



## THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK

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### **2015 BUILDING CONDITION SURVEY INSTRUCTIONS – December 2015**

#### **OVERVIEW**

Welcome to the 2015 Building Condition Survey (BCS). As you know, the BCS is one component of the 1998 RESCUE statute.

Some components of the RESCUE requirements have been rescinded including the Annual Visual Inspection (AVI), and the School Facilities Report Card, while others remain intact including the 5-year capital facilities plan and comprehensive maintenance plans. The BCS is the most critical component of the regulations and is intended to provide districts and BOCES with all the detailed information necessary to properly maintain safe and healthy school environments for New York's public school children. The data will allow school districts to properly plan and prioritize capital improvements, and allow the state to properly plan for building aid reimbursement to districts.

**Only buildings occupied by students and staff must be surveyed.** Commissioner's Regulation 155.3, Comprehensive Public School Safety Program, states: "...the board of education of each school district and each board of cooperative educational services shall cause all occupied school facilities which are owned, operated, or leased by the district or board to comply with the provisions of the Comprehensive Public School Safety Program as set forth in this section....". Regarding leased properties, it is our interpretation that the building condition survey must be performed on leased facilities wherein a substantial portion, an entire wing, or the entire facility is leased for a period of time of 5 years or longer. Facilities wherein a lease is executed for a small percentage of the space or a couple of classrooms, or those facilities leased for a period of less than 5 years do not need to be surveyed. For those leases executed between districts and BOCES, the district will likely conduct the survey unless the BOCES leases the entire facility.

The BCS format has changed, but the required information is substantially similar to the 2010 BCS.

The survey was required to be completed by November 15, 2015, and all data must be submitted by June 30, 2016. The survey will cause every major building system or component to be investigated by a licensed engineer or registered architect. SED recommends a team of professionals collaboratively review each facility in detail.

#### **WAIVERS**

The regulations provide for waivers to the building condition survey for those districts and BOCES that demonstrate that significant research on a facility was done that is substantially in compliance with the RESCUE requirements. New facilities that were built since 2010 will receive a waiver for the 2015 survey *if requested*. New additions are not entitled to waivers. Additions must be surveyed in conjunction with the existing facility, but obviously should not require as much investigation to determine the condition of their systems.

For those existing facilities that have undergone extensive renovations since 2010, please have the architect of record review the BCS survey and RESCUE requirements and describe in summary the investigations that were performed on a particular facility in preparation for the capital program. That information should be submitted in writing to Carl Thurnau from the licensed professional, including the specific BEDS code identifier and name of the facility, when the investigations were undertaken, and the current status of the capital program. Waivers will be issued where applicable.

## **REIMBURSEMENT**

The maximum reimbursement rate for expenses is \$0.29/sq ft. School Districts will receive aid for the survey based on either the actual expenses for the survey multiplied by the district aid ratio, or the maximum reimbursement rate multiplied by the total square footage surveyed and then by the district aid ratio, whichever is less.

As a result of past structural deterioration discovered at several schools and, in two cases a structural collapse of roof trusses, and a total collapse of a masonry wall respectively, it is imperative that all structural components be examined closely. Please see additional information on structural inspections at the end of these instructions. Permanent access panels should be installed as necessary in locations where structural components are hidden. Any asbestos or lead testing and removal necessary for installation of the access panels may be included in the square foot cost of the BCS.

If districts require assistance with their five-year capital facilities plan, costs for this consulting may also be reimbursed if it is included as a square foot cost of the BCS. SED requires a capital facilities plan executive summary to be included with each building permit application to ensure the proposed work is a priority within the building. That priority is based on data collected in the BCS.

Reimbursement for expenses will be obtained through the State Aid Management System (SAMS). Total square footage surveyed and survey expense should be reported on SAMS Form FB at items #138 and #139 respectively. Square footage and expense claimed for 2015-16 BCS aid will be subject to verification via the State Aid claim verification process during winter/spring 2016, including but not limited to verification of square footage reported against that reported on the BCS online form.

**NOTE: Districts that do not submit the online BCS form for all buildings surveyed will not receive BCS Aid.**

Unfortunately, while BOCES must conduct the BCS, they are not entitled to any building aid reimbursement for any expenses associated with the survey.

## **DATA ENTRY**

New York State is budgeting approximately \$40 million every five years to ascertain the condition of its school facilities. It is critical that the data be accurate to allow appropriate State level financial decisions.

This is a five-year survey, only those systems with a useful life of five or less years must be provided with a cost to repair or replace. It is, therefore, expected that systems rated as excellent or satisfactory do not require cost estimates if their useful life is over five years. Any systems noted as unsatisfactory, non-functioning, or critical failure must have a repair or replacement cost associated with them.

### **Note:**

- The online survey is accessed via the NYSED Application Business Portal at <http://portal.nysed.gov>. After logging in, click on the link for the **SED Monitoring and Vendor Performance System**.
- The NYSED Application Business Portal is accessed by the school district superintendent. If anyone other than the superintendent needs to access the portal for BCS data entry, the superintendent must give entitlements to the other personnel. The **SEDDAS User Guide** with information on how to access the portal and give entitlements to others can be viewed in the portal.
- Questions regarding data entry should be directed to (518) 474-3906 or [emscfp@nysed.gov](mailto:emscfp@nysed.gov) with '2015 BCS' noted in the subject line.

- Data may be changed at any time prior to clicking the submit button at the end of the survey. Work may be saved, and the survey may be resumed at a later time, until the survey is submitted. A copy of the survey may be printed for you records before or after submission.
- Required fields are noted with an asterisk. Failure to enter data in required fields will not allow the survey to be submitted until corrections have been made.

The survey contains generic district information that should be compiled prior to attempting the submission of data. SED has identified specific systems that are categorized as “H” – Health and Safety, or “S” – Structural. Please review overall building rating information included on the left side of each page of the online survey document. A building **must** be rated as unsatisfactory if any “H” or “S” system is rated as unsatisfactory. A building **must** be rated as failing if any “H” or “S” system is rated as non-functioning or critical failure. As in previous survey years, A/E firms provide survey data and consultation to the district and the board of education is charged with determining the overall building rating.

There are many instances where systems are of multiple ages. For example, there may be several different sections of roof coverings with multiple ages. While there may be specific sections of the roof in need of replacement, the overall condition of the roof may still be satisfactory or excellent. It is appropriate in these situations to report the last major reconstruction date of the newest section and the expected useful life of the oldest section. Use the comment line to identify specific problem areas or concerns. The detailed information will be retained by the district and reported to SED for a future building specific capital plan.

### **STRUCTURAL INSPECTIONS**

Our intent is not to instruct you or your design professional on how to perform various inspections of your buildings, specifically when addressing structural components. However, we suggest the following guidelines in reviewing structural components.

1. We believe it is important to have a candid conversation between the school district and the design professionals about the degree of inspection that will be required. Obviously, a level of comfort pertaining to safety of the occupants needs to be established and all parties need to agree to the types of inspections that will be necessary to achieve this comfort level.
2. Buildings with accessible ceilings and walls will allow easier viewing of structural components. Buildings with inaccessible features will most likely require some level of destructive access. This may require cutting of hard surfaces to allow access and then installation of an access panel or door. If the surface to be opened contains asbestos or lead material, appropriate precautions must be taken.
3. Upon visual inspection of structural components, if no visual deformation, discoloration, rusts, scaling, or other deterioration are evident – further definitive tests may not be required.
4. If deformation, discoloration, rusts, scaling or other deterioration issues are evident, closer inspection and/or definitive tests may be required. The design professional should recommend the appropriate tests commensurate with the evidence deterioration, and any requirements of the school district.
5. Where structural issues are present, scheduled monitoring of the issue should be considered until such time the issue is resolved and/or corrected.
6. If there are serious structural concerns and life safety of the occupants could be compromised, please notify SED at once to discuss appropriate remedial plans.