

**CONTRACT ADVERTISING EXEMPTION REQUEST
IN CALIFORNIA STATE CONTRACTS REGISTER)**

TD. 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.

NOB# 16310

| | | | |
|--|---|--|--|
| TYPE OF REQUEST (Check one) | | SERVICE TYPE | |
| <input checked="" type="checkbox"/> NON-COMPETITIVELY BID (NCB) CONTRACT JUSTIFICATION (attach NCB) | <input type="checkbox"/> EXEMPTION FROM ADVERTISING | <input checked="" type="checkbox"/> NON-IT/TELECOM RELATED SERVICE | <input type="checkbox"/> IT/TELECOM RELATED SERVICES |

| | | | |
|--|----------------|---|--|
| DEPARTMENTAL CONTACT INFORMATION | | AGENCY BILLING CODE 30140 | |
| PLEASE TYPE | | CONTRACT DESCRIPTION | |
| NAME: Katrina Benny | IMS CODE: C-11 | Publication contract for the publication of the 2016 triennial edition of the California Code of Regulations, Title 24, Part 3. | |
| DEPARTMENT: California Building Standards Commission | | | |
| DIVISION: | | | |
| ADDRESS: 2525 Natomas Park Dr. Ste 130 | | | |
| CITY, STATE, ZIP: Sacramento, CA 95833 | | TELEPHONE NUMBER (Not CALNET-Include Area Code) 916-263-1350 | |

| | | | | |
|-----------------|----------------------------------|-----------------|----------------------------------|-------------------------|
| CONTRACT NUMBER | AMENDMENT NUMBER (if Applicable) | CONTRACT AMOUNT | AMENDMENT AMOUNT (if Applicable) | CONTRACT PERIOD |
| | | \$ 0.00 | | 07/01/2015 - 12/31/2019 |

| | | |
|--|--|--|
| PROVIDE CONTRACTOR'S NAME AND ADDRESS ONLY IF A NON-COMPETITIVELY BID (NCB) CONTRACT IS PROPOSED | CONTRACTOR'S NAME | FEDERAL EMPLOYER IDENTIFICATION NUMBER |
| | National Fire Protection Association | |
| | CONTRACTOR'S ADDRESS (Number, Street) 1 Batterymarch Park (City, State, ZIP Code) Quincy, MA 02169-7471 | |

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

EXEMPTION JUSTIFICATION (Attach additional sheets if necessary)
The California Electrical Code (California Code of Regulations, Title 24, Part 3), is based on a model code, the National Electrical Code, NEC). The California Electrical Code includes both provisions of the NEC and amendments to the NEC.

The National Fire Protection Association (NFPA) owns the copyrights 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 cannot be published with the provisions adopted by California. The building industry found the latter to be inworkable.

| | | | |
|----------------------|-------------|--|-------------|
| AUTHORIZED SIGNATURE | | PROCUREMENT DIVISION USE ONLY | |
| | | ACTION TAKEN ON REQUEST | |
| TELEPHONE NUMBER | | <input checked="" type="checkbox"/> APPROVED <input type="checkbox"/> DENIED (See Below) | |
| CALNET | DATE SIGNED | AUTHORIZED SIGNATURE | DATE SIGNED |
| 263-0916 | | | 7/22/15 |

| | |
|--|--|
| SEND TO: | DGS PROCUREMENT COMMENTS RECEIVED JUN 26 2015 |
| NAME: | |
| DEPARTMENT: DEPARTMENT OF GENERAL SERVICES | |
| DIVISION: PROCUREMENT DIVISION | |
| ADDRESS: 707 THIRD ST., Second Floor WEST SACRAMENTO, CA. 95605 | |

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For PD Use only
 NCB #: 6370

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.

| Requesting Department Information | |
|---|--|
| Agency: Governmental Operations | Department: DGS - California Building Standards Commission (CBSC) <small>(*Includes Boards, Commissions, and Associations)</small> |
| Institution (if applicable): | |

| Department Contact Information | | |
|--|--|--|
| Contact/Buyers Name: Molly Lovett Telephone: (916) 375-1844 FAX: (916) E-Mail: | Street Address: 2525 Natomas Park Drive, Suite 130 Sacramento CA 95833 Mailing Address: Same as above Telephone: (916) 263-1350 E-mail: Katrina.benny@dgs.ca.gov | |
| Technical Contact Name: Katrina Benny | | |

| Required Contract Information | | | | |
|--|--|--|---|---|
| Contractor Name: National Fire Protection Association (NFPA) | | | | |
| Contractor Address: 1 Batterymarch Park, Quincy MA 02169-7471 | | | | |
| Original Contract Amount Excluding:** \$ 0.00 <small>(*Includes original contract and previously approved amendments)</small> | Total Original Contract Amount:** \$ 0.00 <small>(*Includes original contract and previously approved amendments)</small> | Amendment Amount:** (if applicable) \$ N/A <small>(*Current amendment only)</small> | Amended Contract Amount:** \$ N/A <small>(*Includes original contract and all amendments, including current amendment)</small> | Has work commenced? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Have goods been acquired? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <small>Attach explanations for any "Yes" answers.</small> |

Provide a brief description of the acquisition, including all goods and/or services the contractor will provide:
 NFPA will provide services for the publication of the 2016 triennial edition of California Code of Regulations, Title 24, Part 3 (California Electrical Code), and all supplements and errata to this Part.

| Contract Type and Term | | | |
|--|---|---|---|
| Contract Type: Select One: <input type="checkbox"/> Non-IT Goods <input checked="" type="checkbox"/> Non-IT Service <input type="checkbox"/> IT Goods <input type="checkbox"/> IT Service <input type="checkbox"/> IT Goods & Services | Contract Term: Begin: 07/01/2015 End: 12/31/2019 Explain late contract submittal (services only): | Type of Award: CMAS: <input type="checkbox"/> Master: <input type="checkbox"/> Competitive: <input type="checkbox"/> Form 42: <input type="checkbox"/> | Will this transaction be financed? No <input checked="" type="checkbox"/> Yes _____ If yes, attach the Statement of Compliance to the State Financial Marketplace to this form |

| Required Approvals | | |
|---|--|--|
| Department <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied  Signature of Director or Designee/Date Esteban Almanza, Acting Director <small>Type Name of Director or See next page instructions</small> | Agency <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied  Signature of Agency Secretary or Designee/Date Jennifer Olson <small>Type Name of Agency Secretary or See next page instructions</small> | Dept. of General Services <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied  Signature of Director or Designee/Date Ricardo G. Mantua <small>Type Name of Director or Designee</small> |

**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

2015
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6/30/15
 CA

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 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.

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

Throughout most of the 1980s, California published only the amendments it made to 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 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?)

NFPA owns the copyright to the model building code upon which the California Electrical Code is based. Therefore, NEC 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.

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

If the commission does not contract with NFPA to publish the California Electrical Code, it will not be able to have the NEC provisions adopted by California published with California's amendments to the NEC. The publishing situation will return to that which existed in the 1980s where California's amendments to 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?

NFPA owns the copyright to the NEC, which is the model building code upon which the California Electrical Code is based. 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 the commission does not contract with NFPA, it will not be able to have the NEC provisions adopted by California published with California's amendments to the NEC. The building industry found the latter to be unworkable.

**CONTRACT ADVERTISING EXEMPTION REQUEST
IN CALIFORNIA STATE CONTRACTS REGISTER)**

FD-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.

NOV # 6371

| | | | |
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| TYPE OF REQUEST (Check one) | | SERVICE TYPE | |
| <input checked="" type="checkbox"/> NON-COMPETITIVELY BID (NCB) CONTRACT JUSTIFICATION (attach NCB) | <input type="checkbox"/> EXEMPTION FROM ADVERTISING | <input checked="" type="checkbox"/> NON-IT/TELECOM RELATED SERVICE | <input type="checkbox"/> IT/TELECOM RELATED SERVICES |

| | | | |
|--|----------------|---|--|
| DEPARTMENTAL CONTACT INFORMATION | | AGENCY BILLING CODE 30140 | |
| PLEASE TYPE | | CONTRACT DESCRIPTION | |
| NAME: Katrina Benny | IMS CODE: C-11 | 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. | |
| DEPARTMENT: California Building Standards Commission | | | |
| DIVISION: | | | |
| ADDRESS: 2525 Natomas Park Dr. Ste 130 | | | |
| CITY, STATE, ZIP: Sacramento, CA 95833 | | TELEPHONE NUMBER (Not CALNET-Include Area Code) 916-263-1350 | |

| | | | | |
|--|----------------------------------|---------------------------------------|----------------------------------|--|
| CONTRACT NUMBER | AMENDMENT NUMBER (If Applicable) | CONTRACT AMOUNT | AMENDMENT AMOUNT (If Applicable) | CONTRACT PERIOD |
| | | \$ 0.00 | | 07/01/2015 - 12/31/2019 |
| PROVIDE CONTRACTOR'S NAME AND ADDRESS ONLY IF A NON-COMPETITIVELY BID (NCB) CONTRACT IS PROPOSED | | CONTRACTOR'S NAME | | FEDERAL EMPLOYER IDENTIFICATION NUMBER |
| | | International Code Council (ICC) | | |
| | | CONTRACTOR'S ADDRESS (Number, Street) | | |
| | | 5203 Leesburg Pike, Suite 600 | | |
| | | (City, State, ZIP Code) | | |
| | | Falls Church, VA, 22041-3405 | | |

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

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 | |
| | | <input checked="" type="checkbox"/> APPROVED <input type="checkbox"/> DENIED (See Below) | |
| TELEPHONE NUMBER | DATE SIGNED | AUTHORIZED SIGNATURE | DATE SIGNED |
| CALNET 263-0916 | 5/22/15 | | 7/22/15 |
| SEND TO: | | | |
| NAME: | | | |
| DEPARTMENT: DEPARTMENT OF GENERAL SERVICES | | | |
| DIVISION: PROCUREMENT DIVISION | | | |
| ADDRESS: 707 THIRD ST., Second Floor | | | |
| CITY, STATE, ZIP: WEST SACRAMENTO, CA 95605 | | | |

**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.

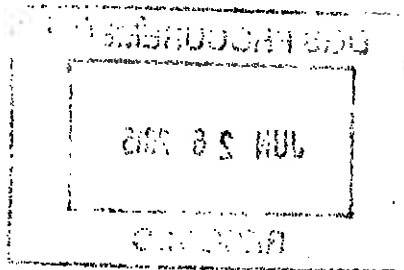
Exemption is granted by either an approved request to be exempt from advertising in the California State Contracts Register or by an approved request to enter into a contract on a non-competitively bid basis.

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.



#041

For PD Use only
 NCB #: 6371

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.

| Requesting Department Information | |
|---|---|
| Agency: Governmental Operations | Department: DGS - California Building Standards Commission (CBSC) <small>(*Includes Boards, Commissions, and Associations)</small> |
| Institution (if applicable): | |

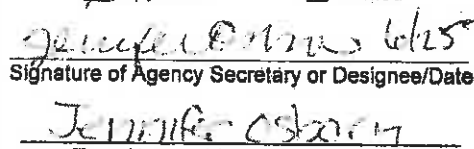
| Department Contact Information | | |
|--|---|--|
| Contact/Buyers Name: Molly Lovett Telephone: (916) 375-1844 FAX: (916) E-Mail: | Street Address: 2525 Natomas Park Drive, Suite 130 Sacramento CA 95833 Mailing Address: Same as above | |
| Technical Contact Name: Katrina Benny | Telephone: (916) 263-1350 | E-mail: katrina.benny@dgs.ca.gov |

| Required Contract Information | |
|--|--|
| Contractor Name: International Code Council (ICC) | |
| Contractor Address: 5203 Leebug Pike, Suite 600, Falls Church, Virginia 22041-3405 | |

| Original Contract Amount Excluding:** | Total Original Contract Amount:** | Amendment Amount:** (if applicable) | Amended Contract Amount:** | Has work commenced? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Have goods been acquired? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <small>Attach explanations for any "Yes" answers.</small> |
|--|--|--|--|---|
| \$ 0.00 <small>(*Includes original contract and previously approved amendments)</small> | \$ 0.00 <small>(*Includes original contract and previously approved amendments)</small> | \$ N/A <small>(*Current amendment only)</small> | \$ N/A <small>(*Includes original contract and all amendments, including current amendment)</small> | |

Provide a brief description of the acquisition, including all goods and/or services the contractor will provide:
 ICC will provide services for the publication of the 2016 triennial edition of California Code of Regulations, Title 24, Parts 2 (CA Building Code), 2.5 (CA Residential Code), 9 (CA Fire Code), 10 (CA Existing Building), and all supplements and errata to these Parts.

| Contract Type and Term | | | |
|--|---|---|---|
| Contract Type: Select One: <input type="checkbox"/> Non-IT Goods <input checked="" type="checkbox"/> Non-IT Service <input type="checkbox"/> IT Goods <input type="checkbox"/> IT Service <input type="checkbox"/> IT Goods & Services | Contract Term: Begin: 07/01/2015 End: 12/31/2019 Explain late contract submittal (services only): | Type of Award: CMAS: <input type="checkbox"/> Master: <input type="checkbox"/> Competitive: <input type="checkbox"/> Form 42: <input type="checkbox"/> | Will this transaction be financed? No <u> X </u> Yes <u> </u> <small>If yes, attach the Statement of Compliance to the State Financial Marketplace to this form</small> |

| Required Approvals | | |
|--|--|---|
| Department <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied  Signature of Director or Designee/Date Esteban Almanza, Acting Director Type Name of Director or See next page instructions | Agency <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied  Signature of Agency Secretary or Designee/Date Jennifer Osborn Type Name of Agency Secretary or See next page instructions | Dept. of General Services <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied  Signature of Director or Designee/Date Ricardo G. Manana Type Name of Director or Designee |

**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

6/30/15
 CA

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 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.

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?

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 the CBC, CFC, and CEBC if they are each to going to contain model code provisions and California's amendments to the model codes. If the commission does not contract with ICC, 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.

**CONTRACT ADVERTISING EXEMPTION REQUEST
IN CALIFORNIA STATE CONTRACTS REGISTER)**

TD. 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.

NOB 4372

| | | | |
|--|---|--|--|
| TYPE OF REQUEST (Check one) | | SERVICE TYPE | |
| <input checked="" type="checkbox"/> NON-COMPETITIVELY BID (NCB) CONTRACT JUSTIFICATION (attach NCB) | <input type="checkbox"/> EXEMPTION FROM ADVERTISING | <input checked="" type="checkbox"/> NON-IT/TELECOM RELATED SERVICE | <input type="checkbox"/> IT/TELECOM RELATED SERVICES |

DEPARTMENTAL CONTACT INFORMATION

PLEASE TYPE

NAME: Katrina Benny
DEPARTMENT: California Building Standards Commission
DIVISION:
ADDRESS: 2525 Natomas Park Dr. Ste 130
CITY, STATE, ZIP: Sacramento, CA 95833

IMS CODE: C-11

AGENCY BILLING CODE 30140

CONTRACT DESCRIPTION
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.

TELEPHONE NUMBER (Not CALNET-Include Area Code)
916-263-1350

| | | | | |
|-----------------|----------------------------------|----------------------------|----------------------------------|--|
| CONTRACT NUMBER | AMENDMENT NUMBER (if Applicable) | CONTRACT AMOUNT \$ 0.00 | AMENDMENT AMOUNT (if Applicable) | CONTRACT PERIOD 07/01/2015 - 12/31/2019 |
|-----------------|----------------------------------|----------------------------|----------------------------------|--|

PROVIDE CONTRACTOR'S NAME AND ADDRESS ONLY IF A NON-COMPETITIVELY BID (NCB) CONTRACT IS PROPOSED

| | |
|---|--|
| CONTRACTOR'S NAME International Code Council (ICC) | FEDERAL EMPLOYER IDENTIFICATION NUMBER |
| CONTRACTOR'S ADDRESS (Number, Street) 5203 Leesburg Pike, Suite 600 (City, State, ZIP Code) Falls Church, VA, 22041-3405 | |

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

EXEMPTION JUSTIFICATION (Attach additional sheets if necessary)

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 1), 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 SIGNATURE | PROCUREMENT DIVISION USE ONLY | | |
| TELEPHONE NUMBER CALNET 203-0916 | DATE SIGNED 5/22/15 | ACTION TAKEN ON REQUEST <input checked="" type="checkbox"/> APPROVED <input type="checkbox"/> DENIED (See Below) | AUTHORIZED SIGNATURE |
| SEND TO: | | DATE SIGNED 7/24/15 | COMMENTS |

SEND TO:

NAME:
DEPARTMENT: DEPARTMENT OF GENERAL SERVICES
DIVISION: PROCUREMENT DIVISION
ADDRESS: 707 THIRD ST., Second Floor
CITY, STATE, ZIP: WEST SACRAMENTO, CA 95605

DGS PROCUREMENT

IMS CODE: Z-1

JUN 26 2015

RECEIVED

**CONTRACT ADVERTISING EXEMPTION REQUEST
(IN CALIFORNIA STATE CONTRACTS REGISTER)**

STD. 821 (REV. 10/2008) 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.

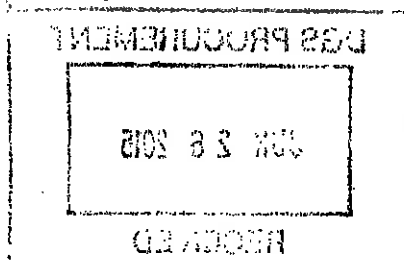
Exemption is granted by either an approved request to be exempt from advertising in the California State Contracts Register or by an approved request to enter into a contract on a non-competitively bid basis.

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.



042

For PD Use only
 NCB #: 6372

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.

Requesting Department Information

| | |
|---|---|
| Agency: Governmental Operations | Department: DGS - California Building Standards Commission (CBSC) <small>(*Includes Boards, Commissions, and Associations)</small> |
| Institution (if applicable): | |

Department Contact Information

| | | |
|---|---|--|
| Contact/Buyers Name: Molly Lovett | Street Address: 2525 Natomas Park Drive, Suite 130 Sacramento CA 95833 | |
| Telephone: (916) 376-1844 | Mailing Address: Same as above | |
| FAX: (916) | | |
| E-Mail: | | |
| Technical Contact Name: Katrina Benny | Telephone: (916) 263-1350 | E-mail: Katrina.benny@dgs.ca.gov |

Required Contract Information

| |
|---|
| Contractor Name: International Code Council (ICC) |
| Contractor Address: 5203 Leeburg Pike, Suite 600, Falls Church, Virginia 22041-3405 |

| Original Contract Amount Excluding:** | Total Original Contract Amount:** | Amendment Amount:** (if applicable) | Amended Contract Amount:** | Has work commenced? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
|---|---|--|--|--|
| \$ 0.00 | \$ 0.00 | \$ N/A | \$ N/A | Have goods been acquired? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| <small>(*Includes original contract and previously approved amendments)</small> | <small>(*Includes original contract and previously approved amendments)</small> | <small>(*Current amendment only)</small> | <small>(*Includes original contract and all amendments, including current amendment)</small> | <small>Attach explanations for any "Yes" answers.</small> |

Provide a brief description of the acquisition, including all goods and/or services the contractor will provide:
 ICC will provide services for the publication of the 2016 triennial edition of California Code of Regulations, Title 24, Parts 1 (CA Building Standards Administrative Code), 6 (CA Energy Code), 7 (Vacant), 8 (CA Historical Building Code), Part 11 (CA Green Building Standards Code), 12 (CA Referenced Standards Code), and all supplements and errata these Parts.

Contract Type and Term

| | | | |
|--|---|---|--|
| Contract Type: Select One: <input type="checkbox"/> Non-IT Goods <input checked="" type="checkbox"/> Non-IT Service <input type="checkbox"/> IT Goods <input type="checkbox"/> IT Service <input type="checkbox"/> IT Goods & Services | Contract Term: Begin: 07/01/2015 End: 12/31/2019 Explain late contract submittal (services only): | Type of Award: CMAS: <input type="checkbox"/> Master: <input type="checkbox"/> Competitive: <input type="checkbox"/> Form 42: <input type="checkbox"/> | Will this transaction be financed? No <u>X</u> Yes _____ if yes, attach the Statement of Compliance to the State Financial Marketplace to this form |
|--|---|---|--|

Required Approvals

| | | |
|---|--|--|
| Department <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied Signature of Director or Designee/Date Esteban Almanza, Acting Director Type Name of Director or See next page instructions | Agency <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied Signature of Agency Secretary or Designee/Date Jennifer Osborn Type Name of Agency Secretary or See next page instructions | Dept. of General Services <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied Signature of Director or Designee/Date Ricardo C. Martinez Type Name of Director or Designee |
|---|--|--|

**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

6/30/15
 CA

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.

**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.

NCB# 6373

| | | | |
|--|---|--|--|
| TYPE OF REQUEST (Check one) | | SERVICE TYPE | |
| <input checked="" type="checkbox"/> NON-COMPETITIVELY BID (NCB) CONTRACT JUSTIFICATION (attach NCB) | <input type="checkbox"/> EXEMPTION FROM ADVERTISING | <input checked="" type="checkbox"/> NON-IT/TELECOM RELATED SERVICE | <input type="checkbox"/> IT/TELECOM RELATED SERVICES |

| | | | |
|--|----------------|--|--|
| DEPARTMENTAL CONTACT INFORMATION | | AGENCY BILLING CODE 30140 | |
| PLEASE TYPE | | CONTRACT DESCRIPTION | |
| NAME: Katrina Benny | IMS CODE: C-11 | Publication contract for the publication of the 2016 triennial edition of the California Code of Regulations, Title 24, Parts 4 and 5. | |
| DEPARTMENT: California Building Standards Commission | | | |
| DIVISION: | | | |
| ADDRESS: 2525 Natomas Park Dr. Ste 130 | | | |
| CITY, STATE, ZIP: Sacramento, CA 95833 | | TELEPHONE NUMBER (Not CALNET-Include Area Code) 916-263-1350 | |

| | | | | |
|-----------------|----------------------------------|-----------------|----------------------------------|-------------------------|
| CONTRACT NUMBER | AMENDMENT NUMBER (If Applicable) | CONTRACT AMOUNT | AMENDMENT AMOUNT (If Applicable) | CONTRACT PERIOD |
| | | \$ 0.00 | | 07/01/2015 - 12/31/2019 |

| | | |
|--|--|--|
| PROVIDE CONTRACTOR'S NAME AND ADDRESS ONLY IF A NON-COMPETITIVELY BID (NCB) CONTRACT IS PROPOSED | CONTRACTOR'S NAME | FEDERAL EMPLOYER IDENTIFICATION NUMBER |
| | International Association of Plumbing and Mechanical Officials (IAPMO) | |
| | CONTRACTOR'S ADDRESS (Number, Street) | |
| | 5001 E. Philadelphia Street | |
| | (City, State, ZIP Code) | |
| | Ontario, CA 91761 | |

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

EXEMPTION JUSTIFICATION (Attach additional sheets if necessary)
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 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 | | PROCUREMENT DIVISION USE ONLY | |
| | | ACTION TAKEN ON REQUEST | |
| | | <input checked="" type="checkbox"/> APPROVED <input type="checkbox"/> DENIED (See Below) | |
| TELEPHONE NUMBER | DATE SIGNED | AUTHORIZED SIGNATURE | DATE SIGNED |
| CALNET 263-016 | | | 7/22/15 |

| | | |
|---|------------------------|--|
| SEND TO: | DGS PROCUREMENT | |
| NAME: | IMS CODE: Z-1 | |
| DEPARTMENT: DEPARTMENT OF GENERAL SERVICES | JUN 26 2015 | |
| DIVISION: PROCUREMENT DIVISION | | |
| ADDRESS: 707 THIRD ST., Second Floor | | |
| CITY, STATE, ZIP: WEST SACRAMENTO, CA 95605 | | |
| | RECEIVED | |

**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.)
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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.

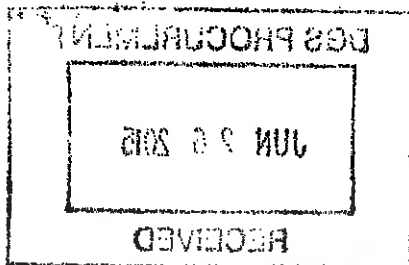
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Refer to the State Contracting Manual for additional information.



NON-COMPETITIVELY BID (NCB) CONTRACT JUSTIFICATION

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 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.

Requesting Department Information

| | |
|---|---|
| Agency: Governmental Operations | Department: DGS - California Building Standards Commission (CBSC) <small>(*Includes Boards, Commissions, and Associations)</small> |
| Institution (if applicable): | |

Department Contact Information

| | | |
|---|---|--|
| Contact/Buyers Name: Molly Lovett | Street Address: 2525 Natomas Park Drive, Suite 130 Sacramento CA 95833 | |
| Telephone: (916) 376-1844 | Mailing Address: Same as above | |
| FAX: (916) | E-Mail: Molly.lovett@dgs.ca.gov | |
| Technical Contact Name: Katrina Benny | Telephone: (916) 263-1350 | E-mail: Katrina.benny@dgs.ca.gov |

Required Contract Information

Contractor Name:
International Association of Plumbing and Mechanical Officials (IAPMO)

Contractor Address:
5001 E. Philadelphia Street, Ontario, California 91761

| Original Contract Amount Excluding:** | Total Original Contract Amount:** | Amendment Amount:** (if applicable) | Amended Contract Amount:** | Has work commenced? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
|---|---|--|--|--|
| \$ 0.00 | \$ 0.00 | \$ N/A | \$ N/A | Have goods been acquired? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| <small>(*Includes original contract and previously approved amendments)</small> | <small>(*Includes original contract and previously approved amendments)</small> | <small>(*Current amendment only)</small> | <small>(*Includes original contract and all amendments, including current amendment)</small> | <small>Attach explanations for any "Yes" answers.</small> |

Provide a brief description of the acquisition, including all goods and/or services the contractor will provide:
 IAPMO will provide services for the publication of the 2016 triennial edition of California Code of Regulations, Title 24, Parts 4 (California Mechanical Code) and 5 (California Plumbing Code), and all supplements and errata to these Parts.

Contract Type and Term

| | | | |
|--|---|---|--|
| Contract Type: Select One: <input type="checkbox"/> Non-IT Goods <input checked="" type="checkbox"/> Non-IT Service <input type="checkbox"/> IT Goods <input type="checkbox"/> IT Service <input type="checkbox"/> IT Goods & Services | Contract Term: Begin: 07/01/2015 End: 12/31/2019 Explain late contract submittal (services only): | Type of Award: CMAS: <input type="checkbox"/> Master: <input type="checkbox"/> Competitive: <input type="checkbox"/> Form 42: <input type="checkbox"/> | Will this transaction be financed? No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> If yes, attach the Statement of Compliance to the State Financial Marketplace to this form |
|--|---|---|--|

Required Approvals

| | | |
|---|--|---|
| Department <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <i>[Signature]</i> Signature of Director or Designee/Date Esteban Almanza, Acting Director Type Name of Director or See next page instructions | Agency <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <i>[Signature]</i> Signature of Agency Secretary or Designee/Date Jennife [Signature] Type Name of Agency Secretary or See next page instructions | Dept. of General Services <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <i>[Signature]</i> Signature of Director or Designee/Date Ricardo G. [Signature] Type Name of Director or Designee |
|---|--|---|

**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

6/30/15
 CB

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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 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.