



Office of Facilities Planning Newsletter #56 – October 2004

Catastrophic Structural Failure, Continued:

In the Structural Advisory issued by Deputy Commissioner Kadamus, "SJ" roof joists were described as being the type that has the ability collect water undetected. This caused the rusting, deterioration, and the eventual collapse of the structure.

We have now become aware that type "SJ" joists were not the only type to utilize an upturned "C" channel as a top cord. Architects, Engineers and School Districts have found other joist type designations that utilize the same cord design. Therefore, the only way to be confident about the condition of these structural components is to visually inspect all joists. Cut holes in plaster ceilings as necessary to install permanent access panels. Do not rely on the truss type designation you may have found on building drawings. Please visually inspect all joists for deterioration as soon as possible and prior to this winter's snow loads. This can easily be done as part of this year's Annual Visual Inspection. Remember, prior to cutting plaster ceilings don't forget to consult your AHERA management plan or test for asbestos.

Air Conditioner/Heat Pump Recall:

There has been an extensive recall of Package Terminal Air Conditioner/Heat Pumps (PTAC) manufactured by Goodman Company, L.P., of Houston, Texas. This includes models from Amana, Trane, and American Standard Brand Package Terminal Air Conditioners/Heat Pumps. A chain of events could result in a fire. For details and models involved, please link to <http://www.regcen.com/ptac/> or <http://www.cpsc.gov/cpsc/pub/prerel/prhtml04/04229.html>. Please check your facilities and follow the on-line instructions if you have any of these models in your buildings.

From the Harvard School of Public Health:

Environmental health researchers at Harvard School of Public Health (HSPH) have identified caulking and sealing materials as an unrecognized and possibly widespread source of polychlorinated biphenyl (PCB) contamination in schools and buildings constructed in the 1960s and 1970s. They conclude that a survey of masonry buildings from that era is necessary to determine where in the U.S. these materials had been used, and that caulking should be routinely analyzed for PCBs and managed appropriately to reduce potentially significant health risks. If you would like more information see this web link for the article.

<http://www.hsph.harvard.edu/press/releases/press07202004.html>

Prevailing Wage Rates:

A Contracting Agency (in our instance school district) awarding a public work contract **MUST** obtain a Prevailing Rate Schedule listing the hourly rates of wages and supplements due the workers to be employed on a public work project. The Prevailing Rate Schedule **MUST** be included in the specifications for the contract to be awarded and is deemed part of the public work contract. To obtain a copy of the Prevailing Wage Rate Schedules for a specific project you may download them from the Department of Labor's web site at http://www.labor.state.ny.us/business_ny/employer_responsibilities/prevwage/. If you do not have an internet connection you can send a request for Prevailing Wage Rates by completing and forwarding a Request for Wage and Supplement

Information form (PW-39) to the Bureau of Public Work. Since June 2003 requests for Wage Rates are no longer required to be in writing.

The Labor Department issues Prevailing Wage Schedules on a county-by-county basis that contain minimum rates of pay for different work classifications. State law requires that these schedules be made part of all contracts between a Contracting Agency and a contractor. The wages and supplements to be paid and/or provided to laborers, workers and mechanics employed on a public work project shall not be less than those listed in the current Prevailing Wage Schedule for the locality where the work is performed.

Every contractor and subcontractor must keep original payrolls or transcripts subscribed and affirmed as true under penalty of perjury. Payrolls must be maintained for at least three years from the project's date of completion. Every contractor and subcontractor shall submit to the Contracting Agency, within thirty (30) days after issuance of it's first payroll and every thirty (30) days thereafter, a transcript of the original payrolls, subscribed and affirmed as true under penalty of perjury. The Contracting Agency shall receive and maintain such payrolls.

The Commissioner of Labor makes an annual determination of the prevailing rates. This determination is in effect from July 1 thru June 30 of the following year. The prime contractor is required by law to provide copies of all applicable county schedules to each subcontractor and to obtain from each and every subcontractor an affidavit certifying that such schedules were received. If the original schedule expired, the contractor may obtain a copy of the new annual determination from the Department's website. Therefore, if Wage Rates rise during the middle of a project the project costs will rise with the wage rates.

For additional information you can review the NY State Labor Law, Article 8, Public Work: Section 220.3, Hours, wages and supplements - wages to be paid, and Section 220-d. Minimum rate of wage and supplement, <http://assembly.state.ny.us/leg/?cl=54&a=11>, and the General Provisions of Laws Covering Workers on Public Work Contracts on the Department of Labor's web site at http://www.labor.state.ny.us/business_ny/employer_responsibilities/prevwage/general.htm.

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

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