

**DEPARTMENT OF STATE HOSPITALS
15-DAY NOTICE OF PUBLIC AVAILABILITY OF MODIFIED TEXT
ARCHITECTURAL AND ENGINEERING CONTRACTS**

California Code of Regulations
Title 9. Rehabilitative and Developmental Services
Division 1. Department of Mental Health
Chapter 16. State Hospitals Operations
Article 5. Contracts

PUBLIC NOTICE

This notice announces a 15-day comment period in which the public may comment on the modifications to the originally proposed text for the Contraband Search and Confiscation regulation. This notice is issued pursuant to Government Code sections 11346.8(c), 11347.1, and California Code of Regulations, title 1, section 44.

This regulatory action was originally noticed on 6/16/23, published in the California Regulatory Notice Register, and mailed to all interested parties. The originally proposed regulatory action is described in Initial Statement of Reasons provided with the originally proposed regulation which can be found on the website of the [Department of State Hospitals](https://www.dsh.ca.gov/Publications/Regulations.html) (Department) at <https://www.dsh.ca.gov/Publications/Regulations.html>.

The modified regulations, called the “15-Day Modified Regulations Text,” as well as this 15-day notice, are also available on the Department’s website as provided in the above paragraph.

No action by the public is necessary unless persons wish to comment specifically on the proposed modified text.

This rulemaking and all documents relevant to the rulemaking shall be available at the address provided below under section named “Written Comments,” between 8:00 AM and 5:00 PM beginning 9/15/23, through 9/29/23, or by request to the contact person indicated below.

SUMMARY OF MODIFICATIONS TO THE PROPOSED REGULATIONS

15-Day Notice of Proposed Modifications:

The original regulatory language is shown in plain text. Initial proposed modifications from the 45-Day Notice are shown with single underline (e.g., single underline) to indicate addition to the regulatory language, and single strikethrough (e.g., ~~single strikethrough~~) to show deletion to the regulatory language. Proposed modifications from the 15-Day Notice are shown with double underline (e.g., double underline) to indicate addition to the regulatory language, and double strikethrough (e.g., ~~double strikethrough~~) to show deletion to the regulatory language.

Text: Deleted all of Section 4530(b), therefore Section 4530(c) became Section 4530(b).

Rationale: Section 4530(b) was removed as the language may cause confusion of welcoming bids from nonprofessionals based upon the characterization of the work as “technical” work. An example of this is field and construction survey work which, due to its “technical nature,” may welcome bids from non-surveys and non-professionals based on the mischaracterization of it as “technical” work.

Text: The text “land surveying” and “geotechnical engineering, engineering geology, construction materials testing” has been added to both Section 4530.1(a) and Section 4530.1(g). The text “and surveying” was removed from both Section 4530.1(a) and Section 4530.1(g).

Rationale: The proposed regulation enumerates many categories of services that fall under the term “Architectural and Engineering (A&E) Services”, but in doing so overlooks three key ones – geotechnical engineering, engineering geology, and construction materials testing. To avoid future confusion over the meaning of A&E Services these terms have been added.

WRITTEN COMMENTS

The Department invites all interested persons to provide comments relevant to the specific changes made in the 15-Day Modified Regulations Text. The public may provide comment only in writing, submitted by postal mail or electronically using the contact information below:

California Department of State Hospitals
Regulations, Policy, and Operations Unit
RE: A&E Contracts Regulation (15-Day)
1215 O Street, MS-20
Sacramento, CA 95814
Email: DSH.Regulations@dsh.ca.gov

All written comments received by 9/29/23, which pertain to the changes proposed in the 15-Day Modified Regulations Text will be considered and responded to by the Department in a document prepared by the Department named the Final Statement of Reasons.

CONTACT PERSONS

The primary contact for this regulatory action is Anna Libonati, and the backup contact is Rachelle Sack. They can be reached by contacting the Regulations, Policy, and Operations Unit phone number at (916) 654-2478 or the email provided above.