



July 7, 2017

TO: District Superintendents
Superintendents of Schools

FROM: Christina Coughlin

SUBJECT: Status Update and Process Change for Submission of Capital Projects

Temporary Changes to NYSED's Capital Project Review Process:

The team in the Office of Facilities Planning at NYSED is working hard to reduce the time between submission of a school district capital project to NYSED and the issuance of a building permit. This work is ongoing, but we have identified some adjustments we can make to eliminate at least some of the sticking points in our process. In order to implement these changes, we will need to make temporary alterations to our workflow in order to build the capacity we need to be more effective in the long term. To use a metaphor from a different sort of construction, these temporary changes are like a detour used for a short while as the roadway on your commute to work gets broadened and congestion points are removed. This memo is intended to inform you of our plans for one of those 'detours' that will help us build a better process.

As you may be aware, during 2016, to address a shortage of engineering staff here at NYSED, we selected and trained several engineering vendors to conduct a code review on a limited range of projects on our behalf. These qualified vendors were hired pursuant to a feature of state finance law that gives state agencies some flexibility to meet immediate needs, while maintaining oversight over taxpayer funds. The mechanism is a contract process for short term needs, with a ceiling set on the amount that can be paid under the contract. We used these contracts, known as 'T' contracts, to reduce the backlog from over 50 weeks to just under 20 weeks (it has since risen back up a bit – since this is the 'busy' season in the Office). However, we are now hitting the State expenditure ceilings for these 'T' contracts, so we cannot use this model any longer. Without a replacement, there is a risk that the backlog will grow again very rapidly. We want to avoid this.

A) Short-term Changes:

In order to prevent rapid growth in the backlog, in between the end of the 'T' contracts and full implementation of our longer term solutions, the Commissioner has requested that a BOCES (the Center for Instruction, Technology and Innovation/Oswego BOCES) serve as a conduit for the code review of some types of construction plans for a short time. During this period, school districts will be asked to submit certain types of plans to the Center for Instruction, Technology and Innovation (CITI) BOCES. The BOCES' staff will be trained by NYSED do an initial (or pre-) review for document and plan completeness, from a design perspective. BOCES staff will work with districts to ensure that complete plans can be advanced for code review. This initial review will be at no cost to districts.

Districts will be able to choose whether their plans, once deemed complete, will then be sent to NYSED to enter the project queue as it is currently arranged, or whether for an additional fee, they would prefer to have their plans reviewed by qualified (using similar criteria to those we have been using for over a year for the 'T' contracts) architectural and engineering firms – trained by NYSED staff. If districts choose this option, their plans, once approved by the external architectural and engineering firms, will be forwarded to NYSED, so that building permits can be issued directly (See attached graphic on page 5 for further details).

IMPLEMENTATION TIMEFRAME:

- **OCTOBER 15, 2017**: School Districts with projects currently in the NYSED Office of Facilities Planning review queue that are not projects noted on the list below, interested in having their project reviewed by an outside vendor, will notify NYSED via a link to be provided at a later date.
- **NOVEMBER 1, 2017**: CiTi BOCES will begin sending projects in the NYSED Office of Facilities Planning review queue to outside vendors for review if requested by School Districts, once the review fee has been received and the project has been deemed complete and ready for review.
- **JANUARY 1, 2018**: All projects submissions not indicated on the list below will be required to be submitted directly to CiTi BOCES in accordance with future instructions.

Costs: While the initial review of plans for completeness will be at no cost to districts, the costs of the OPTIONAL external review will be determined by an RFP to be conducted by the BOCES. Based on our experience with the outsourcing under the 'T' contracts this year, we have found that vendors have been willing to do this for a very reasonable cost. The cost of this option will be treated as an incidental 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 as a result of the long review backlogs, some districts will deem it a good investment to request external review for eligible projects – others will prefer to have 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, and it will be selecting the qualified architectural and engineering reviewers through an upcoming Request for Proposals.

Projects Initially Reviewed by BOCES: Any construction, addition or alteration project that does not appear in the list below will be sent to the CITI BOCES at:

**CITI BOCES/NYSED Capital Project Reviews
179 County Route 64
Mexico, NY 13114**

Note: Although the list below is lengthy, our data suggests that it represents only 20 percent of the total number of projects reviewed by NYSED each year. This effort may have the ability to move up to 80 percent of the total projects out of our office for a few months – allowing for a major reorganization.

Projects that will continue to Go Directly to NYSED:

- Face-to-Face Review Requests
- Electronic Reviews
- Preliminary Submissions (PR)
- Discovered Buildings (DB)
- Temporary Quarters (TQ)

- Emergencies
- Library Grants
- \$100,000 Capital Outlay Projects
- Power Purchase Agreements (PPAs)
- Leases for Building Aid
- Time Sensitive Funded Projects (such as grants)
- Charter Schools
- Energy Performance Contracts
- K-Solar PPAs (sent to Cadmus) or Other Specific PPAs
- Projects for Special Act Districts
- Big 4 Joint School Construction Projects

B) Medium Term Changes:

Since the BOCES review 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. Again, these reviews will use the same vendor-quality criteria for the reviewing firms as the previous outsourcing efforts have used.

Status Update

We are working to implement a number of changes in the Office of Facilities Planning to speed the review cycle. These include, but are not limited to:

- **Equipment:** Improved office technology to eliminate equipment-related delays; (Status: some accomplished, more on the way)
- **Software:** Improved software for project tracking and review; (Status: development already underway with NYSED IT on new Project Management Information System (PMIS); Request for Information on electronic review software to be prepared for early summer release)
- **Analytics:** Identify additional workflow enhancements; (Status: underway, results being used to request appropriate resources and redesign staff assignments and patterns of work)
- **Staffing:** Increase staff available for project management and review; (Status: some accomplished, more on the way):
 - **Coordinator:** Rosanne Groff has been selected as the Coordinator;
 - **Grade 27 Architect:** Awaiting approval to replace Rosanne as a lead staff architect;
 - **Project Management:** Awaiting approval from DOB to fill vacancy due to Debbie Johnson's retirement;
 - **Support staff:** All vacancies have been filled;
 - **Engineers:**
 - **Assistant Engineers:** Awaiting approval from DOB to re-advertise junior engineer positions – postings will be available on NYSED and state employment websites;
 - **Senior Engineers:** Approval being sought to backfill vacant and provide for several additional positions;
 - **Architects:** (2) Specialists have been selected and are in place.
- **Building Aid Calculations:** Work has begun to update the outdated building aid unit (BAU) calculation procedures in order to streamline and rationalize the process of assigning BAUs.

NYSED is extremely grateful to the CiTi BOCES for its assistance in this matter. This effort will contribute to a smoother, more consistent and faster capital project review process for every district in the State.

Sincerely,

Christina E. Coughlin

FACILITIES PLANNING REVIEW FLOWCHART

