



## **Senate Government and Veterans Affairs**

### **Testimony to oppose HB 1445**

Chairman Schauer and Members of the Committee, my name is Mike Krumwiede appearing on behalf of the ND Chapter of the American Institute of Architects in opposition of HB 1445. The ND Chapter of the American Institute of Architects is a nonprofit, voluntary, self-governing organization which represents 230 member Architects in ND.

The concerns AIA has about HB 1445 are generally universal to all of the threshold bills that have come before the Legislative Assembly over the past several biennia. The primary concern is that the issue of thresholds as a requirement for project bidding and thresholds as they relate to a requirement of utilizing licensed design professionals have historically been tied together, and they should not be.

Raising the limit to \$1,000,000 would not require a State agency to engage a design professional to assist in the preparation of documents and construction oversight. The Architects responsibility is to protect the safety and welfare of the general public in the structures they occupy or visit. Architects and Engineers are immersed in the building code during design to provide a building that is designed for the safety of its occupants. Although there may be several competent contractors with a design staff to perform projects for less than \$1,000,000, there are countless more in the State that may not be as capable.

One question to consider is who verifies pre-engineered units comply with the state building code before they are purchased or awarded the project? This is typically performed by an Architect or Engineer. As written, the bill would put the responsibility on the Agency. There are many examples when code conflicts were identified in the building manufacturer's submittal that likely wouldn't have been caught prior to receiving a bid if an Architect or Engineer wasn't involved.

Pre Engineered Manufactured Buildings are great solutions for big spaces or when economics is important. They are also great because they lend themselves to a variety of flexible use solutions. They are not just reserved for shops and warehouses. Although we would also argue that shops and warehouses can be extremely hazardous uses that can require sophisticated life safety analysis.

Below are some specific examples of a PEMB that a building official may not want to take on the responsibility for determining life safety requirements for any of these structures.

Capital Ice Complex: Wachter Arena  
Completion Date: December 2018  
32,000 SF  
Fixed Seating for 500  
Standing Room for 100

VFW Sports Center: First International Bank and Trust Arena  
Completion Date: November 2023  
27,000 SF  
Fixed Seating for 250  
Standing Room for 100

Oberon Public Schools – Elementary School  
Completion Date: August 2020  
20,000 SF  
7 classrooms school with gymnasium

For these reasons we would ask for a Do Not Pass recommendation on HB 1445.