

# Government Affairs

## State Government Affairs Roundup

**AIA Attends National Conference of State Legislators' Conference:** The AIA joined 6,000 legislators, staff, and advocacy group participants to take part in the National Conference of State Legislatures (NCSL) annual conference August 11-15 in San Antonio. The NCSL is the largest non-partisan organization serving the nation's 7,500 state legislators. The AIA is also a member of the NCSL Foundation, which supports research for critical issues facing state legislatures.

The event offered the opportunity for the Institute to collaborate with several national engineering organizations, including the American Society of Civil Engineers, National Society of Professional Engineers, American Council of Engineering Companies, and the National Association of Corrosion Engineers. Under the theme "Architects and Engineers—Designing America's Future," the AIA distributed legislative information on building codes, livable communities, licensure, tort reform, taxation, and procurement.

During the conference, the AIA and Real Estate Advocacy Group for States (REAGS) co-hosted a reception for state legislators involved in growth management and economic development issues. Several founding REAGS members—the National Association of Industrial Office Properties, National Apartment Association, Building Owners and Managers Association, National Association of Realtors, National MultiHousing Council, International Council of Shopping Centers, and the National Association of Home Builders—offered another opportunity for the

AIA to collaborate with its allies in the building industry.

For more information or resources, contact Stan Bowman, director, state and local affairs, 202-626-7461 or [sbowman@aia.org](mailto:sbowman@aia.org).



**Alabama Governor Rescinds QBS Practices:**

In an unexpected move, Alabama Governor Don Siegelman (D) rescinded the state practice of hiring architects and engineers based on a qualifications-based selection (QBS) method. Executive Order 57 states "All purchases and contracts for professional services shall be ... evaluated using a combination of price and qualification factors. The award shall be made to the vendor providing the best value to the state." Legislation under consideration (HB 3c) would also alter the way Alabama procures professional services.

Although the Alabama statute does not mandate it, state agencies have long used the QBS method for hiring architects and engineers. The Alabama Council/AIA is working with the state engineering societies to counteract the governor's move.

**New York to Adopt International Energy Conservation Code:**

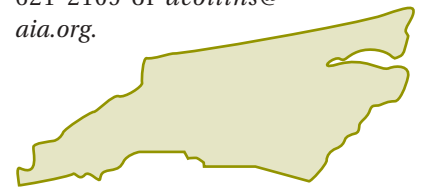
Governor George Pataki (R-N.Y.) recently announced that New York State is moving to adopt the International Energy Conservation Code (IECC), which will serve as a major step forward for the adoption and implementation of a model building code. For the past two years, AIA New York has been working directly with the New York Department of State Codes Division



and its technical advisory subcommittees to develop rules for the adoption of the entire package of international codes. Implementation of the new energy code is part of a comprehensive, coordinated, and contemporary series of codes that will put New York at the forefront of states currently applying or using the most recent model codes.

By implementing the IECC, New York consumers will experience significant savings. Moreover, the code adoption will require minimum standards for the use of energy in homes, recreational facilities, industries, and offices which will, in turn, benefit the environment.

The adoption of IECC is directly in line with the AIA's national energy policy. To access the policy, go to the MyAIA portal (accessible through [www.aia.org](http://www.aia.org)) and search for "AIA Public Policy on Comprehensive Energy." If you have questions regarding the IECC adoption or building codes in general, contact David S. Collins, FAIA, director, Codes and Standards, 513-621-2109 or [dcollins@aia.org](mailto:dcollins@aia.org).



**AIA North Carolina Backs Construction Management Bill:**

AIA North Carolina supports legislation currently under consideration by the North Carolina General Assembly. House Bill 623 would expand the options available to state government agencies for procuring public buildings services. The added options are:

- Single-prime, where a local or state government entity hires a general contractor responsible for securing all

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- subcontractors
- At-risk construction management, where the lowest responsible bidding contractor is awarded contracts for the general construction, plumbing, mechanical, and electrical work; the winning contractor assumes liability for any costs that exceed the prevailing bid.

Under current state law, the only option is multi-prime, in which the government agency must hire general contractor and all subcontractors on a low-bid basis. The bill recently passed the state senate and now returns to the house floor for a concurrence vote.

### Ohio Addresses Code Standards:

The Ohio Board of Building Standards recently held a public hearing on the rules to adopt the 2000 and 2001 Supplement to the International Building Code (IBC), the International Mechanical Code, and the International Plumbing Code. Final action by the Board will not occur until late September, and the anticipated code effective date is February 1, 2002. David S. Collins, FAIA, director of the AIA's Codes Advocacy Program, offered testimony on behalf of the Institute.

Collins raised the issue of definition of a "Registered Design Professional" (RDP) and suggested that the board redefine RDP to cover architects and engineers holding licenses in accordance with Ohio law. Given that the current code cites the term RDP in many sections, defining the term up front clarifies the code without the need to change all the references

within the text.

Fire lanes also came under discussion because neither the IBC nor the International Fire Code (IFC) defines "fire lane," even though the current code requires a fire lane or street access with a frontage increase. The IFC refers to a "fire apparatus vehicle access road" with a minimum width and height, and Collins recommended that the board add these specs to the IBC. (These clarifications are critical, because the current Ohio Fire Code does not yet adopt the IFC.)

Both changes proposed by Collins were incorporated in the final rules, which will be voted on at the end of the month.

There was only minor opposition to the adoption of the IBC. The Home Builders Association objected to the stair tread and riser criteria. It appears, however, that a spirit of compromise may resolve these concerns. For more information regarding the AIA's position or the Ohio Board of Building Standards and their code adoption, contact Dave Collins, FAIA, director, Codes and Standards, at 513-621-2109 or [dcollins@aia.org](mailto:dcollins@aia.org).

**Pennsylvania Considers Rehabilitation Building Codes:** Pennsylvania is considering code provisions for rehabilitating existing buildings, part of an emerging trend on the East Coast in recent years.

Pennsylvania legislators met with architects, developers, builders, and fire and building-code enforcement personnel in Harrisburg in

a meeting hosted by AIA Pennsylvania and 10,000 Friends of Pennsylvania. The meeting comes on the heels of the Pennsylvania legislature passing a law requiring that the statewide building code be based on the International Building Code.

Maryland recently implemented a rehabilitation code based on the U.S. Department of Housing and Urban Development's Nationally Applicable Recommended Rehabilitation Provisions (NARRP). Maryland hopes their rehabilitation code will help focus development interest on its underutilized urban areas. The code is designed to be the first code applied uniformly in the state (although local municipalities may modify it to create a higher standard). The NARRP approach attempts to create predictability by using prescriptive code requirements, which potentially create problems when the conditions of the existing building do not match the code's criteria.

Representatives of AIA's Codes Advocacy Program (CAP) and the State of Maryland's Rehabilitation Code discussed the current atmosphere of rehabilitation code development as well as the International Code Council (ICC) ongoing effort to develop the International Existing Building Code (IEBC).

The ICC will watch development of the IEBC closely for incorporation into the Pennsylvania codes' 2003 editions. For further information, contact Dave Collins, FAIA, director, codes and standards: 513-621-2109 or [dcollins@aia.org](mailto:dcollins@aia.org).

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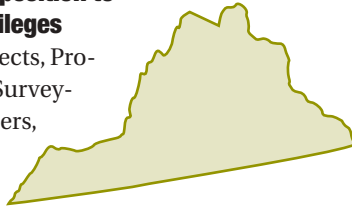
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### **Virginia Architects Voice Opposition to Interior Design Sealing Privileges**

The Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects (APELSCIDLA Board) is considering a regulation



that would grant a seal to state certified interior designers. The AIA national component and the Virginia Society of the AIA are both opposed to the proposal.

In late August, the Virginia Society drafted a letter to the APELSCIDLA Board, stating “the application of a seal would not prevent theft or improve the opportunities for redress under the regulatory or court system and because the application of a seal on building plans could cause confusion—potentially leading to the abridgement of public safety.”

AIA National and VSAIA will continue to oppose the proposed regulation. [AIA](#)