DIVISION

CONTRACT ADVERTISING EXEMPTION REQUEST

(IN CALIFORNIA STATE CONTRACTS REGISTER)

STD. 621 (REV. 10/2006) REVERSE

INSTRUCTIONS

An exemption from advertising in the California State Contracts Register is not an exemption from Disabled Veteran Business Enterprise (DVBE) participation goal attainment.

- 1. Submit the original and one copy of the completed form and all supporting documents to the Department of General Services, Procurement Division for review and action. (Attach completed, NCB Contract Justification form as applicable.)
- 2. All applicable elements of the Justification form must be completed or the request may be denied.
- 3. Do not provide the name and address of the proposed contractor unless the request is to enter into a contract on a non-competitively bid basis.
- 4. All requests must include comprehensive justification.
- 5. Non-competitively bid contract justifications must include a narrative of the efforts made to secure similar services from other sources. Refer to the State Contracting Manual Section 5.70.

GENERAL INFORMATION

It is required by statute that State agencies advertise and bid all contracts for services over \$5,000. It is the agency's responsibility to develop and adopt contracting procedures which maximize competition and effect timely and proper contract award and execution.

The STD. 821, Contract Advertising Exemption Request, allows the Department of General Services to exempt agencies from these requirements when such action is justified.

Exemption is granted by either an approved request to be exempt from advertising in the California State Contracts Register or by an approved request to enter into a contract on a non-competitively bid basis.

Definitions of Requests:

REQUEST TO BE EXEMPT FROM ADVERTISING - A bid is going to be conducted. Request is made to be exempt from the requirement of advertising in the California State Contracts Register, which is required by Government Code Section 14827 et seq. The request is made because: (1) the exemption is necessary to preserve life or state property, or (2) there is an interest to the State that is so compelling that the agency believes an exemption is warranted.

REQUEST FOR NCB CONTRACT - Request is made to be exempt from competitive bidding because: (1) there is only one supplier that can perform the service, or (2) there is an interest to the State that is so compelling that the agency believes it warrants forgoing the competitive process per Public Contract Code Sections 10348 and 10380.

Refer to the State Contracting Manual for additional information.



MEMORANDUM

Date:

May 18, 2015

To:

DGS - OBAS 707 3rd Street

West Sacramento, CA 95605

From:

Katrina Benny, Staff Services Manager I

Building Standards Commission

Subject: Certification Requirement - NCB, ICC Part 1, 6, 7 (vacant), 8, 11 and 12

certify that this purchase is vital and mission critical for the Building Standards Commission.

The California Building Standards Administrative Code (CBSAC), California Energy Code (CEC), California Historical Building Code (CHBC), California Green Building Standards Code (CGBSC) and California Referenced Standards Code (CRSC) are not based on model building codes.

However, in an advice letter dated June 6, 2001, from the Department of Justice (DOJ), it was stated that, "If it obtains the appropriate administrative approvals, the [California Building Standards] Commission may arrange for publication of [all parts of] the [California] Building Standards Code on a sole-source basis." The reasoning given was that it may be more cost effective and there would be more uniformity if the non-model code based parts were published by one of the model code publishers publishing the model code based parts.

Katrina Benny, Staff Services Manager I

Building Standards Commission

STATE OF CALIFORNIA - Office of State Publishing

SERVICE RELEASE REQUEST SPECIFICATIONS

OSP 550, NEW (07/2012)

All fields are required (enter "N/A" if not applicable).
Fax this completed form to: 916.323.4305 or
email it to your OSP Customer Service Representative.

DATE OF REQUEST		OSP ESTIMATE NUMBER	/If available
5/20/2015	± ··	0	(in a remove)
AGENCY			
Building Standards Commission			
PROJECT TITLE Publication of CA Code of Regula	itions. Title 24. Buil	ldina Code Volum	nes 1 - 12
DUE DATE		FILE READY DATE	100 11,12
Triennial Publications	·	N/A	S
	SPECIFIC	CATIONS	
PROJECT DESCRIPTION	0. 201. 1		CONTRACT AMOUNT* (when applicable)
Building Standards Code	Books		\$0.00
QUANTITY	SIZE		CONTRACT TERM
13 Volumes	8 1/2 x 11		4.5 Years
PAPER	PACKAGING		*Attach scope of wor
Various	mail or ship		Number of Colors: 4
BINDERY	PROOFS REQUIRED		Large Solids: Yes No
Binders +Printed Subscriptions	Yes N	10	Bleeds: Yes No
SHIP TO			
Subscriptions			
MAILING INSTRUCTIONS			
Varies			
SPECIAL INSTRUCTIONS			
SERVICE RELEASE JUSTIFICATION			
All 13 Volumes of the California C	ode of Regulations	s, Title 24, Buildin	g Codes are copyright model code
materials from 3 organizations, Int	iernational Code C	ouncil, Internation	nal Association of Plumbing and
Mechanical Officials and the Natio	mai Fire Protection	Association.	
	CONTACT IN	IFODMA TION	
NAME	CONTACT IN	IFORINATION	
Katrina Benny			
TELEPHONE	FAX		EMAIL ADDRESS
916-263-1350	916-263-0959		katrina.benny@dgs.ca.gov
OSP CUSTOMER SERVICE REPRESENTATIVE	1;		1.0011113.0001113.00000
James Griffin			
	2.00.000.000.000		
FOR OSP USE ONLY:			
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STATE OF CALIFORNIA – Office of State Publishing SERVICE RELEASE DETERMINATION

OSP 551 REV: (1/2013)

The Office of State Publishing has reviewed the specifications and delivery time frames for the project below. Please keep this notice with related contracting information as your documentation.

EQUEST FOR PRINTING SERVICES NUMBER	DATE OF REQUEST	EXPIRATION DATE OF SERVICE RELEAS
5-21 - 404-50-06188	5/20/15	
VIEWED BY		
pel Soliz		
ENCY	ICONTACT NAME	
GS	Katrina Benny	
ENCY CODE	CONTACT PHONE	
04	263-1350	
OJECT TITLE		
ublication of CA Code of Regulations, Title 24	, Building Code Volumes 1 - 12	
OJECT SPECIFICATIONS		
DAMMENTS		-
P CUSTOMER SERVICE REPRESENTATIVE	ICSR PHONE	
ames Griffin	916-322-1006	
ECK APPLICABLE JUSTIFICATION STATEMENT(S):		OSP VEND-OUT
	STATEMENT OF FACTS	
	e e	Yes No
(A) OSP does not have production tim	e available to meet the customer's required	
·	·	
	necessary to produce the requested produc	
(C) OSP does not have the expertise t	to successfully produce the requested produ	act.
(D) OSP cannot accommodate the req	uired turnaround time. (less than 5 working	days)
(E) The customer's location/shipping a	address does not make it feasible for OSP to	accept the work
(F) Other Copyrighted Materials		accept the work.
(F) Other Oopyrighted Waterland		
TAILS		
TALE		
	Tage 2	
	×200	= 10
	# N	

For PD Use only NCB #

NON-COMPETITIVELY BID (NCB) CONTRACT JUSTIFICATION

For use on all information technology (IT) and non-IT goods and services acquisitions.

Attach to Std. 65, Std. 66 or Std. 821, as applicable.

This justification document consists of two (2) pages. All information must be provided and all questions must be answered. The "Required Approvals" section must include a date for each signature, as appropriate for the transaction.

	3ECHOII INC	Still Clude a C	Jac to Gacit Si	ignature, as app	robuste for the	ne transaction.		
		Reque	sting Depar	rtment Infon	mation			
Agency:			D	Department: DGS -				
Governmental Operation	าร		C	California Building Standards Commission (CBSC)				
			(*!	(*Includes Boards, Commissions, and Associations)				
Institution (if applicable)):							
 					4.0			
	-	Depa		tact Informa				
Contact/Buyers Name:				treet Addres				
Molly Lovett						ve, Suite 130	0	
Telephone:			S	acramento (CA 95833			
(916) 375-1844								
FAX:				lailing Addre				
(916)			Si	ame as abov	ve			
E-Mail:								
Technical Contact Name			· ·			F 20-		
Katrina Benny	:			elephone:		E-mail:		
Nati illa Dellily		i i baa		916) 263-135 ract Informal		Katrına.c	enny@dgs.ca.gov	
Contractor Name:		Neg	anea cour	act injorna	ugn .	a transfer of the second	The Mark Affects of the Control of t	
International Code Coun	cit (ICC)							
Contractor Address:	icii (ico)							
5203 Leeburg Pike, Suite	SON Falls (Shurah Vi	rainia 2204	1 2405				
3203 Leebuig Fike, Suite	ovo, rans v	Jiluicii, Vi	rynna 2204	1-3403				
Original Contract	Total Origi	nal	Amendme	né :	Amondo	d Contract	Has work	
Amount Excluding:**	Contract A			(if applicable)	Amount		commenced?	
Amount Excidency.	Jonitiact A	mount.	Ainount.	(ii applicable)	Ainount	•	☐ Yes ⊠ No	
\$ 0.00	\$ 0.00		& NI/A		\$ N/A		Have goods been	
7 0.00	4 0.00		\$ N/A		(*includes	original	acquired?	
(*Includes original contract	(*Includes orig		(*Current ame	endment only)	contract an	id all	☐ Yes ☒ No	
and previously approved amendments)	contract and p			Ž.	amendmen current am	its, including	Attach explanations for any	
·							"Yes" answers.	
Provide a brief description	on of the ac	uisition,	including a	II goods and	l/or servic	es the conti	actor will provide:	
ICC will provide services for	or the publica	ition of the	2016 trienn	ial edition of	California	Code of Regi	ulations, Title 24, Parts 2	
(CA Building Code), 2.5 (C	A Residentia	il Code), 9	(CA Fire Co	ode), 10 (CA	Existing B	uilding), and	all supplements and	
errata to these Parts.		A		4.1.4.4.4		0		
	Cont	act Term:	ontract Ty	pe and Term			4	
Contract Type: Select One: Non-IT God		act Tenn:		Type of	Awaru:			
Non-IT Ser		07/01/2015		CMAS:		finance		
☐ IT Goods	0	2/31/2019		Master:	H	No _X	Yes	
☐ IT Service			ct submittal	Competiti	ive. 📙	If yes at	tach the Statement of	
🗍 iT Goods &		es only):		Form 42:	_		nce to the State Financial	
Services Marketplace to								
			Required	Approvals	W. 3 (1)			
Department			Age	псу		Dept. of	General Services	
Approved □	Denied		Approved	☐ Denied	i i	Approved Denied		
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Signature of Director or Desi	ignee/Date	Signature	or Agency Seci	retary or Design	ee/Date	Signature of Di	rector or Designee/Date	
Jim McGowan							12	
Type Name of Directo		Тур	e Name of Age	of Agency Secretary or Type Name of Director or Designee				
See next page instruc			See next page				¥ -	

*Excluding sales and use tax, finance charges, postage and handling. Shipping charges are also excluded from the dollar threshold limits unless the shipping charge is included in the evaluation such as Free On Board (FOB) Origin, Freight Collect or FOB Destination

Remit completed form to:

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West Sacramento, CA 95605

Signature Instructions for Agencies with an Agency Secretary

This form requires approval by Agency Secretary or Agency Undersecretary and the department director or designee. The Agency Secretary may designate one person, in addition to Agency Undersecretary, to sign on his/her behalf, of cabinet officer level (e.g., Assistant Undersecretary, Deputy Secretary, etc., the actual title is dependent upon the Agency's organizational structure). The department director may delegate review and approval authority to his/her deputy directors and/or the Procurement and Contracting Officer. The director's designee shall send ratification notification to their director upon the designee's approval of the NCB transaction. The typed name and signature must match for both signatures.

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Complete responses must be provided for all of the following items.

A. THE GOOD/SERVICE REQUESTED IS RESTRICTED TO ONE SUPPLIER FOR THE REASONS STATED BELOW:

1. Why is the acquisition restricted to this good/service/supplier?

(Explain why the acquisition cannot be competitively bid. Explain if this is an emergency purchase or how the supplier is the only source for the acquisition and reference the PCC that applies, i.e., 12102, 10301/10302, or 10340.

The California Building Code (CBC), California Residential Code (CRC), California Fire Code (CFC), and California Existing Building (CEBC) will be based on four model building codes, the International Building Code (IBC), the International Residential Code (IRC), the International Fire Code (IFC), and the International Existing Building Code (IEBC), respectively. The California codes include both provisions of the model codes and amendments to those codes adopted by California.

ICC owns the copyrights to these model codes; therefore, ICC must be the publisher of the CBC, CRC, CFC, and CEBC if they are each to going to contain model code provisions and California's amendments to the model codes. If ICC is not the publisher, California's amendments to the IBC, IFC, and IEBC could not be published with the IBC, IFC, and IEBC provisions adopted by California.

2. Provide the background of events leading to this acquisition.

Throughout most of the 1980s, California published only the amendments it made to the model building codes, using the Office of State Publishing as the publisher. The building industry did not like having to refer back-and-forth between model code books and books containing California's amendments to the model codes. Therefore, in 1989, publication agreements were entered into, pursuant to Health and Safety Code Section 18928.1, so that California's amendments could be published with the model codes they amended.

3. Describe the uniqueness of the acquisition (why was the good/service/supplier chosen?)

ICC owns the copyrights to the model building codes upon which the CBC, CRC, CFC, and CEBC are based. Therefore, ICC must be the publisher of these California building codes if they are each going to contain model code provisions and California's amendments to the model codes.

4. What are the consequences of not purchasing the good/service or contracting with the proposed supplier?

If the commission does not contract with ICC to publish the CBC, CRC, CFC, and CEBC, it will not be able to have the model codes adopted by California published with California's amendments to those model codes. The publishing situation will return to that which existed in the 1980s when California's amendments to the model codes were not published with the model codes they amended. This was something the building industry found problematic.

5. What market research was conducted to substantiate no competition, including evaluation of other items considered?

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Department of General Services Procurement Division GSPD-09-007 (New 11/09)

B. PRICE ANALYSIS

 How was the price offered determined to be fair and reasonable? (Explain what the basis was for comparison and include cost analyses as applicable.)

There is no cost involved in this contract. The publisher recoups its publication costs in sales of the codes.

2. Describe any cost savings realized or costs avoided by acquiring the goods/services from this supplier

There is no cost involved in this contract. The publisher recoups its publication costs in sales of the codes.

Department of General Services Procurement Division GSPD-09-007 (New 11/09)

Non-Competitively Bid (NCB) Contract Justification Corrective Action Plan

This section must be completed for any NCB that could have been competitively bid but was not due to insufficient time to complete the competitive acquisition process. This does not apply to emergency procurements in accordance with PCC Sections 10302, 10340(b)(1) and 12102(a)(2).

Complete responses must be prov	ded for all of the following questions:
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1.	Why is the submission of a NCB necessary and what are the determining factors that caused the problem?
	Explain why your department has not conducted a competitive bid. Provide the background of events (timeline) leading to the submission of this NCB. Identify any critical time delays or issues that prevented your department from completing this acquisition using a competitive process
	(i.e., budget, approvals, and/or appropriate analysis).

2. What are the consequences of not having this NCB approved?

Describe in detail the impact to the department and to the program(s) if the NCB is not approved.

3. How will your department ensure adequate planning to prevent submittal of NCB's for goods or services that should have been competitively bid?

Provide a detailed plan of your department's efforts to improve your acquisition planning to maximize the use of competition to meet your needs. This plan must include how the department will provide for a tracking system to ensure timely review of upcoming requirements. Departments acknowledge that submission of a corrective action plan is the basis for how the department will provide for sufficient time to use competition in the acquisition process. Failure to follow the Corrective Action Plan may result in the loss of your department's delegated procurement authority. This plan must be kept on file for future auditing purposes.

STATE OF CALIFORNIA - GENERAL SERVICES PROCUREMENT DIVISION

CONTRACT ADVERTISING EXEMPTION REQUEST (IN CALIFORNIA STATE CONTRACTS REGISTER)

STD. 821 (REV. 10/2006)

Government Code Section 14825 (et seq.) requires that all agreements entered into by state agencies for services shall be published in the California State Contracts Register (CSCR), unless exempted. Agreements which have been exempted by Department of General Services shall be listed in the CSCR.

TYPE OF REQUEST (Check one)			RVICETY	PE			
NON-COMPETITIVELY BID (NC CONTRACT JUSTIFICATION (8)		ON VERTISING	NON-	IT/TELECOM RELATED SERVICE	IT/TELECOM RELATED SERVICES		
DEPARTME	NTAL CONTACT INFORMA	ATION	7.37	ENCY BILLING CODE	30140		
	PLEASE TYPE		CONTR	ACT DESCRIPTION			
NAME: Katrina Benny DEPARTMENT: California Building Standards Commission DIVISION:				Publication contract for the publication of the 2016 triennial edition of the California Code of Regulations, Title 24, Parts 2, 2.5. 9 and 10.			
ADDRESS: 2525 Nato	mas Park Dr. Ste 130				· ·		
CITY, STATE, ZIP: Sacrament	co, CA 95833			HONE NUMBER (Not CALNET-Include) 263-1350	Area Code)		
CONTRACT NUMBER	AMENDMENT NUMBER (# Applicable)	CONTRACT AMOUNT		AMENDMENT AMOUNT (If Applicable)	CONTRACT PERIOD		
			\$ 0.00		07/01/2015 - 12/31/2019		
PROVIDE CONTRACTOR'S	CONTRACTOR'S NAME International Code Council (ICC) FEDERAL EMPLOYER IDENTIFICATION NUMBER						
NAME AND ADDRESS ONLY IF A NON-	CONTRACTOR'S ADDRESS (Number,	•					
COMPETITIVELY BID	5203 Leesburg Pike, Suite	: 600					
(NCB) CONTRACT IS PROPOSED	(City, State, ZIP Code) Falls Church, VA, 22041-	3405					
An ex	emption from advertising l Disabled Veteran Bu			ntracts Register is not an participation goal attain			
EXEMPTION JUSTIFICATION (Attach	additional sheets if necessary)						
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. If ICC is not the publisher, California's amendments to the model codes cannot be published with the model codes provisions adopted by California. The building industry found the latter to be unworkable.							

AUTHORIZED SIGNATURE		PROCUREMENT	DIVISION USE ONLY
		ACTION TAKEN ON REQUEST APPROVED	DENIED (See Below)
TELEPHONE-NUMBER	DATE SIGNED	AUTHORIZED SIGNATURE	DATE SIGNED
CALNET 263-0916	5-28-15	200	
SEND TO: NAME: DEPARTMENT OF GENERAL SEI	IMS CODE Z-1	COMMENTS	
DIVISION: PROCUREMENT DIVISION ADDRESS: 707 THIRD ST., Second Floor CITY, STATE, ZIP: WEST SACRAMENTO, CA 95605	1.		

STATE OF CALIFORNIA - GENERAL SERVICES PROCUREMENT DIVISION

CONTRACT ADVERTISING EXEMPTION REQUEST

(IN CALIFORNIA STATE CONTRACTS REGISTER)

STD. 821 (REV. 10/2006) REVERSE

INSTRUCTIONS

An exemption from advertising in the California State Contracts Register is not an exemption from Disabled Veteran Business Enterprise (DVBE) participation goal attainment.

- 1. Submit the original and one copy of the completed form and all supporting documents to the Department of General Services, Procurement Division for review and action. (Attach completed, NCB Contract Justification form as applicable.)
- 2. All applicable elements of the Justification form must be completed or the request may be denied.
- 3. Do not provide the name and address of the proposed contractor unless the request is to enter into a contract on a non-competitively bid basis.
- 4. All requests must include comprehensive justification.
- 5. Non-competitively bid contract justifications must include a narrative of the efforts made to secure similar services from other sources. Refer to the State Contracting Manual Section 5.70.

GENERAL INFORMATION

It is required by statute that State agencies advertise and bid all contracts for services over \$5,000. It is the agency's responsibility to develop and adopt contracting procedures which maximize competition and effect timely and proper contract award and execution.

The STD. 821, Contract Advertising Exemption Request, allows the Department of General Services to exempt agencies from these requirements when such action is justified.

Exemption is granted by either an approved request to be exempt from advertising in the California State Contracts Register or by an approved request to enter into a contract on a non-competitively bid basis.

Definitions of Requests:

REQUEST TO BE EXEMPT FROM ADVERTISING - A bid is going to be conducted. Request is made to be exempt from the requirement of advertising in the California State Contracts Register, which is required by Government Code Section 14827 et seq. The request is made because: (1) the exemption is necessary to preserve life or state property, or (2) there is an interest to the State that is so compelling that the agency believes an exemption is warranted.

REQUEST FOR NCB CONTRACT - Request is made to be exempt from competitive bidding because: (1) there is only one supplier that can perform the service, or (2) there is an interest to the State that is so compelling that the agency believes it warrants forgoing the competitive process per Public Contract Code Sections 10348 and 10380.

Refer to the State Contracting Manual for additional information.



MEMORANDUM

Date:

May 18, 2015

To:

DGS - OBAS 707 3rd Street

West Sacramento, CA 95605

From:

Katrina Benny, Staff Services Manager I

Building Standards Commission

Subject: Certification Requirement - NCB, ICC Part 2, 2.5, 9 and 10

certify that this purchase is vital and mission critical for the Building Standards Commission.

The California Building Code (CBC), California Residential Code (CRC), California Fire Code (CFC), and California Existing Building Code (CEBC) will be based on four model building codes, the International Building Code (IBC), the International Residential Code (IRC), the International Fire Code (IFC), and the International Existing Building Code (IEBC), respectively. The California codes include both provisions of the model codes and amendments to those codes adopted by California.

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Katrina Benny, Staff Services Manager I

Building Standards Commission

STATE OF CALIFORNIA - Office of State Publishing

SERVICE RELEASE REQUEST SPECIFICATIONS

OSP 550, NEW (07/2012)

All fields are required (enter "N/A" if not applicable).

Fax this completed form to: 916.323.4305 or

email it to your OSP Customer Service Representative.

DATE OF REQUEST 5/20/2015	30	OSP ESTIMATE NUMB	ER (If available)	
AGENCY AGENCY		0		
Building Standards Commission				
PROJECT TITLE				
Publication of CA Code of Regula	itions, Title 24, Bui	ilding Code Volu	imes 1 - 12	
DUE DATE		FILE READY DATE		
Triennial Publications		N/A		
	e DECIEI	CATIONS		
PROJECT DESCRIPTION	SPECIFI	CATIONS	CONTRACT AMOUNT* (when application	a ble \
Building Standards Code	Books		\$0.00	aute)
QUANTITY	SIZE		CONTRACT TERM	
13 Volumes	8 1/2 x 11		4.5 Years	
PAPER	PACKAGING		INK:	*Attach scope of wor.
Various	mail or ship	를 이	Number of Colors: 4	
BINDERY	PROOFS REQUIRED		Large Solids:	Yes No
Binders +Printed Subscriptions	Yes I	No	Bleeds:	Yes No
SHIP TO				
Subscriptions				
MAILING INSTRUCTIONS				
Varies				
SPECIAL INSTRUCTIONS				
SERVICE RELEASE JUSTIFICATION				
All 13 Volumes of the California C	ode of Regulation	s, Title 24, Build	ling Codes are copyright mo	del code
materials from 3 organizations, In	ternational Code (Council, Internat	ional Association of Plumbir	ng and
Mechanical Officials and the Natio	onal Fire Protection	n Association.	·	
	00/54051			
NAME	CONTACTI	NFORMATION		
Katrina Benny				
TELEPHONE	FAX		EMAIL ADDRESS	<u> </u>
916-263-1350	916-263-0959		katrina.benny@dgs.ca	a dov
OSP CUSTOMER SERVICE REPRESENTATIVE	.];			
James Griffin				
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STATE OF CALIFORNIA - Office of State Publishing SERVICE RELEASE DETERMINATION

OSP 551 REV: (1/2013)

The Office of State Publishing has reviewed the specifications and delivery time frames for the project below. Please keep this notice with related contracting information as your documentation.

	RELEASE INFORMATION	
EQUEST FOR PRINTING SERVICES NUMBER	.1	XPIRATION DATE OF SERVICE RELEAS
5-21-404-50-06188	5/20/15	
EVIEWED BY		
loe! Soliz		
BENCY	CONTACT NAME	
OGS	Katrina Benny	
GENCY CODE	CONTACT PHONE	
.04	263-1350	
OJECT TITLE		
rublication of CA Code of Regulations, Title 24, Building	Code Volumes 1 - 12	
ROJECT SPECIFICATIONS		
DMMENTS		
SP CUSTOMER SERVICE REPRESENTATIVE	CSR PHONE	
ames Griffin	916-322-1006	
STATE	MENT OF FACTS	
ECK APPLICABLE JUSTIFICATION STATEMENT(S):		OSP VEND-OUT
		Yes No
(A) OSP does not have production time available	e to meet the customer's required deadli	ne. OSP SERVICE RELEASE
(B) OSP does not have the equipment necessar	y to produce the requested product.	Yes No
(C) OSP does not have the expertise to success	fully produce the requested product.	
(D) OSP cannot accommodate the required turn	around time. (less than 5 working days)	
(E) The customer's location/shipping address do	pes not make it feasible for OSP to accep	ot the work.
		9
(F) Other Copyrighted Materials		
(F) Other Copyrighted Materials		
(F) Other Copyrighted Materials		

For PD Use only NCB#

NON-COMPETITIVELY BID (NCB) CONTRACT JUSTIFICATION

For use on all information technology (IT) and non-IT goods and services acquisitions.

Attach to Std. 65, Std. 66 or Std. 821, as applicable.

This justification document consists of two (2) pages. All information must be provided and all questions must be answered. The "Required Approvals" section must include a date for each signature, as appropriate for the transaction.

	section mus		ate for each sign			ne transaction.	·	
Agonovi	Requesting Department Information							
Agency: Governmental Operation	10			Department: DGS -				
Governmental Operation	ıə			California Building Standards Commission (CBSC) (*Includes Boards, Commissions, and Associations)				
Institution (if applicable):								
		Depa	rtment Cont	act Informa	ation			
Contact/Buyers Name:				reet Addres				
Molly Lovett			252	25 Natomas	Park Dri	ve, Suite 130)	
Telephone:				cramento C		,		
(916) 375-1844			1					
FAX:			Ma	iling Addre	ess:			
(916)			L L	me as abov				
E-Mail:		-						
Technical Contact Name	1		Tel	lephone:		E-mail:		
Katrina Benny			(9	16) 263-135	10	Katrina.l	benny@dgs.ca.gov	
		Req						
Contractor Name:								
National Fire Protection	Association	(NFPA)						
Contractor Address:								
1 Batterymarch Park, Quincy MA 02169-7471								
Original Contract	Total Origin	al Amendment			Amended (Has work	
Amount Excluding:**	Contract Ar	nount:* Amount:* (if		if applicable)	Amount	*	commenced?	
							☐ Yes	
\$ 0.00	\$ 0.00	\$ N/A			\$ N/A		Have goods been	
(WI1:-d	/*Imalualaa asiai			(*Includes original		•	acquired?	
(*Includes original contract and previously approved	(*Includes origi contract and pr			endment only) contract and amendments			☐ Yes ☐ No	
amendments)	approved amer				current amendment)		Attach explanations for any "Yes" answers.	
Provide a brief description	on of the acc	uisition.	ncluding all	goods and	l/or servic	es the cont		
NFPA will provide services								
(California Electrical Code							g 1,	
Contract Type:		ct Term:					s transaction be	
Select One: Non-IT Go	ods			.,,		financed?		
Non-IT Ser	vice Begin: (07/01/2015		CMAS:		NoX Yes		
☐ IT Goods	End: 12	/31/2019		Master:				
☐ IT Service			ict submittal	Competiti	ive: 🔲	If yes, attach the Statement of		
☐ IT Goods &	service	es only);		Form 42:		Compliance to the State Financial		
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Department	D	_	Agen	-	.		f General Services	
Approved	Denied		Approved	☐ Denied	,	Appr	oved Denied	
	28.15							
Signature of Director or Des		Signature	of Agency Secre	etary or Design	ee/Date	Signature of Di	irector or Designee/Date	
	-			.		-	•	
Jim McGowan Type Name of Director	or or	T	a Nama = 6 Acc-	nov Contains	- -	Type Name	Type Name of Director or Designee	
See next page instruc		гур	e Name of Agen See next page i		"	i ype ivanii	o or pricordi di pesiglies	
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*Excluding sales and use tax, finance charges, postage and handling. Shipping charges are also excluded from the dollar threshold limits unless the shipping charge is included in the evaluation such as Free On Board (FOB) Origin, Freight Collect or FOB Destination

Remit completed form to:

Procurement Division Intake and Analysis Unit 707 Third Street, 2nd Floor, MS201 West Sacramento, CA 95605

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The California Electrical Code is based on a model building code, the National Electrical Code (NEC). The California Electrical Code includes both provisions of the NEC and amendments to the NEC adopted by California.

NFPA owns the copyright to the NEC; therefore, NFPA must be the publisher of the California Electrical Code if it is going to contain both NEC provisions and California's amendments to the NEC. If NFPA is not the publisher, California's amendments to the NEC could not be published with the provisions of the NEC adopted by California.

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3. Describe the uniqueness of the acquisition (why was the good/service/supplier chosen?)

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Department of General Services Procement Division GSPD-09-007 (New 11/09)

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STATE OF CALIFORNIA- GENERAL SERVICES PROCUREMENT DIVISION

CONTRACT ADVERTISING EXEMPTION REQUEST (IN CALIFORNIA STATE CONTRACTS REGISTER)

STD. 821 (REV. 10/2006)

TYPE OF REQUEST (Check one)

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NON-COMPETITIVELY BID (NO CONTRACT JUSTIFICATION (a		ION OVERTISING	NON-	TT/TELECOM RELATED SERVICE	IT/TELECOM RELATED SERVICES
DEPARTME	NTAL CONTACT INFORMA	ATION	AGI	ENCY BILLING CODE	30140
	PLEASE TYPE		1	ACT DESCRIPTION	30170
Γ		IMS CODE	2		olication of the 2016 triennial
NAME: Katrina Be		C-11			of Regulations, Title 24, Part 3.
DIVISION:	Building Standards Commi	ission			
ADDRESS: 2525 Nato	mas Park Dr. Ste 130				
CITY, STATE, ZIP: Sacrament	to, CA 95833	-1	TELEPI	ONE NUMBER (Not CALNET-Include	Area Code)
			916-2	263-1350	
CONTRACT NUMBER	AMENDMENT NUMBER (# Applicable)	CONTRACT AMOUNT	\$ 0.00	AMENDMENT AMOUNT (# Applicable)	07/01/2015 - 12/31/2019
PROVIDE	CONTRACTOR'S NAME		Ψ 0.00	<u></u>	FEDERAL EMPLOYER IDENTIFICATION
CONTRACTOR'S	National Fire Protection A	Association		•	NUMBER
NAME AND ADDRESS ONLY IF A NON-	CONTRACTOR'S ADDRESS (Number,	, Street)			
COMPETITIVELY BID	1 Batterymarch Park (City, State, ZIP Code)				
(NCB) CONTRACT IS PROPOSED	Quincy, MA 02169-7471	I			
	emption from advertising	in the California S	State Co	ntracts Register is not a	n exemption from
	Disabled Veteran Bu			participation goal attair	
EXEMPTION JUSTIFICATION (Attach	**				
The California Electrical (Code (California Code of Re	egulations, Title 24	4, Part 3)	is based on a model code	e, the National Electrical Code,
(NEC). The Cantornia El	ectrical Code includes both	provisions of the	NEC and	amendments to the NEC.	
Electrical Code, if it is goi	ng to contain both NEC pro	ovisions and Califo	rnia's am	endments to the NEC. If	be the publisher of the California NFPA is not the publisher, unilding industry found the latter to be
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TELEPHONE NUMBER		DATE SIGNED		RIZED SIGNATURE	DENIED (See Below) DATE SIGNED
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DEPARTMENT: DEPARTM	IENT OF GENERAL SERV				
	EMENT DIVISION				
	ST., Second Floor CRAMENTO, CA 95605				
MITHOLOGICAL TO THE OTHER		1.	人)

SERVICE TYPE

STATE OF CALIFORNIA - GENERAL SERVICES PROCUREMENT DIVISION

CONTRACT ADVERTISING EXEMPTION REQUEST

(IN CALIFORNIA STATE CONTRACTS REGISTER)

STD. 821 (REV. 10/2006) REVERSE

INSTRUCTIONS

An exemption from advertising in the California State Contracts Register is not an exemption from Disabled Veteran Business Enterprise (DVBE) participation goal attainment.

- 1. Submit the original and one copy of the completed form and all supporting documents to the Department of General Services, Procurement Division for review and action. (Attach completed, NCB Contract Justification form as applicable.)
- 2. All applicable elements of the Justification form must be completed or the request may be denied.
- 3. Do not provide the name and address of the proposed contractor unless the request is to enter into a contract on a non-competitively bid basis.
- 4. All requests must include comprehensive justification.
- 5. Non-competitively bid contract justifications must include a narrative of the efforts made to secure similar services from other sources. Refer to the State Contracting Manual Section 5.70.

GENERAL INFORMATION

It is required by statute that State agencies advertise and bid all contracts for services over \$5,000. It is the agency's responsibility to develop and adopt contracting procedures which maximize competition and effect timely and proper contract award and execution.

The STD. 821, Contract Advertising Exemption Request, allows the Department of General Services to exempt agencies from these requirements when such action is justified.

Exemption is granted by either an approved request to be exempt from advertising in the California State Contracts Register or by an approved request to enter into a contract on a non-competitively bid basis.

Definitions of Requests:

REQUEST TO BE EXEMPT FROM ADVERTISING - A bid is going to be conducted. Request is made to be exempt from the requirement of advertising in the California State Contracts Register, which is required by Government Code Section 14827 et seq. The request is made because: (1) the exemption is necessary to preserve life or state property, or (2) there is an interest to the State that is so compelling that the agency believes an exemption is warranted.

REQUEST FOR NCB CONTRACT - Request is made to be exempt from competitive bidding because: (1) there is only one supplier that can perform the service, or (2) there is an interest to the State that is so compelling that the agency believes it warrants forgoing the competitive process per Public Contract Code Sections 10348 and 10380.

Refer to the State Contracting Manual for additional information.



MEMORANDUM

Date:

May 18, 2015

To:

DGS - OBAS 707 3rd Street

West Sacramento, CA 95605

From:

Katrina Benny, Staff Services Manager I

Building Standards Commission

Subject: Certification Requirement - NCB, NFPA

certify that this purchase is vital and mission critical for the Building Standards Commission.

The California Electrical Code is based on a model building code, the National Electrical Code (NEC). The California Electrical Code includes both provisions of the NEC and amendments to the NEC adopted by California.

NFPA owns the copyright to the NEC; therefore, NFPA must be the publisher of the California Electrical Code if it is going to contain both NEC provisions and California's amendments to the NEC. If NFPA is not the publisher, California's amendments to the NEC could not be published with the provisions of the NEC adopted by California.

Katrina Benny, Staff Services Manager I

Building Standards Commission

STATE OF CALIFORNIA - Office of State Publishing

SERVICE RELEASE REQUEST SPECIFICATIONS

OSP 550, NEW (07/2012)

All fields are required (enter "N/A" if not applicable).

Fax this completed form to: 916.323.4305 or

email it to your OSP Customer Service Representative.

DATE OF REQUEST 5/20/2015	=	OSP ESTIMATE NUMBER (IF	
AGENCY AGENCY		0	<u> </u>
Building Standards Commission			£!
Project title Publication of CA Code of Regula	ations, Title 24, Bui	lding Code Volume	s 1 - 12
DUE DATE		FILE READY DATE	
Triennial Publications		N/A	
	SPECIFI	CATIONS	
PROJECT DESCRIPTION		, .	CONTRACT AMOUNT* (when applicable)
Building Standards Code			\$0.00
13 Volumes	8 1/2 x 11		CONTRACT TERM 4.5 Years
PAPER	PACKAGING		*Attach scope of wo
Various	Number of Colors: 4		
BINDERY PROOFS REQUIRED			Large Solids: Yes No
Binders +Printed Subscriptions Yes No			Bleeds: Yes No
SHIP TO			
Subscriptions		*1	
MAILING INSTRUCTIONS			
Varies			* <
SPECIAL INSTRUCTIONS		/ /2	
SERVICE RELEASE JUSTIFICATION			The contract of the contract o
All 13 Volumes of the California C	ode of Regulations	s. Title 24. Building	Codes are convright model code
materials from 3 organizations, In Mechanical Officials and the Natio	ternational Code C	ouncil, Internationa	Association of Plumbing and
	CONTACTIN	EODMATION	
NAME	CONTACT IN	IFORMATION	
Katrina Benny			
TELEPHONE	FAX		EMAIL ADDRESS
916-263-1350	916-263-0959		katrina.benny@dgs.ca.gov
OSP CUSTOMER SERVICE REPRESENTATIVE			
James Griffin		- 11	
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	TOWE	EQUIPMENT.	
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STATE OF CALIFORNIA - Office of State Publishing SERVICE RELEASE DETERMINATION

OSP 551 REV: (1/2013)

The Office of State Publishing has reviewed the specifications and delivery time frames for the project below. Please keep this notice with related contracting information as your documentation.

SERVICE RELEASE INFORMATION REQUEST FOR PRINTING SERVICES NUMBER DATE OF REQUEST EXPIRATION DATE OF SERVICE RELEASE 05-21-404-50-06188 5/20/15 REVIEWED BY Noe! Soliz AGENCY CONTACT NAME DGS Katrina Benny AGENCY CODE CONTACT PHONE 404 263-1350 PROJECT TITLE Publication of CA Code of Regulations, Title 24, Building Code Volumes 1 - 12 PROJECT SPECIFICATIONS COMMENTS OSP CUSTOMER SERVICE REPRESENTATIVE CSR PHONE James Griffin 916-322-1006 STATEMENT OF FACTS OSP VEND-OUT CHECK APPLICABLE JUSTIFICATION STATEMENT(S): X No Yes (A) OSP does not have production time available to meet the customer's required deadline. OSP SERVICE RELEASE ⊠Yes No (B) OSP does not have the equipment necessary to produce the requested product. (C) OSP does not have the expertise to successfully produce the requested product. (D) OSP cannot accommodate the required turnaround time. (less than 5 working days) (E) The customer's location/shipping address does not make it feasible for OSP to accept the work. (F) Other Copyrighted Materials **DETAILS**

For PD Use only NCB#

NON-COMPETITIVELY BID (NCB) CONTRACT JUSTIFICATION

For use on all information technology (iT) and non-IT goods and services acquisitions.

Attach to Std. 65, Std. 66 or Std. 821, as applicable.

This justification document consists of two (2) pages. All information must be provided and all questions must be answered. The "Required Approvals" section must include a date for each signature, as appropriate for the transaction.

section must include a date for each signature, as appropriate for the transaction.								
		Reque	sting Depa	artment infor	mation			
Agency:				Department: DGS -				
Governmental Operation	าร		(California Building Standards Commission (CBSC)				
				(*Includes Boards	, Commissi	ons, and Associa	itions)	
institution (if applicable):								
		Depa	artment Co	ntact informa	ation			
Contact/Buyers Name:				Street Addres	SS:			
Molly Lovett			2	2525 Natoma	s Park Dr	rive, Suite 130	0	
Telephone:	•			Sacramento (
(916) 376-1844								
FAX:				Mailing Addre	ess:			
(916)				Same as abov				
E-Mail:								
Molly.lovett@dgs.ca.go\	/						·	
Technical Contact Name)		7	Telephone:		E-mail:	·	
Katrina Benny			((916) 263-135	50	Katrina.l	benny@dgs.ca.gov	
		Reg	uired Cont	tract Informa	tion			
Contractor Name:	Contractor Name:							
International Association of Plumbing and Mechanical Officials (IAPMO)								
Contractor Address:						·		
5001 E. Philadelphia Stre	et. Ontario	California	91761					
Original Contract Total Original Amendment Amended Contract Has work								
Amount Excluding:**	Contract A			Amount:* (if applicable) Amount			commenced?	
,	00111111111	iiio aiiti	7 11110 41111	(ii applicable)	Antoun	. .	☐ Yes ☒ No	
\$ 0.00	\$ 0.00		\$ N/A	/Δ \$ N/A			Have goods been	
V 0.00	4 0.00		D IVIA	i	(*Includes	original	acquired?	
(*Includes original contract	(*Includes ori		(*Current amenda		dment only) contract and a		☐ Yes ⊠ No	
and previously approved amendments)	contract and paper approved am				amendments, i		Attach explanations for any	
<u> </u>							"Yes" answers.	
Provide a brief description	on of the ac	quisition.	including a	all goods and	/or servi	ces the conti	actor will provide:	
IAPMO will provide service								
Parts 4 (California Mechar						plements and	errata to these Parts.	
20 mg 10 mg 20 mg 20 10 mg 20				ype and Term				
Contract Type:		ract Term:		Type of	Award:		s transaction be	
Select One: Non-IT God					_	finance	d?	
Non-iT Ser		07/01/2015	j	CMAS:		No _X Yes		
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☐ IT Goods &			act submittal	, ,	ive: 📙		tach the Statement of	
Services	(Servic	es only):		Form 42:			nce to the State Financial ace to this form	
	Const of the Section	49.00 FA	Required	Approvals	fe			
Department		T		ency			General Services	
	Denied		Approved	☐ Denied	1	Appro		
				_				
	-28-				.			
Signature of Director or Des	ignee/Date	Signature	ot Agency Se	cretary or Design	ee/Date	Signature of Di	rector or Designee/Date	
Jim McGowan								
Type Name of Directo		Тур	e Name of Ag	gency Secretary of	or -	Type Name	e of Director or Designee	
See next page instruc			See next pag	ge instructions	,			
*Excluding sales and use tax, finance charges, postage and handling. Remit completed form to: Procurement Division								

Excluding sales and use tax, finance charges, postage and handling. Shipping charges are also excluded from the doilar threshold limits unless the shipping charge is included in the evaluation such as Free On Board (FOB) Origin, Freight Collect or FOB Destination

Procurement Division Intake and Analysis Unit 707 Third Street, 2nd Floor, MS201 West Sacramento, CA 95605 Department of General Services Procurement Division GSPD-09-007 (New 11/09)

Signature Instructions for Agencies with an Agency Secretary

This form requires approval by Agency Secretary or Agency Undersecretary and the department director or designee. The Agency Secretary may designate one person, in addition to Agency Undersecretary, to sign on his/her behalf, of cabinet officer level (e.g., Assistant Undersecretary, Deputy Secretary, etc., the actual title is dependent upon the Agency's organizational structure). The department director may delegate review and approval authority to his/her deputy directors and/or the Procurement and Contracting Officer. The director's designee shall send ratification notification to their director upon the designee's approval of the NCB transaction. The typed name and signature must match for both signatures.

Signature Instructions for Agencies that do not have an Agency Secretary

This form requires approval by the highest ranking executive officer or designee. The highest ranking officer may designate one person to sign on his/her behalf subject to DGS approval. The highest ranking officer may delegate review and approval authority to his/her deputy directors and/or the Procurement and Contracting Officer. The designee shall send ratification notification to their highest ranking executive officer upon their approval of the NCB. The typed name and signature must match.

Complete responses must be provided for all of the following items.

A. THE GOOD/SERVICE REQUESTED IS RESTRICTED TO ONE SUPPLIER FOR THE REASONS STATED BELOW:

1. Why is the acquisition restricted to this good/service/supplier?

(Explain why the acquisition cannot be competitively bid. Explain if this is an emergency purchase or how the supplier is the only source for the acquisition and reference the PCC that applies, i.e., 12102, 10301/10302, or 10340.

The California Mechanical Code (CMC) and California Plumbing Code (CPC) are based on two model building codes, the Uniform Mechanical Code (UMC) and the Uniform Plumbing Code (UPC) respectively. The California codes include both provisions of the model codes and amendments to those codes adopted by California.

IAPMO owns the copyrights to these model codes; therefore, IAPMO must be the publisher of the CMC and CPC if they are each going to contain model code provisions and California's amendments to the model codes. If IAPMO is not the publisher, California's amendments to the UMC and UPC could not be published with the provisions of the UMC and UPC adopted by California.

2. Provide the background of events leading to this acquisition.

Throughout most of the 1980s, California published only the amendments it made to the model building codes, using the Office of State Publishing as the publisher. The building industry did not like having to refer back-and-forth between model code books and books containing California's amendments to the model codes. Therefore, in 1989, publication agreements were entered into, pursuant to Health and Safety Code Section 18928.1, so that California's amendments could be published with the model codes they amended.

3. Describe the uniqueness of the acquisition (why was the good/service/supplier chosen?)

IAPMO owns the copyrights to the model building codes upon which the CMC and CPC are based. Therefore, IAPMO must be the publisher of these California building codes if they are each going to contain model code provisions and California's amendments to the model codes.

4. What are the consequences of not purchasing the good/service or contracting with the proposed supplier?

If the commission does not contract with IAPMO to publish the CMC and CPC, it will not be able to have the model codes adopted by California published with California's amendments to those model codes. The publishing situation will return to that which existed in the 1980s where California's amendments to the model codes were not published with the model codes they amended. This was something the building industry found problematic.

5. What market research was conducted to substantiate no competition, including evaluation of other items considered?

IAPMO owns the copyrights to the model building codes upon which the CMC and CPC are based. Therefore, IAPMO must be the publisher of the CMC and CPC, if they are each going to contain model code provisions and California's amendments to the model codes. If the commission does not contract with IAPMO, it will not be able to have the model codes adopted by California published with California's amendments to these model codes. The building industry found the latter to be unworkable.

Department of General Services Procurement Division GSPD-09-007 (New 11/09)

B. PRICE ANALYSIS

1. How was the price offered determined to be fair and reasonable? (Explain what the basis was for comparison and include cost analyses as applicable.)

There is no cost involved in this contract. The publisher recoups its publication costs in sales of the codes.

2. Describe any cost savings realized or costs avoided by acquiring the goods/services from this supplier

There is no cost involved in this contract. The publisher recoups its publication costs in sales of the codes.

Non-Competitively Bid (NCB) Contract Justification Corrective Action Plan

This section must be completed for any NCB that could have been competitively bid but was not due to insufficient time to complete the competitive acquisition process. This does not apply to emergency procurements in accordance with PCC Sections 10302, 10340(b)(1) and 12102(a)(2).

Complete responses m	nust be provided	for all of the	following	auestions:
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1.	Why is the submission of a NCB necessary and what are the determining factors that caused the problem? Explain why your department has not conducted a competitive bid. Provide the background of events (timeline) leading to the submission of this NCB. Identify any critical time delays or issues that prevented your department from completing this acquisition using a competitive process (i.e., budget, approvals, and/or appropriate analysis).
	to the second of
2.	What are the consequences of not having this NCB approved? Describe in detail the impact to the department and to the program(s) if the NCB is not approved.

3. How will your department ensure adequate planning to prevent submittal of NCB's for goods or services that should have been competitively bid?

Provide a detailed plan of your department's efforts to improve your acquisition planning to maximize the use of competition to meet your needs. This plan must include how the department will provide for a tracking system to ensure timely review of upcoming requirements. Departments acknowledge that submission of a corrective action plan is the basis for how the department will provide for sufficient time to use competition in the acquisition process. Failure to follow the Corrective Action Plan may result in the loss of your department's delegated procurement authority. This plan must be kept on file for future auditing purposes.

STATE OF CALIFORNIA- GENERAL SERVICES PROCUREMENT DIVISION

CONTRACT ADVERTISING EXEMPTION REQUEST (IN CALIFORNIA STATE CONTRACTS REGISTER)

STD. 821 (REV. 10/2006)

Government Code Section 14825 (et seq.) requires that all agreements entered into by state agencies for services shall be published in the California State Contracts Register (CSCR), unless exempted. Agreements which have been exempted by Department of General Services shall be listed in the CSCR.

TYPE OF REQUEST (Check one)				VICE TYPE				
NON-COMPETITIVELY BID (NO CONTRACT JUSTIFICATION (8		XEMPTION ROM ADVERTISING	~	NON-IT/TELECOM RELATED SERVICE	IT/TELEC	COM RELATED SERVICES		
DEPARTME	NTAL CONTACT INF	ORMATION		AGENCY BILLING CODE	30	0140		
NAME: Katrina Benny DEPARTMENT: California Building Standards Commission DIVISION: ADDRESS: 2525 Natomas Park Dr. Ste 130 CITY. STATE, ZIP: Sacramento, CA 95833				Publication contract for the publication of the 2016 triennial edition of the California Code of Regulations, Title 24, Parts 4 and 5. TELEPHONE NUMBER (Not CALNET-Include Area Code) 916-263-1350				
CONTRACT NUMBER	AMENDMENT NUMBER (# Applical	contract amoun		0.00	07/01/201	ERIOD 5 - 12/31/2019		
PROVIDE CONTRACTOR'S		_		chanical Officials (IAPMO)	1	PLOYER IDENTIFICATION		
NAME AND ADDRESS ONLY IF A NON- COMPETITIVELY BID (NCB) CONTRACT IS PROPOSED	CONTRACTOR'S ADDRESS (5001 E. Philadelphia (City, State, ZIP Code) Ontario, CA 9176	Street						
An ex				te Contracts Register is not an DVBE) participation goal attain		from		
EXEMPTION JUSTIFICATION (Attach	additional sheets if necessary)							
The International Association IAPMO must be the published model codes. If IAPM	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 building 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 Plumbing and Mechanical Officials (IAPMO) owns the copyrights to these two model codes; therefore, IAPMO must be the publisher of these California codes, if it they are going to contain model code provisions and California's amendments to the model codes. If IAPMO is not the publisher, California's amendments to the model codes cannot be published with the provisions adopted by California. The building industry found the latter to be unworkable.							
	,							
AUTHORIZED SIGNATURE	2		6	PROCUREMENT ACTION TAKEN ON REQUEST	DIVISION	SEONLY		
8				APPROVED	DENIED (See Below)		
TELEPHONE NUMBER		DATE SIGNED		AUTHORIZED SIGNATURE		DATE SIGNED		
CALNET ZG3 -	0916	5-23-15		COMMENTS				
DIVISION: PROCUR ADDRESS: 707 THIR	MENT OF GENERAL S EMENT DIVISION D ST., Second Floor			COMMENTS				
CITY, STATE, ZIP: WEST SA	CRAMENTO, CA 956	005	儿)		

STATE OF CALIFORNIA - GENERAL SERVICES PROCUREMENT DIVISION

CONTRACT ADVERTISING EXEMPTION REQUEST

(IN CALIFORNIA STATE CONTRACTS REGISTER)

STD. 821 (REV. 10/2006) REVERSE

INSTRUCTIONS

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REQUEST FOR NCB CONTRACT - Request is made to be exempt from competitive bidding because: (1) there is only one supplier that can perform the service, or (2) there is an interest to the State that is so compelling that the agency believes it warrants forgoing the competitive process per Public Contract Code Sections 10348 and 10380.

Refer to the State Contracting Manual for additional information.



MEMORANDUM

Date:

May 18, 2015

To:

DGS - OBAS 707 3rd Street

West Sacramento, CA 95605

From:

Katrina Benny, Staff Services Manager I

Building Standards Commission

Subject: Certification Requirement - NCB, IAPMO

certify that this purchase is vital and mission critical for the Building Standards Commission.

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Katrina Benny, Staff Services Manager I

Building Standards Commission

STATE OF CALIFORNIA - Office of State Publishing SERVICE RELEASE REQUEST SPECIFICATIONS

OSP 550, NEW (07/2012)

All fields are required (enter "N/A" if not applicable).

Fax this completed form to: 916.323.4305 or
email it to your OSP Customer Service Representative.

DATE OF REQUEST	23	OSP ESTIMATE NUMBER	• •
5/20/2015 AGENCY	_ 	0	'Y ^E = 5
Building Standards Commission	<u> </u>	<u> </u>	#
Project mile Publication of CA Code of Regula	ations, Title 24, Bui	iding Code Volum	es 1 - 12
Triennial Publications		FILE READY DATE N/A	
	SPECIEI	CATIONS	
PROJECT DESCRIPTION	0, 201, 1	OATIONS	CONTRACT AMOUNT* (when applicable)
Building Standards Code	Books	\$0.00	
QUANTITY	SIZE		CONTRACT TERM
13 Volumes	8 1/2 x 11		4.5 Years *Attach scope of w
PAPER Various	PACKAGING		INK:
BINDERY	mail or ship		Number of Colors: 4
Binders +Printed Subscriptions		No =	Large Solids: Yes N
SHIP TO		40	Bleeds: Yes N
Subscriptions		•	
MAILING INSTRUCTIONS			
Varies			
SPECIAL INSTRUCTIONS		· ·	
SERVICE RELEASE JUSTIFICATION All 13 Volumes of the California C materials from 3 organizations, Int Mechanical Officials and the Natio	ternational Code C	Ouncil, Internation	g Codes are copyright model code al Association of Plumbing and
	CONTACT IN	FORMATION	
маме Katrina Benny			2 2
TELEPHONE	FAX		EMAIL ADDRESS
916-263-1350	916-263-0959		katrina.benny@dgs.ca.gov
OSP CUSTOMER SERVICE REPRESENTATIVE			
James Griffin	à.		
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STATE OF CALIFORNIA – Office of State Publishing SERVICE RELEASE DETERMINATION

OSP 551 REV: (1/2013)

The Office of State Publishing has reviewed the specifications and delivery time frames for the project below. Please keep this notice with related contracting information as your documentation.

	LEASE INFORMATION	
REQUEST FOR PRINTING SERVICES NUMBER	DATE OF REQUEST	EXPIRATION DATE OF SERVICE RELEASE
05-21-404-50-06188 REVIEWED BY	5/20/15	
Noe! Soliz		
AGENCY	CONTACT NAME	
DGS	Katrina Benny	
AGENCY CODE 404	CONTACT PHONE 263-1350	
PROJECT TITLE	203-1330	, <u>, , , , , , , , , , , , , , , , , , </u>
Publication of CA Code of Regulations, Title 24, Building Cod	de Volumes 1 - 12	11
PROJECT SPECIFICATIONS		X
COMMENTS		
OSP CUSTOMER SERVICE REPRESENTATIVE	CSR PHONE	
James Griffin	916-322-1006	
T#:		
STATEME	NT OF FACTS	
CHECK APPLICABLE JUSTIFICATION STATEMENT(S):		OSP VEND-OUT ☐Yes ☑No
(A) OSP does not have production time available to	meet the customer's required de	
(B) OSP does not have the equipment necessary to	produce the requested product.	Yes No
(C) OSP does not have the expertise to successful	y produce the requested product.	
(D) OSP cannot accommodate the required turnaro	und time. (less than 5 working da	ays)
(E) The customer's location/shipping address does	not make it feasible for OSP to a	ccept the work.
(F) Other Copyrighted Materials		ā
DETAILS		
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