



Summary of AIA Massachusetts Regulatory Work

AIA MA has been asked to participate on a number of state commissions/task forces. The subject matter of each commission/task force varies, but each commission /task force is tasked with solving a particular problem related to the built environment. The state has asked AIA Massachusetts to serve on the following commissions/task forces:

1. Blended Building Code

Issue/Goal: Work with the Building Board of Regulations and Standards (BBRS) to ensure that instead of the current practice of taking the ICC's base building code and adding Massachusetts "front-end" amendments to it, AIA MA will work to ensure that the upcoming 9th edition of the state building code is "blended", meaning that all MA amendments are "blended" into ICC's base IBC/IRC language.

08/27/18 Progress: The 9th edition went into effect on October 20th, with the concurrency between the 8th and 9th ending on January 1, 2018. The code was not printed in a blended fashion. AIA MA will redouble their efforts in an attempt to get the future 10th edition printed as a blended code.

2. New Fire Code

Issue/Goal: New fire code based on 2015 NFPA-1 with MA amendments was approved by the BCCC at their March 2017 meeting. Code was sent to A/F for their review prior to Sect. of State 30A filing for a public hearing. Fire Marshall Ostroskey has indicated a hopefulness toward having the new fire code effective date mirror that of the 9th edition of the building code.

Progress: The new 527 CMR based on NFPA 1, 2015 went into effect on January 1, 2018.

3. Architectural Registration Board – New Regulations/Member Appointment

Issue/Goal: In October 2013 the states Architectural Registration Board (ARB) proposed an updated set of regulations governing the practice of architecture in MA. After a variety of discussions with AIA MA regarding their proposals, the ARB voted to move into the Administrations review process a revised set of proposed regulations at their May 2014 meeting. With regard to appointments, the Baker Administration has reached out to AIA Massachusetts in seeking nominations to help fill two open seats to the five member board.

Progress: With regard to proposed changes to the 231 CMR, in December of 2016 changes were approved to Sections 2 and 3, but no changes were made to Section 4. With regard to nominations from AIA Massachusetts, a letter was submitted by AIA Massachusetts indicating all AIA members who were interested in serving. As of August 2018 the Administration has indicated they are moving forward with seating Holly Cratesley AIA and Aelon Teirney AIA to fill the two openings.

4. Construction Codes – Regulatory Restructuring

Issue/Goal: Whereas existing executive branch structure requires 14 construction codes to be promulgated by 11 different boards, departments, bureaus or commissions, which in turn report to four separate Secretariats and the Secretary of State, AIA MA has crafted a proposal which consolidates all operations under a single (to be determined) Secretariat. The Secretariat would charge an Undersecretary for Construction Code Development with direct oversight of the Construction Code Coordinating Council.

Progress: While the Article 87 bill, HB 68 - An Act to reorganize the Department of Public Safety, passed in early 2017 moving the Administration in the right direction toward consolidation, they are now taking actions administratively to create the "top-down" structure that all interested parties have been advocating for. With an exception of DPH, DEP and BFPR,



all other construction related Boards will report up through Rob Anderson, Chief of Inspections – Buildings, within the Division of Professional Licensure. Mr. Anderson will report directly to Dept. Commissioner Robert Fortes who reports directly to the Commissioner.

5. Reformation of AIA MA/ACEC/DCAM Working Group

Goal/Issue: In August 2015 AIA Massachusetts met with then-new DCAMM Commissioner Carol Gladstone. At the meeting the Commissioner was presented with a package of information pertaining to the legislative and regulatory agenda of AIA MA. As a result of the meeting Commissioner Gladstone has agreed to reconvene the AIA MA/ACEC/DCAMM Working Group.

Progress: While the DCAMM Working Group has not met, their counterparts the states Designer Selection Board (DSB) has been hard at work revising their processes. In February of 2018, the AIA MA GAC held a well-attended meeting that hosted DSB Chair and Vice Chair Charles Redmond FAIA and Beth McDougal AIA along with DSB Executive Director Bill Perkins. At the meeting the following topics were discussed; DSB's movement from a fee schedule to negotiated fees, DSB's proposed changes to the Chapter 7C designer selection thresholds, DSB application procedures, Improvement to DSB operations, What the DSB specifically look for from designers in their applications, Where the biggest need/opportunity for designers of public projects exists and suggestions from memberships regarding their application process. As of August 2018 the DSB is wrapping up their work on a guidance document to all awarding authorities. Document will make clear the requirements for a proper QBS solicitation and will specifically note that, with regard to fees, that it is improper for a RFP/RFQ to require a fee submission.

6. DPU Interconnection Sub-Group

Goal/Issue: Convened by the Department of Public Utilities, the purpose is to bring the utility companies and the construction industry together to talk about ways in which the utilities can be more responsive to the needs/schedules of both public and private construction projects.

Progress: Meetings are held quarterly.

Coalition Work

AIA MA participates in a number of coalitions that work to make policy changes at both the legislative and regulatory level. The subject matter of each is different, but all are tasked with working to solve a particular problem related to the built environment.

1. The Massachusetts Smart Growth Alliance (MSGA)

Goal/Issue: The MSGA promotes healthy and diverse communities, protects critical environmental resources and working landscapes, advocates for housing and transportation choices, and supports equitable community development and reinvestment. The Alliance was founded in 2003 by seven Massachusetts organizations which represent different constituencies but share the powerful mission of advocating for a Commonwealth that is better planned, more prosperous, and more equitable. Today the Steering Committee is represented by the following organizations/people; AIA MA, the Citizen Planning and Housing Association (CHAPA), the Conservation Law Foundation (CLF), the Environmental League of Massachusetts (ELM), the Fair Housing Center of Greater Boston, the Metropolitan Area Planning Council (MAPC), LISC Boston, the MA Public Health Association (MPHA), the MA Association of Community Development Corporations (MACDC), Lisa Wong (former Mayor, City of Salem) and Ramon Borges-Mendez Ph.D (Clark University, Associate Professor of

Community Development and Planning). The vast majority of the MSGA's current work is around passage of a Great Neighborhood bill, also known as zoning reform. To that end the MSGA is scheduled to meet with all the candidates for Governor. The MSGA is also involved with other legislative issues such as; community benefits districts, brownfield funding, tax abatement for affordable housing, the environmental bond bill and the economic development bill.

Progress: Speaker DeLeo has agreed to bring a housing/zoning reform bill to the House floor this session. The MSGA is working with the House "Gang of 5" to craft a compromise bill containing elements of the Governors Housing Choice bill and our Great Neighborhood bill. The MSGA was successful in getting 82 of the 156 House members to support a housing/zoning bill that expands on the Governor's Housing Choice bill by including a variety of consensus items contained in the MSGA Great Neighborhoods bill. In the Senate, Senate President Chandler (the MSGA's lead sponsor of the Great Neighborhoods bill) has asked Sen. Boncore to lead the process of moving a housing/zoning reform bill through the Senate once it comes over from the House. MSGA has been coordinating with Sen. Boncore on those efforts.

2. **The USGBC/AIA MA Environmental Advocacy Roundtable (EAR)**

Goal/Issue: As organized by AIA Massachusetts and USGBC Massachusetts, the purpose of the Environmental Advocacy Roundtable is to bring together the many diverse groups advocating for awareness, education, legislation, and regulation to maximize the positive environmental impact of the built environment in Massachusetts. The EAR is co-chaired by Jim Stanislaski AIA and Kate Bubriski AIA from AIA MA and USGBC MA respectively. Members of the EAR include such organizations as: the Metropolitan Area Planning Council (MAPC), the New England Clean Energy Center (NECEC), the Massachusetts Sierra Club, the Conservation Law Foundation (CLF), the Climate Action Business Association (CABA), Northeast Energy Efficiency Partnerships (NEEP), Environmental League of Massachusetts (ELM), Environment Massachusetts, Environmental Entrepreneurs (E2), The Nature Conservancy (TNC), A Better City (ABC), the Department of Energy Resources (DOER), the Cities of Cambridge and Boston along with various individuals. While there is no one particular piece of legislation or regulation that this group is working on together, in general, there is support for any legislation/regulation that moves the state toward zero-net energy buildings, 100% renewable energy production and elimination of all fossil fuel usage.

Progress: This group meets quarterly and last met on April 11th. The meeting focused primarily on how the various organizations could work together toward "greening" the state building code.

3. **The Massachusetts Climate Adaptation Coalition (MACAC)**

Goal/Issue: The Massachusetts Climate Change Adaptation Coalition is comprised of architects, engineers, planners, and conservation and environmental organizations working to reduce the Commonwealth's vulnerability to the impacts of climate change. The Coalition operates from a four part strategy; **Executive** - we are working with the Baker Administration to support existing state agency efforts in public safety, public health, infrastructure and the environment, expand efforts through public funding in both the operating and capital budget, convene stakeholders and develop integrated policies and program among cabinet secretariats; **Legislative** - we are advocating for passage of legislation preparing Massachusetts for climate change impacts (CAMP bill). **Coalition** - we are establishing and building a coalition of stakeholders that represent the diversity of stakeholders that are being impacted by climate change; and finally **Public Education & Outreach** - using traditional and social media, such as Twitter, to spread the word about climate adaptation and strategy updates. The Coalition is



made up of the following organizations; A Better City (ABC), American Council of Engineering Companies of Massachusetts (ACEC), AIA MA, Appalachian Mountain Club, Association to Preserve Cape Cod, Boston Harbor Now, Boston Preservation Alliance, Boston Society of Civil Engineers (BSCE), Cape Cod Commission, Cape & Islands Self Reliance Corporation, Ceres, Charles River Conservancy, Charles River Watershed Association, Clean Water Action, Climate Action Business Association (CABA), Codman Square Neighborhood Development Corporation, Collaborative Institute for Oceans, Climate and Security at UMass Boston, Consensus Building Institute, Conservation Law Foundation, (CLF), Environmental League of Massachusetts (ELM), Great Marsh Coalition, Green Newton, Health Care Without Harm, Historic New England, Interfaith Power & Light, Mass Association of Conservation Commissions, Mass Association of Planning Directors (MAPD), Mass Association of Regional Planning Agencies (MARPA), Mass Audubon, Mass Land Trust Coalition, Mass Rivers Alliance, Massachusetts Climate Action Network (MCAN), Massachusetts Organization of Scientists and Engineers (MOSEs) Metropolitan Area Planning Council (MAPC), Mystic River Watershed Association, The Nature Conservancy Massachusetts (TNC), National Wildlife Federation, New England Forestry Foundation, Newton Conservators, Ocean River Institute, Sierra Club Mass Chapter, Storm Surge, Transportation for Massachusetts (T4MA), Trust for Public Land, The Trustees of Reservations, Union of Concerned Scientists, Urban Harbors Institute at UMass Boston, Urban Land Institute Boston/New England (ULI), and US Green Building Council - MA Chapter (USGBC MA)

Progress: This group meets as needed with regard to pushing for the passage of the CAMP legislation. This group was successful in getting the CAMP legislation inserted into the Environmental Bond bill (minus the consistency provisions) which will be voted on this week by the House