



Office of Facilities Planning Newsletter Update #10 – December 2000

If you would like to have this Update 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. Our purpose is to provide information, which will help all Consultants and Facilities Planning provide a quick concise review of all projects. This will help the schools get their construction projects out to bid in a timely manner.

Building Aid Units:

Building Aid Units (BAU) Calculator now available for your use! The hyperlink is: <https://www.p12.nysed.gov/facplan/BuildingAidUnits/BAUsCalculator.launch.art.html>.

Change Orders:

Along with the signature, please include the printed or typed name and telephone number of persons signing change orders.

When writing a credit change order to return the unused portion of an allowance, please include the original amount of the allowance.

Health and Safety Committee:

We are being inundated with complaints from parents, teachers and staff at various schools where there are construction projects. In some instances, it appears there are no Health and Safety Committees at these schools, or the existing ones are not set up to function under the requirements of the Commissioner's Regulation 155.5.

If schools were to establish and involve the Health and Safety Committee in the construction process and allow them to fulfill the role outlined in the Commissioner's Regulation 155.5, we think that many problems would be caught and corrected before they became formal complaints. Similarly, contractors and construction workers would also be more aware that they will be held to the Commissioner's safety standards if they realize that occupied building occupants have a right to safe, healthy, and appropriate educational space and that there is someone watching. A properly functioning Health and Safety Committee will free the school administration to focus on oversight, education and management items.

We have an outline for the schools to follow that includes responsibilities during construction projects. Here is a hyperlink to our web page for it: <https://www.p12.nysed.gov/facplan/articles/155.5schooldistrictrequirements.html> .

There is also a new item on our web page entitled "**Guidelines for the Health and Safety Committee**". <https://www.p12.nysed.gov/facplan/articles/GuidelinesfortheHealthandSafetyCommittee.html> .

Have a look at what we hope their role will be in construction projects.

The Commissioner's Regulations are also on our web: <https://www.p12.nysed.gov/facplan/Laws&Regs/8NYCRR155,5,15,00.html>.

Standardization:

We are reprinting the June 2000 Newsletter #4 portion on Standardization with a clarification.

"If you specify standardized items, equipment or material, you must follow the requirements for standardization of equipment authorized by Section 103, subdivision 5 of the General Municipal Law. This makes it possible for a board of education to standardize on a particular type or kind of equipment, material, or supplies by adopting a resolution. The resolution must contain a full explanation of the reasons for its adoption and meet the legal requirements of the law. The specifications for standardized items must indicate that the board has standardized the item. All other specified material and equipment falls under the equivalency requirements for bidding. For further information you can read the SED School Business Management Handbook for Purchasing, Chapter IV."

The article is correct as printed, but standardization under the section of law cited applies specifically to purchase contracts only.

Standardization cannot be incorporated directly into a public works contract. All products in publicly bid municipal construction projects must be freely bid allowing for equivalents. With careful planning, however, materials and equipment purchased by the school district under a standardization resolution may be provided to the contractor for installation in a capital construction project. Competent legal guidance is necessary for appropriate application of standardization resolutions in accordance with General Municipal Law, Section 103, subd.5. The school district's architect or engineer needs to include all materials and products purchased by the school district's in the final plans and specifications for approval by the State Education Department.

Building Condition Survey:

The Building Condition Survey data collection program is now on line. The web address is: <http://seddmznt.nysed.gov/rescue>. There is a section of our home page devoted to the Building Condition Survey. Please read through the part "[Frequently Asked Building Condition Survey Questions](#)" before calling our office.

We are happy to hear from you. If you have a subject you would like addressed, feedback on the material you read, input or general comments please send them to Joe Levy at jlevy@mail.nysed.gov.

We plan to address subject matter as discussed at our March 29, 2000 Workshop, common errors holding up reviews, solutions to repeat problems and any subject which will help the schools and consultants quickly and efficiently receive their project approvals.