

## COVID FAQ's – August 5, 2020

The following Q&A are intended to provide clarification to the Facilities Mandatory Requirements outlined on pages 46 thru 54 of the NYSED School ReOpening Guidance, available through this

link: <http://www.nysesd.gov/common/nysesd/files/programs/reopening-schools/nys-p12-school-reopening-guidance.pdf>

### 1. What is the process for submitting Building Additions, Building Alterations, and Modular Buildings associated with the COVID Reopening?

These projects will require all submittal items of a regular project, but the process will be modified as follows. LOI's will continue to be emailed to the LOI mailbox. They must be marked COVID 19 REOPENING in the subject line. Once a project number is received, the project submissions (forms, drawings, and specs) are to be emailed to [emscfp@nysesd.gov](mailto:emscfp@nysesd.gov), or a paper copy mailed, marked with the District's name, project number, and COVID 19 REOPENING. They will not be prescreened and will receive an expedited review.

### 2. What is the process for submitting Temporary Quarters (off-property) or Tents (on-property) associated with the COVID Reopening?

These projects will require all submittal items of a TQ project, but the process will be modified as follows. LOI's will continue to be emailed to the LOI mailbox. They must be marked COVID 19 REOPENING. Once a project number is received, the project submissions (forms, drawings, and specs) are to be emailed to [emscfp@nysesd.gov](mailto:emscfp@nysesd.gov), or a paper copy mailed, marked with the District's name, project number, and COVID 19 REOPENING. They will not be prescreened and will receive an expedited review.

If there are multiple tents at the same location, each tent must have a separate LOI and project number. They may be submitted via a single email. Also, see answers to additional tent related questions below.

Review TQ submission requirements on page 50 and 51 of the Reopening Guidance document.

### 3. What is the process for Repurposing of Existing Rooms associated with the COVID Reopening?

Repurposing of Rooms includes changing the configuration of the room furniture by adding, removing or relocating furniture (desks, tables, chairs, shelving) or casework to accommodate a change in function or use.

- For smaller spaces (such as, but not limited to, classrooms) this means removing/relocating furniture and equipment in the space to promote social distancing.
- For larger assembly spaces (such as cafeterias, gyms, cafeteria's, multi-purpose rooms and other large spaces), this means adding desks, chairs, teaching consoles, tables and temporary partitions to the space to create additional teaching space, office space, etc. within the larger assembly space. The layouts of these spaces should also follow social distancing guidelines.

For buildings which utilize exclusively repurposed rooms, plans are not required to be submitted to Office of Facilities Planning (OFP). Plans of the repurposed areas must be signed and stamped by a design professional of record and be incorporated into the Reopening Plans required to be posted on district's website along with their written description of the Reopening Plans for each building.

The plans for repurposed spaces shall include, at a minimum, the following:

- Narrative description of proposed changes
- Graphic scale
- Key plan for location within building
- Stamp / signature of design professional of record
- Seating and furniture layout

- Existing furnishings and fixtures to remain
- Area and occupant loads
- Existing and available exit capacity / widths / compliant door hardware
- Exit signage (must be identifiable from within the compartmentalized spaces)
- Description / plans of HVAC, plumbing, electrical/lighting & fire alarm modifications

Take note that spaces with open plans must comply with SED MPS-98 Section S103-1 (e).

#### **4. What is the process for submitting small modifications associated with the COVID Reopening?**

The following types of projects shall be considered small modifications which must be submitted to the Office of Facilities Planning but will not be considered full projects. These projects will receive a brief review.

- Temporary Restroom Facilities
- Sneeze Guard Installations
- Ventilation or Plumbing (ex: taking fixtures out of service)
- Other

Email the completed 'Submission Form During COVID Re-Opening' ([Form found here](#)) along with drawings and narratives thoroughly describing the work to [emscfp@nysed.gov](mailto:emscfp@nysed.gov). Include District's name and COVID 19 REOPENING in the subject line.

#### **5. What are the requirements for a district to utilize Tents to provide additional space?**

See answer to question #2 above. Districts must consult their design professional to prepare submission drawings for approval by OFP.

Tents, both temporary and permanent, are regulated by code and must be submitted for a building permit. Temporary structures and tents are those erected for 180 days or less. The BC Section 3103.1 indicates; "tents and membrane structures erected for a period of less than 180 days shall comply with the Fire Code of NYS". The FC Chapter 31 contains extensive requirements for Tents and Other Membrane Structures. FC Section 3103.2 indicates that a permit and approval of temporary tents is required. FC Section 3103 contains requirements for temporary tents and Section 3104 has requirements for permanent tents. They include requirements for construction documents, access roads, location, seating plans, means of egress, illumination, exit signs, construction, and use.

Permanent tents are considered a membrane structure and are regulated by BC Section 3102 and other applicable sections. Also, SED ventilation requirements would be applicable to tents.

The following information must be shown on the drawings submitted to SED:

Dimensions, Minimum separation distance to other structures, Tent sides (yes) (no), Duration of use, Type of use/activity, Anchorage, Number of Exits, Width of each exit, Table/Chair/Contents, layout, Fire extinguisher location, Occupant load, Heating/Cooling equipment, Utilities, Exit signs, NFPA 701 testing/label/certification.

Additional information is provided by NFPA; see link:

<https://www.nfpa.org/-/media/Files/Coronavirus/CoronavirusTentFactSheet.ashx>

#### **6. Are pop-up tents (canopies), without walls, used for sun shelter for outside education permitted? Do they need to be submitted for approval?**

If not greater than 400 GSF, these structures are not considered a building and per NYS Building Code Section 3103.2 they do not require code official approval and would not need to be submitted.

#### **7. Can COVID-19 related work scope be incorporated into an existing (ongoing) capital improvement project by utilizing a change order to that project?**

Change orders which exceed the NYS bidding threshold of \$35,000 must include, on the change order certification, an explanation of why it is in the best interest of the school district and the public to award a change order instead of putting the work out to a public bid. For more information, refer to [http://www.p12.nysed.gov/facplan/articles/D01\\_change\\_orders.html](http://www.p12.nysed.gov/facplan/articles/D01_change_orders.html).

**8. What supporting information is required to incorporate COVID-19 scope into a change order?**

Provide the following with the change order certification (consult with district legal counsel for added advice)

- Evidence of due diligence in evaluating change order cost vs potential bid amount. An analysis showing how the cost of the work by change order would have been competitive with costs received if the work was bid, and why it was a benefit to the taxpayers to complete the work by change order, including but not limited to:
  - Would the bid process delay the duration of the project?
  - Is the additional cost reasonable?
  - How does the cost to design, bid, mobilize construction crew compare to using contractors on site?
  - How is the district saving money when using a Change Order rather than a Bid?

**9. We understand that our reopening plans are to include seating layouts and adequate egress in larger spaces used for classrooms. Are we required to show HVAC, lighting, etc. on the submitted plans or just provide an endorsement that lighting levels, ventilation rates, fire alarm, etc. are code compliant and meet the occupancy rates? Or, is this info required only if any dividers installed could impact the existing systems?**

In many cases, a statement on the plan attesting that the lighting/emergency lighting/exit signs, ventilation, and fire alarms meet code and SED requirements would suffice. However, show systems potentially impacted by dividers to expedite the review and approval.

**10. Can COVID-19 Reopening projects be submitted by e-mail, or will hard copies be required?**

Provide applications and documents electronically. Hard copies are not required.

**11. Where do we take measurements from to establish social distancing; for example in the layout of furniture/equipment/etc?**

To achieve acceptable social distancing between classroom desks, chairs and teaching consoles, establish a minimum of 6-foot separation between individuals. Measurement should be taken from the edge of workstation (desk) to the edge of the adjacent workstation. In the front-to-back direction, the measurement should be taken from the front of the workstation (desk) to the back of the chair directly in front of it.

**12. Can we install ion generators or UV light technology in air handling units, portable units, or lighting?**

SED is not permitting bipolar ionization, ion generators, corona discharge, or UV technology in schools under our jurisdiction at this time. We continue to work with NYS DOH in evaluating emerging technologies for health and safety and efficacy. We are concerned about potential negative health impacts with this technology and we are not permitting this technology until we are satisfied it is safe.

**13. What are the requirements for Plastic Separators, Barriers or Sneeze Guards as described on page 48 of the NYSED Reopening Schools Guidance?**

See revised guidance: <http://www.p12.nysed.gov/facplan/documents/PlasticGlazingforSneezeGuardsRev4.pdf>

**14. Does the guidance indicate space recommendations for special education students only; without regard for staff? For example, a classroom which is 900 square feet, divided by the 50 square feet recommendation; would allow 18 students plus the necessary staff? Or is it a maximum of 18 people including staff?**

The factor 50 sf/person includes the teacher and assistants (all occupants) and is used as a guide in sizing a new room for special education or vocational education students. It is also used to determine the minimum number of occupants that the means of egress (exit doors) should be designed for. If the factor generates a number

greater than 49 occupants; then 2 exit doors are required by code for that room. You can exceed the calculated number of occupants, but you must not overcrowd the room or if there is only one exit – exceed 49 occupants.

- 15. Our classroom doors are un-rated and do not have automatic closers or hold opens. NYSED ReOpening Guidance states “doors may be fixed in the open position”. Our fire safety inspector states “Doors opening onto a corridor are required to be maintained closed” per MPS S105-1(b) and the School Security and Door Hardening memo issued by NYSED on March 5th 2019. Please advise.**

On pages 47 and 48 the ReOpening guidance states that “to reduce the spread of virus from touching door levers and knobs, doors may be fixed in the open position. This is only permitted at doors without door closers and doors which are not fire rated.” If districts want to keep fire-rated, classroom and corridor doors open, then automatic closers/hold open devices must be provided AND these devices must be tied into the fire alarm system.

- 16. What is the minimum number of accessible toilet fixtures required in a school building given a certain listed occupant load? If the building occupant load is reduced on certain days, or at certain times, then can the minimum number of accessible toilet fixtures also be reduced (taken out-of-service) during those times? Which number should be used – the maximum occupancy load for the building or the anticipated occupant load during a given day?**

The minimum number of toilet fixtures for any building occupancy is provided in the 2020 Plumbing Code of NYS Section 403. This section defines how to calculate the occupant load for each building. Due to the reduction in building occupancy, if a district confirms a reduced total population of students, that new occupant load may be used to calculate a reduced number of required fixtures. School districts must consult with their A/E design firms prior to reducing the fixture count to ensure that compliance with current code requirements is maintained.

- 17. If a combination drinking fountain/bottle filler has the fountain part disabled with only the bottle fill operational, does this count as one available “water fountain”? This assumes that students have access to refillable water bottles and/or cups next to the bottle filler.**

For a district to discretely use the bottle water filler for drinking water as a reasonable accommodation, it is expected that cups or bottles be provided.

- 18. Are the locations of hand sanitizers limited?**

Yes. Per Fire Code Section 5705.5 and 5705.5.1, they may be placed in corridors, classroom, and office spaces with certain restrictions. Hand sanitizers shall not be installed near an open flame or source of sparks. School districts should consult with their A/E design firms to ensure full compliancy with the fire code.