



Assistant Commissioner
Office of School Governance, Policy, and Religious and Independent Schools
Room 475 EBA (518) 474-6541

October 31, 2017

TO: District Superintendents
Superintendents of Schools

FROM: Christina Coughlin

SUBJECT: Process Change for Submission of Capital Projects

Temporary Changes to NYSED's Capital Project Review Process:

This letter contains some updates to a memo I sent you last summer about our work to reduce review times in the Office of Facilities Planning. As I wrote last summer, the Commissioner requested that CITI BOCES (the Center for Instruction, Technology and Innovation/Oswego BOCES) serve as a temporary conduit for the outsourcing of code review of some types of construction plans. Earlier this fall, CITI BOCES issued an initial RFP to engage licensed architects and engineers to conduct the reviews, but the response was tepid. After getting some feedback from design professionals regarding opportunities to improve the attractiveness of engaging in the outsourced review work, the RFP is being reissued today. We are optimistic that it will be more attractive.

New Item: My previous note indicated that once the RFP was in place, CITI BOCES would be providing an initial screening of projects, so that districts would send all eligible projects to the CITI BOCES. Since that time, NYSED staff have begun to do this work internally as part of our workflow redesign. Given that we are already doing it, we will continue to do so. That means that all projects will continue to be sent to NYSED, with no change to this initial step of construction project submission, even after the option to select an outsourced review is in place.

Districts will be able to choose whether their projects will receive code review from NYSED staff, or whether their projects will be reviewed by the third-party vendors selected under the CITI RFP (for an additional fee). We anticipate that these external reviews will occur more quickly than the NYSED ones, so districts and their design professionals will be able to make a business decision on whether the outsourcing is the optimal choice for their district. If districts choose this option, their projects, once approved by the third-party vendors, will be forwarded to NYSED, so that building permits can be issued directly (See attached graphic on page 3 for further details).

IMPLEMENTATION TIMEFRAME:

- **JANUARY 1, 2018:** School Districts with eligible projects (see the list below), currently in the NYSED Office of Facilities Planning review queue which wish to receive third-party review, will notify NYSED via a link to be provided later.
- **JANUARY 15, 2018:** For projects where the district opts for third-party review, NYSED will begin sending to the vendors, once the project has been pre-screened by NYSED, and the review fee has been received by CITI BOCES.

COSTS:

The costs of the third-party review will be determined by the project size. This option will be treated as a cost for the project and thus will be eligible for building aid. It will not be eligible for BOCES aid. Given the higher costs many districts have faced for their projects due to the long review times, some districts will deem it a good investment to request external review for eligible projects – others will prefer that NYSED staff review their projects. The CITI BOCES will only cover its costs for this effort; it will not charge any amount that exceeds the total cost of providing this service.

Projects NOT opting for Third-Party Review will not be subject to any fees. For all others, please refer to the following information and chart below for the anticipated fee structure. A flat fee of \$950 per aggregate project will be assessed in addition to the values indicated in the table. All fees noted are subject to change based on identification of actual costs for coordination and review, and reconciliation of those against actual frequency of elected project review work.

| <u>Aggregate Project Size</u> <i>Total amount for the design package being reviewed</i> | New Construction/Additions/ Alterations/Reconstruction |
|---|---|
| \$0 - \$2,999,999 | \$6,750 |
| \$3,000,000 - \$4,999,999 | \$13,050 |
| \$5,000,000 - \$9,999,999 | \$19,350 |
| \$10,000,000 - \$29,999,999 | \$25,650 |
| \$30,000,000 - \$49,999,999 | \$31,950 |
| \$50,000,000 - \$69,999,999 | \$38,250 |
| \$70,000,000 - \$90,000,000+ | \$45,000 |

PROJECTS NOT ELIGIBLE FOR THIRD-PARTY VENDOR REVIEW:

- Face-to-Face Review Requests
- Preliminary Submissions (PR)
- Discovered Buildings (DB)
- Temporary Quarters (TQ)
- Leases for Building Aid
- Charter Schools
- Energy Performance Contracts (EPC) Projects
- K-Solar PPAs (sent to Cadmus) or Other Specific PPAs

Every other project type will be eligible for outsourced review, should the district opt for it.

Next steps:

Since the CITI BOCES third-party vendor project review process is intended to be a bridging solution, we are already at work on the next step in the process. Our next step will be to engage in a full state-level Request for Proposals that will outsource the reviews again at the state level. These reviews will use the same vendor-quality criteria for the reviewing firms as the CITI BOCES outsourcing will use.

We will continue our work to improve the workflow in the Office. In a few years, even after the day to day time lags have been resolved, we will use the contracts resulting from the state level RFP to reduce seasonal pressure and ensure that districts are able to do the work they need to at the time they need to – most often during the summer months.

NYSED is extremely grateful to our colleagues at the CITI BOCES for their assistance and support. This cooperative effort will contribute to a smoother, more consistent and faster capital project review process for every district in the State.

Sincerely,

Christina E. Coughlin
Assistant Commissioner

FACILITIES PLANNING REVIEW FLOWCHART

