NOTES from State Government Network meeting
Prepared 7/16/16
By Bruce Herrington

Tuesday 7/12/16

1. IMPACTS ON THE PRACTICE OF ARCHITECTURE
   10a.m.-Noon, Tuesday, July 11th.
   This session will begin with a short introduction by panelists on the following topics:
   - Continuing Education
   - Design Competition
   - Encroachment
   - Procurement

   PROCUREMENT
   A. Separations law; dates to early 1900's in PA. PA and NY have laws that require architectural and engineering packages to be bid separately on all state funded projects, except on higher education projects that can be self-funded (student centers, residence halls). This includes university-related hospitals. Architects and engineers have authored and submitted white papers on how these procurement requirements have actually increased construction costs.
   B. P3. Delivery process includes design, finance, build, and maintain ... usually over a 20-30 year period.
   C. Selection criteria:
      1) Services performed by MBE/DBE services.
         MD – goal for 40% of all services.
         IL 10%
         NY 36%
         All these have a good faith exception.
      2) Geographic component ... sometimes firms must be within a certain radius of the site (100 miles).
      3) Best value selection. Sometimes utilized by the PA Dept of General Services. Typically must have a letter from the Secretary (of the contracting department) that the best value method is preferred on that project, and why. Potential for building commission to issue letter of recommendation.
   D. Prevailing wage law. Professional surveyors may be wrapped into statute, and be required to pay prevailing wage rates.
   E. QBS "isn't working anymore". When budget is stated at beginning of the selection process, the scope typically becomes more limited as the project progresses. States are typically okay with the scope reducing and budget remaining same; or with the budget increasing so the scope can remain the same.
   F. Lease / leaseback. In CA, lease/leaseback (LLB) was created to be utilized to provide improved facilities for public entities when no other means of funding was available the state filed a suit against a GC in an LLB arrangement. In this case, the entity was utilizing LLB when other financing WAS available; the entity simply wanted to extend its ability to finance projects. The GC had completed the building and was leasing it back to the state (or county ... may have been a school building). The case was found in favor of the state and against the GC. The GC had to pay back to the entity its profit AND other costs. GC's have stopped doing any LLB ... waiting on the other shoe to drop, to see if they will need to pay back profits, etc. There is a real possibility of bankruptcy, etc.
   G. IDEA. Consider the AIA sponsoring a reverse trade show: to bring in state agencies that will have capital expenditures for building design. Give them a chance to describe upcoming opportunities to architectural firms.
   H. 179d. (David from North Carolina.) State agencies don't have any issues with authorizing use of the 179d deduction on public projects, because the state building official has issued a memorandum describing how state agencies should treat the 179d deduction.

    I.   Private developers proposing operational leases for public k-12 schools. (David from NC). This is different from P3. Developers and contractors are using a portion of NC real estate law to execute an operational lease, in order to get to operational funds. This is typically being used on larger scale projects, such as "taking over" multiple schools in a school district, promising to build new schools for those that were nonperforming/underperforming.

    J.   Use of documents. AIA proponent for new legislation, expressly stating that no 3rd parties shall use the instruments of service without express written permission from the architect. (Cannot recall the condition/reason for this.)

    K.   Professional service taxes. Apparently, MANY states are proposing taxes on professional services. Among the comments: "we'll be ok with PS taxes when doctors and lawyers are ok with being taxed."

2. BUILDING CODE DEVELOPMENT, ADDITION, AND INTERPRETATION/ADOPTION. +/-2pm. Presentation by a member of ICC administration (a VP?).
    A.   ICC is written by consensus of members.
    B.   Submit a code change at this website: www.cdpaccess .com. The system will transform the proposed change into the required format for the code.
    C.   Members can propose changes; the building officials (the regulatory "group") ultimately votes on the proposed changes. AIA personnel can submit proposed changes.

3. PERMIT STREAMLINING. +/-4pm. Presentation by AIA member from Sacramento.
    A.   Various means of permit issuance.
        1) Professional certification. "The buck stops here."
        2) The Huddle. Permit in a day
        3) Over the counter. Plan review while you wait.
        4) RoadMapping. Change the process flowchart.
        5) On Schedule. Zero bin time; schedule the plans review at the beginning of the project. The reviewing department commits it will provide a permit on that date (or series of dates).
        6) Rolling review. Plan check concurrent with CD's. Create a script that works with the extent of completion. (This is what most of us do.)
        7) Electronic plan review. Paperless permit processing.
        8) E-permit. Web based portals.
        9) Culture. Common ground across the counter
        10) Regional collaboration
        11) AutoCodes. Automated plan review in the computer.
    B.   Prequalification. PASS. Steps:
        1) Connect. Get talking; build trust
        2) Collaborate. Culture beats strategy
        3) Co-Develop. Permits are local.
        4) Continue. Existing or new entity.

Wednesday 7/13/16
+/-9am
  1. BUILDING ADVOCACY ONE COMPONENT AT A TIME
    A.   Legislative advocacy
    B.   Build member participation in your legislative advocacy.
    C.   Communications alignment
    D.   Power mapping. Tiered list.
    E.   Create a PAC board ... place new younger members on the board with the older, more experienced members.
    F.   From Ashley Cates, Executive Director of AIA TN.
        1) Advocacy mentoring program.

        a) Team / pair a mentor with an apprentice; possibly multiple apprentices with one experienced mentor. Have teams assist with PAC check disbursement and/or visiting legislators. Assign an urban located architect to rural legislators, maintain geographic proximity. Younger members will develop confidence in advocacy.

        b) After the first year, ask those apprentice participants to suggest names of 3 other apprentices to involve during the following year.

2) Improve communications strengths. VOCUS training. All state legislators and congressmen are loaded into this database. AIA local components can create an action alert for a state legislator or state initiative. Using VOCUS for local action alerts is not recommended by AIA National.

3) Create a more robust communications strategy

4) Communications strength survey. Find out which AIA member knows or has a connection with which legislator.

5) Increase awareness to legislators on the value of architects.

6) Hold a fundraiser for the sponsor of your bill, or for the PAC itself.

7) Email campaign drive.

8) Silent auction at convention.

9) Email solicitation: have PAC board members send email to AIA members asking them to contribute to PAC.
AIA TN convention August 23 conference in Chattanooga.

10) Identify district captains for each legislative district.

G. Lessons learned and suggestions/recommendations (input from all presenters).

1) Advocacy work is time consuming. It takes personal outreach to each member. Build a coalition day by day. Biweekly calls for updates. Building blocks. Consider it deputizing members to communicate the message to legislators.

2) Be consistent. Advocating for the profession, for the local communities, for small business.

3) Be flexible. Set deadlines, but be flexible in the deadlines. Work to delegate responsibilities to members. (Leg. Relationships, issues, etc.) Build experience, confidence, leadership.

4) When assigning district representatives, use VOCUS to see who has responded to an action alert.

5) Use power mapping process to figure out relationships. Target the leaders of houses and committee chairs. Senators & rep's who have supported architectural initiatives in the past. Determining relationships will come lost often via communication with people over time.

6) Use survey tools to ask membership if they know anyone. Sometimes info will come via anecdotal stories.

7) Utilize "JOT form"?

8) VOCUS has a mechanism to add notations and relationship regarding relationships of members to legislators.

9) It's important to educate firm principals on the importance of allowing firm members to participate in advocacy process.

10) Identify whether your component wants to support an individual or an issue.

11) How to contact rural legislator? Lobbyist can take an AIA member with him. Select a member who is as close as possible to the legislator's district. Member may have grown up in the legislator's district, or may still have family there.

12) TN has a contract lobbyist. UT also.

13) Importance of building coalitions.

14) Communicate with membership … and with non-members. At the end of the legislative session (or near the end of the year), send a letter/postcard to each non-member. State the legislative victories and communicate that this is AIA's Christmas gift to them. Add a message encouraging them to join AIA. (TN got 27 new members with this tactic.)

2. PLANNING AHEAD … WHAT DOES THE NEXT 25 YEARS OF YOUR SGN LOOK LIKE? 11am
   A. Primary purpose of SGN is to serve as a hub of information. Share what has been learned, what we know, what each state has been planning to do in the near future.
   B. Suggestions. Create a Dropbox or other mechanism as an accessible archive of information. Combine with ListServe. Allow people to see what has worked and what has not in real time.
   C. Especially for states with more rural areas (lower density states), show where AIA policy overlaps with policies of other organizations.
   D. Need actionable strategies to take back to the state component.
   E. Networking during SGN needs to reinforce exchange of ideas.
   F. Great to have as many staff from AIA National as we had at this meeting of SGN.
   G. Consider an initial orientation for first time attendees. Maybe a webinar; maybe a 2 hour session the previous day.
   H. Consider annual meeting with other potential allies, such as ASID, realtors, etc. Better (for them and for us) to be able to talk with reps of these organizations locally, if we both have heard from our national reps of where they have reached agreement on issues.
   I. Tips for PAC engagement, renewal....
   J. Consider a way to dialogue virtually, then meet face to face.
   K. Info on codes was over some people's heads.
   L. Seating arrangement not conducive to communication and developing relationships with other SGN rep's. (Seating was "lecture" style rather than circular.)
   M. Rather than simply talking about VOCUS, show us how to use VOCUS.
   N. "I used to think I liked energy efficiency until I heard a presentation on it."
   O. These are people I want to talk to, I don't want to be talked at.
   P. "80% of success is just showing up". (Woody Allen)
   Q. Consider inviting a data analytics specialist from DC to speak about elections/races; trends in voting, etc.
   R. This is a "self-defining core group". It takes time to develop a certain body of knowledge; this group has it. Draw [younger] people into the group. Grow the group.
   S. Components should keep AIA National involved and apprised of what's going on in our states.
   T. Increasing member engagement.   What can I talk about to increase the circle back home. There is a ripple effect from the communication brought to membership from the SGN.
   U. Since the meeting in Jackson, WY last year, ListServe seems to be heavily moderated ... not particularly a good thing.

   KEN ROSS COMMENTS. Thanks for attending, openness, volunteer time, sharing of intellectual properties and institutional memory.

(End.)