

Testimony of Roberta E. Pennington, IIDA
Before the Joint Committee On Ways and Means
Sub-Committee On General Government
27 February 2014

Good Morning, Co-Chairs Steiner Hayward and Smith and Members of the Committee:

My name is Roberta Pennington and I am an NCIDQ certified commercial interior designer. I am also the International Interior Design Association (IIDA) of Oregon's Vice President of Government and Regulatory Affairs. I am a registered non-affiliated voter who lives in District 23 in NE Portland.

All thirteen years of my professional experience has been in the state of Oregon. A majority of this work has been within corporate tenant improvement where I programmed, space planned, and coordinated construction documents with the sole purpose of obtaining a permit. While I currently work at Ankrom Moisan Architects in Portland, Oregon, a firm of over 130 people, including 34 commercial interior designers, I have also worked in small firms where no licensed architect was on staff. During these experiences I learned Oregon building codes and how each jurisdiction has its own interpretation of the code which may or may not allow a person with my qualifications to obtain a permit.

To summarize where interior designers lie within the umbrella of the Oregon Structural Specialty Code, or OSSC, I want to quote directly from current code to give you some background on the sections which have been open to interpretation and thereby limiting our ability to practice commercial interior design.

Oregon Structural Specialty Code or OSSC

Chapter 1: SCOPE AND ADMINISTRATION

Section 107: Submittal Documents

107.1 General

Submittal documents consisting of *construction documents*, statement of *special inspections*, geotechnical reports, and other data shall be submitted in two or more sets with each *permit* application. The *construction documents* shall be prepared by a *registered design professional* where required by the statute of the jurisdiction in which the project is to be constructed. Where special conditions exist, the *building official* is authorized to require additional *construction documents* to be prepared by a *registered design professional*.

Exception 2

Plans, specifications, calculations, diagrams, and other data prepared and designed by an engineer or architect licensed by the state to practice as such are not required for the following work, provided the building official determines that the work is not of a highly technical nature or there is no unreasonable potential risk to life and/or safety of the structure:

Exception 2.3

Alterations or repairs that do not involve the structural parts of the building

Chapter 2: DEFINITIONS

REGISTERED DESIGN PROFESSIONAL. An individual who is registered or licensed to practice their respective design profession as defined by the statutory requirements of the professional registration laws of the state or jurisdiction in which the project is to be constructed.

REFERENCE MANUAL FOR BUILDING OFFICIALS: The Architects' Law and The Engineers' Law

Prepared by the Oregon Board of Architect Examiners, Oregon State Board of Examiners for Engineering and Land Surveying in conjunction with Oregon Codes Division

Chapter 2: Is an architect or engineer required on a project?

Besides the OSSC, there are three definitions from architects' and engineers' laws and rules for a project to be assessed by the building official

1. Exempt Buildings

The architects' and engineers' laws and rules provide an area where a person who is not registered as an architect or engineer may plan, design, and supervise the erection, enlargement, or alteration of a building. These buildings are considered exempt.

#5: The planning, designing, specifying, or supervising of the alterations or repairs to a building when the structural elements of a building are not involved, or when the occupancy or code-related classification of the building or portion of the building, has not changed.

2. Non-exempt

Except for single family dwellings and farm/ agriculture buildings, all buildings exceeding the exempt size limitation – ground area over 4,000 square feet, or height limit of over 20 feet in height – are considered non-exempt buildings. The services of a registered professional are required if either limitation is exceeded.

3. Significant structures: found in the engineers' laws

Q8: May an unregistered individual prepare plans and specifications for interior space planning and/or remodeling of non-exempt structures?

Yes; Under ORS 671.030(2)(d), nothing in the law would prevent "a person from planning, designing, specifying or supervision the alterations or repairs to a building if: (A) the structural part of the building, including but not limited to the foundation, walls, floors, roof, footings, bearing partitions, beams, columns, and joists is not involved; (B) the building code classification by use or occupancy of the building is not changed; and (C) the building code classification by type of construction of the building is not changed.

Q10: May anyone other than an architect or engineer prepare plans for submission to building officials?

Yes; but only when the building falls into the exempt status. However, even though the general public is allowed to prepare plans for submission on exempt structures, the building official has the authority to require drawings, calculations, and other related documents of an exempt structure to be prepared by a registered architect and/or engineer if the building official establishes that the work is of a highly technical nature or there is potential risk to the life and/or safety of the structure. However, the building official cannot dictate the actual design.

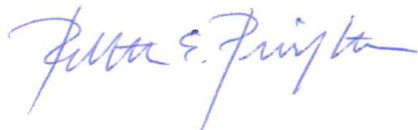
The architects and engineers working with code officials have determined as to who is qualified to produce permit documents. We want the opportunity to work with these groups to understand and find a solution for opening the market up to qualified professional, such as myself, to perform this scope of work.

What are some of the benefits in including qualified commercial interior designers within the definition of "registered design professional?"

- **Pay Equality.**
 - In Oregon, a registered Architect at the height of his/her career can make ~\$77,000 according to Monster.com. At the same level of education and experience, an interior designer can make ~\$74,000. By recognizing our qualifications, a registered commercial interior designer will see this 4% difference equal out over time.
- **Competition to small firms and sole proprietorships opens up**
 - Commercial designers who once were considered "unqualified" will be able to bid on government work as they will now fit the GSA definition of a "registered design professional."
 - More qualified firms means more competition "on the street" thereby making fees more competitive for potential clients.
- **Transparency of Fee**
 - Similar to the AIA code of ethics, commercial interior designers will not be able to use the "magic markup" on product, i.e. furniture, sold to a client for a way to collect additional monies. Rather, clients will pay for services by the designer; they will be paying for people rather than paying for product.
- **Ability for commercial interior design staff to move up in an office hierarchy.**
 - Creates mentorship between senior and junior staff members.
 - Interior designers who have recently graduated will have a defined path to a career goal versus the "what now" after passing the NCIDQ exam.
 - Provides professional growth.

We are proposing to work with all design professionals in Oregon to enhance and implement these bullet points and to recognize the contribution of commercial interior designers. When IDC-Oregon, ASID, and IIDA sit down with the other proposed members of the legislative work group, we will work together to agree to the full interpretation of what a "registered design professional" is, and we will grow the design industry fiscally and inclusively by recognizing the qualifications of commercial interior designers.

Thank you,



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