

Office of Facilities Planning Newsletter #59 – January 2005

Get to Know us Better:

Gene Minton is a clerk who has been in Facilities Planning for almost a year. We apologize for not including his introduction earlier.

Gene came to the Education Department after serving 5½ years in the U.S. Air Force. He served overseas during Operation Desert Storm and Desert Shield. He was a communication system operator onboard an EC-135. Gene left the military to attend college where he graduated from the University at Albany with a B.A. in Criminal Justice/Sociology.

Gene lives in Watervliet with his 11-year old son, Alex. As a hobby he enjoys all sports and his favorite team is the N.Y. Yankees.

Requesting Prevailing Wage Rate Schedules:

Part of the information provided in Newsletter #56 was incorrect, even though we thought a Department of Labor (DOL) memorandum supported the information provided. The application of the memorandum was improperly applied. As stated previously, the Contracting Agency (in our instance school district) awarding a public work contract **MUST** obtain a Wage Schedule listing the hourly rates of wages and supplements due the workers to be employed on a public work project. The Wage Schedule **MUST** be included in the specifications for the contract to be awarded and is deemed part of the public work contract.

The correction applies to obtaining a copy of the Prevailing Wage Rate Schedules. For each project the Contracting Agency **MUST** request the original Wage Schedule in writing. Send the request by fax or US Mail to the DOL Bureau of Public Work. It is recommended to use a Request for Wage and Supplement Information form (PW-39). Do not download the wage schedules from the DOL web site. When the request is received by DOL a Prevailing Rate Case (PRC) number is assigned to the project. The physical copy of the Wage Schedule provided by DOL must be included in the project specifications for the contract to be awarded and is deemed part of the public work contract.

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. If the original schedule has expired, the contractor may obtain a copy of the new annual determination from the Department's website.

We received our supplemental (and corrected) information from David Bouchard of the DOL Bureau of Public Work in Albany. For additional information you can review the NY State Labor Law, Article 8, Public Work: <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. David tells us DOL hopes to automate the system for requesting Wage Schedules this year. This would allow an electronic submission of the

PW-39 form.

Smoke Detectors:

Recently we have had inquiries regarding installation requirements of automatic smoke detection devices within and around assembly spaces in schools. It is our opinion that nothing has changed from the requirements. Facilities Planning will continue to require automatic smoke detectors inside assembly spaces, within spaces associated with them that surround them, and within the means of egress (exit corridors) from them to the exterior doors.

This will be an item that will be clarified as we make amendments to the Manual of Planning Standards. It is also a system that most engineers have never neglected to provide. We have made inquiries of some and most feel it is an important and necessary safety provision for school buildings.

Vehicle Lifts Investigation:

As more information is now available it becomes apparent that a number of lift manufacturers may not have had their larger vehicle lifts properly tested before marketing them. This problem may affect lifts since the 1998 standards became effective. At issue are the safety devices that are required to be provided for the lift.

Each school district and their designer of record should check their lifts if they have been installed since 1998. These lifts should meet one of the following Standards for Automobile Lifts-Safety, ALI B153-1 or ALI ALCTV-98. All lifts that have been tested are listed on the Automotive Lift Institute web site at <http://www.ali-directory.org/ali/ali2.nsf/frnHome?OpenForm>.

If you have lifts installed at your facility that do not meet the proper standards you should not use them. Your engineer of record can check when the proper tests are completed and certify the lifts were installed according to the requirements of the test before they should be placed in use again. If you are currently reviewing shop drawings for lifts that do not meet the proper standards they should be rejected because they are not code compliant.

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.