

Facilities Planning

Newsletter 78 – August 2006

Definition of "Primary Purpose" for EXCEL Funding:

Since the release of the EXCEL Q & A, we have received numerous questions regarding the required balance between construction on instructional facilities and site work when determining application of EXCEL monies for a project. In other words, how much of total project cost must be spent on the eligible instructional facility to comply with the requirement that the project must as a "primary purpose" be: a physical capacity expansion project, an energy project, an accessibility project, a health and safety project, or an education technology project.

In response to these questions, we have reviewed our previous discussions on this issue, and reviewed the legislative intent. We believe it was the intent to have these funds utilized to the greatest extent practicable on a project of the type listed above and that other types of expenses should be incidental to those costs.

Therefore, in keeping with existing facilities planning procedures for construction versus incidental costs, in order to qualify for EXCEL funding, a project must have expenses equal to or greater than 75% of the total project costs qualify under one of the five approved categories. A maximum of 25% for other expenses, including site work, will be permitted. Projects that do not meet this criteria can be approved, but will not be eligible for EXCEL funding.

Training Course for School Fire Safety Inspectors:

The Department of State (DOS) Division of Code Enforcement and Administration has advertised a new "In-Service" training course for "Fire and Structural Safety Inspections for Public and Private Schools". This course is designed to review the rules, regulations, reporting forms and inspection activities pertaining to the Annual School Fire Safety Inspection Program mandated by SED. It was developed in Facilities Planning as an update of the DOS course from 1988 and 1998.

To sign up for the course visit DOS Training at <http://www.dos.state.ny.us/code/doscrse.htm>. Course locations currently scheduled are all in the central and western portions of the state. Additional course locations will be scheduled for the remainder of the state as these are near completion. The course is one full day in length. This course is approved for 6-hours of DOS In-Service training credit for Certified Code Enforcement Officials and Continuing Education Credit for Architects and Engineers.

The current qualification for individuals to conduct Annual Fire Safety inspections is to complete the DOS Basic Training Program <http://www.dos.state.ny.us/code/netsched1.html>. Completion of this new training course by itself is insufficient to meet the certification requirement mandated by SED. We implore all qualified fire safety inspectors providing Annual Fire Safety Inspection services to public school districts to complete this course. At this time it is not a mandatory requirement for school fire safety inspectors to attend. It is SED's desire to eventually make this course mandatory for all persons wishing to provide fire safety inspection services to public school districts.

Which Projects DO NOT Require Building Permits:

Providing the projects are less than \$20,000 in total cost, the following projects would not require a building permit. Although no building permit is necessary for these types of buildings, it is necessary that a building number be assigned and that each building be inspected annually, pursuant to Section 155.8 of the Commissioner's Regulations. A Request for Approval of Use of a Facility must be submitted to the Office of Facilities Planning when the building is completed.

1. Site development - including earth moving; finished grading and planting; fencing; paving of roadways, parking and walkways. Irrigation projects shall be submitted. Site development which is in conjunction with a building project, and for which plans and specifications are submitted together with those for the building project, will be reviewed and a building permit issued for the whole project.
2. Bleacher and grandstand projects which involve only the installation of pre-engineered, factory-built equipment. Similar projects which involve onsite construction (meaning more than just the excavation of post holes and/or pouring of concrete bases) shall be submitted.
3. Playground projects which involve only the installation of pre-engineered factory-built equipment. Playgrounds which involve on-site construction of various features and structures shall be submitted.
4. Special structures, such as pre-engineered flag poles and towers which are less than 100 feet in height. Such structures more than 100 feet in height shall be submitted.
5. Buildings or structures for such as storage or utility, which are not "habitable space" and are not "occupied space", both as defined by Chapter 2 of the Building Code of NYS, and which do not exceed a total net clear area of 350 square feet. Such buildings or structures shall have no mechanical systems; shall be located on-site in conformance with Section 403 of the Manual of Planning Standards and Table 602 of the Building Code of NYS; and shall have at least one door with appropriate exiting hardware which can be operated from within the space (no padlocks).

Additionally, be sure to follow the \$5,000 and \$10,000 thresholds mentioned in Newsletter #77 even when a building permit is not required.

Environmentally Sensitive Products for Schools:

To keep everyone up-to-date, we have received additional Green Cleaning Guidelines for Schools, published August 7th.

State Education Law Section 409-I and State Finance Law Section 163-b required the New York State Office of General Services, in consultation with other State agencies, to develop a list of approved green cleaning products. The product list, as well as the final guidelines for green cleaning products may be found at:

<http://www.ogs.state.ny.us/bldgadmin/environmental/default.html> . The law requiring school districts to utilize these guidelines to procure environmentally friendly cleaning products is effective September 1, 2006.

Please read the additional information <https://www.p12.nysed.gov/facplan/greenclean.htm> provided by SED if you have questions or need additional information.

An Index of our Newsletters is available on our web site at <https://www.p12.nysed.gov/facplan/NewsLetters.htm>.

If you would like to have this Newsletter sent directly to you by e-mail, please send your e-mail address to Joe Levy at jlevy@mail.nysed.gov.

Please continue to send in your comments and requests. If you have a subject you would like addressed, feedback on the material you read, input or general comments we are happy to hear from you.