



Office of Facilities Planning Newsletter Update #2 – May 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**

The reception of our inaugural Newsletter was outstanding. Thank you for your responses. Please continue to provide feedback, it will make it easier to address your concerns as well as ours. Our purpose is to provide information which will help both 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.

Non-collusive Certification

As with the "or equal" clause, we assume that the architects and engineers know the correct, legal wording required for a non-collusive statement in a public works contract. Again, we continue to find errors that delay the project managers in getting the submissions into the system for review. The correct wording required under section 103-d of the General Municipal Law is as follows.

"(a) By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of their knowledge and belief:

- (1) The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;
- (2) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and
- (3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition."

Please note again that wherever this statement appears in the specifications, it should be word-for-word as shown above. We would appreciate it if you could check your specifications for compliance.

Addendum Coordination:

2 copies of each addendum should be addressed directly to the architect or engineer who provided review. Do not send them to the project manager of the project as this may cause an unnecessary delay. In it's review if both construction and engineering items are included in the addendum, it can be sent to either the architect or engineer. We will coordinate its review. Faxed addenda will be accepted only if it is less than 5 pages. If faxed **do not** send 2 copies by mail. Our fax number is (518) 486-5918.

Fire Area Comments

1. The fire area is the gross floor area of a story of a building within exterior walls, party walls and firewalls or any combination thereof. The highest story of a building determines the maximum fire area for each story of the building. Indicate the fire area and construction type on your documents (or fire areas and construction types if there are more than one). Provide both the new and existing for each.
2. The type of construction determines the required protection for all structural components and firewalls. Use the Code Review Checklist to figure the fire area and it will automatically adjust the maximum fire area as you alter the construction type. Provide fireproofing on all

structural components if required by your chosen type of construction on more than one side.

3. Fire areas may be increased in certain occupancies (including C5.5) if the building has non-required sprinklers or if it is accessible.
 - If you want to use NYS UFP&BC section 705.5(b)(2) and have an unlimited fire area you must use either type 2b construction with 1 story, or type 2a construction with 2 stories. You must also have 40 feet of accessible space around the building. Fences need gates through them and hills need vehicle surfaces on them.
 - If you want to use section 705.5(b)(1) to increase the fire area you must have fire hydrants and a 50 foot wide fully accessible path around the percent of sides you claim for your increase. The fully accessible path does not have to be a PAVED road but must support a fire truck. Fire hydrant installations must always meet NFPA no. 24.
 - The Building Code does not require fire hydrants but the Manual of Planning Standards S404-d does if municipal water is available.
4. Fire areas must have at least one exit to the exterior per Building Code section 765.8(b).

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.