

DOCKETED

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Please post the following:

2-7-2018

I am not in agreement with and actually take great umbrage to the BAC letter posted today, dated December 15, 2017 with regards to using the Fed's UNIFIED FACILITIES GUIDE SPECIFICATIONS Section 01 91 00.15 as the standard requirement for Commissioning agents and their requirement to be certified by one of the agencies listed in Section 1.7.1 et. al.

BAC quoted as Follows:

"Currently, Title 24 - 2016 does not require the person performing commissioning on the project to be certified, anyone can do it."

BAC's position is anyone can do it, which would include an independent contractor working on its own. However, CA law requires the work has to be performed by a duly licensed Engineer or Architect in the state of California or by a person under the direct supervision of said professions, not just "anyone" off the street. Unlike the State of Washington referenced in the letter, CA made very clear who is responsible and the necessary qualifications.

Here is the reason the Feds have the requirement for commissioning:

The federal government has not adopted nor recognized at this time the term professional engineer as tested by NCEES standardized testing procedures as each of the 50 states do and each state has developed engineering business and practitioners code and guidelines. All a person has to do is pass the EIT to be considered a Federal Engineer. IE, you can be self taught.

Concluding, myself and the others in my profession I deal with on a daily basis have come to realize that the CEC is putting on one hell of a circus with their entourage of alphabet soup names of organizations of special interests all protecting their respective turfs that are nothing more than the carpet baggers just like those that invaded the South at then of the Civil War. At what my point in time did a Professional Engineer or Architect, duly Licensed and tested by the State of California, become an Idiot in the eyes of the CEC? According to the HERS groups with their testing standards and qualifications, BAC agents and their testing requirements, the energy consultant groups of CABEC, PGE, SO-Cal Edison, et al all clamoring to say they know more than those of us duly trained and educated and tested by their government in our respective fields of expertise? Under Ca State Law, we are ultimately responsible to develop all of the details necessary to construct an edifice. Not "anyone" can do this.

My recommendation is the current language not be changed and the both the CEC and BAC reconsider their positions. By removing the requirement of a licensed professional to perform and/or oversee the commissioning of a

building, it further dilutes and removes the designing engineer's responsibility and thereby increasing His liability for the design of which he is ultimately the one guaranteeing its performance.

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