

PROCEDURE FOR DECLARING A CONSTRUCTION EMERGENCY

DEFINITION OF EMERGENCY

The New York State Public Buildings Law defines a "construction emergency" as: *damage to or a malfunction in buildings or property of the state of New York caused by an unanticipated, sudden and unexpected occurrence which involves a pressing necessity for immediate repair, reconstruction or maintenance in order to permit the safe continuation of a necessary public use of function, or to protect the property of the state of New York, or the life, health or safety of any person.* [PBL §9]

PROCEDURE

1. **Campus Notifies State University Construction Fund and SUNY System Administration**

The campus Program Manager at the State University Construction Fund must be notified of all construction emergencies. In instances where the emergency is not considered critical or sensitive, notification may be made via e-mail. Otherwise, all efforts must be made to contact the Program Manager immediately.

If the Program Manager assigned to the campus is unavailable, the campus must contact the secondary Program Manager (Regional PM Team). Should the primary or secondary Program Manager be unreachable, the campus is to contact the Assistant Director, or any of the other Program Managers. Program Manager contact information is available on the SUCF website (<http://www.sucf.suny.edu/business/CapitalProgramMgmtList.pdf>).

In addition the campus must notify SUNY System administration. If there has been a NY Alert or other alert system notification, SUNY will be automatically notified. If there has not been an alert system message, campus is to email emergency@suny.edu. Several SUNY departments will be automatically notified through this single email message.

For construction emergencies in residential facilities, see Item 8 below for additional requirements.



2. Campus Documents Emergency and Completes Campus Declaration of Emergency [Appendix B]

All requests for approval of a campus construction emergency declaration must be submitted to the State University Construction Fund using the attached form (Appendix B, Campus Declaration of Emergency – Impairment of Facilities). This declaration must be completed and signed by the campus president or designee and submitted to the appropriate campus Program Manager at the State University Construction Fund as described above. For critical or serious emergencies, the requested information may be phoned or e-mailed to the State University Construction Fund prior to being signed by the campus president or designee. In addition, documentation such as pictures, videos, witness statements, official reports, etc. should be collected by the campus and submitted to the State University Construction Fund.

3. State University Construction Fund Determines if Campus Declaration Qualifies as “Construction Emergency”

The information provided is reviewed to determine whether or not the situation meets the basic definition of a "construction emergency", as defined by the New York State Public Buildings Law.

In assessing the situation, the requested emergency will also be evaluated as a project that may be more appropriately addressed through the campus minor critical maintenance program. Additionally, if the emergency signals the need for a capital project to eliminate the potential for recurring emergencies of a similar nature the campus multi-year capital plan must include, or be modified to include, such projects.

4. Emergencies that do not Qualify as “Construction Emergencies”

If the circumstances presented by the campus do not qualify as a “construction emergency”, this decision will be documented and the campus promptly notified. The campus is responsible for addressing the condition including funding the work.

5. Qualifying Construction Emergencies to be Handled by OGS

If OGS is to make repairs under the Public Buildings Law, the SUCF campus Program Manager will complete OGS BDC 318 (<http://www.ogs.ny.gov/BU/DC/forms/>) and have it signed by the Vice Chancellor for Capital Facilities, the Executive Director of the Office for Capital Facilities or other delegated individuals and forward it to OGS. The Program Manager or the Office for Capital Facilities will contact OGS to initiate emergency repairs; campus personnel must not contact OGS to initiate emergency repairs.

6. Qualifying Construction Emergencies to be Handled by the Campus

In those instances where the campus will respond to the emergency situation, they must follow the procedures found in Item 7554 of the SUNY Procedures Manual. Procedures include completion of the Campus Declaration of Emergency form [Appendix B], notification to the State Comptroller, and receipt of quotes or other method of establishing reasonability of price by the campus.

7. Qualifying Construction Emergencies to be Funded with Capital Dollars

Situations that qualify as “construction emergencies” may be funded with capital dollars, subject to the provisions of applicable New York State Law. The threshold for individual emergency contracts is \$600,000. Multiple contracts may be let for a qualifying emergency.

Should a campus request capital funds for qualifying “construction emergency” contracts, SUCF will determine the source or sources to be utilized. The first source of funds for qualifying construction emergencies will be the capital plan of the declaring campus. Should a campus capital plan have inadequate resources to fund the qualifying declaration, SUCF may identify other funding sources. Typically SUCF will authorize \$300,000 in first instance funding for construction emergencies, with the option to increase as necessary up to the \$600,000 threshold.

8. Declaring Construction Emergencies in Residential Facilities

If a residential facility is involved, SUNY Office for Capital Facilities and DASNY must also be notified for insurance purposes.

Declared "construction emergencies" involving residence halls are not eligible for funding under this program and must be funded through the campus Dormitory Income Fund Reimbursable (DIFR) program; campuses may contact the SUNY Office for Capital Facilities for information on funding residence hall emergency repairs.

#5608 - Appendix B

Campus Declaration of Emergency - Impairment of Facilities

Instructions:

Submit this completed declaration to the appropriate SUCF Campus Program Manager or the SUNY Office for Capital Facilities. For critical or serious emergencies, the following information should be faxed or phoned to the SUCF or OCF as soon as possible. In addition, documentation such as pictures, videos, witness statements, official reports, etc. should be maintained by campus. All "construction emergencies" requesting funding through the State University Construction Fund emergency program must be reported on this form.

1. General information

Campus Name:	Date of Report:
Campus Contact Person:	Campus Contact Phone:
SUCF Personnel Contacted:	Date SUCF Contacted:

2. Description of Emergency (Use attachments if necessary)

Date and Time Emergency Occurred:	
Campus Buildings and Facilities Affected (Please include building numbers):	
If Site Related, Where on Campus:	
Describe Nature and/or Type of Damages (include loss of electric, heating, cooling, water supply, sanitation, etc):	

3. Additional Information

Did Emergency Personnel Respond?	Yes <input type="checkbox"/>	No	If Yes, Which Ones?
Did Any Personal Injury Occur?	Yes	No	If Yes, How Many Individuals? Were Individuals Taken to Hospital or Treated on Site?
Were Facilities Evacuated?	Yes <input type="checkbox"/>	No	

4 Other Individual/Agencies Contacted

Name of Agency or Individual	Contact Name	Title	Phone Number	Date and Time

5. Sign Below and Submit to the State University Construction Fund

Campus President or Designee

Date

To Be Completed By SUCF or OCF:

Date Report Received: _____ Emergency Funding Approval: Yes ___ No ___
 Emergency Project Number and Title _____
 Reviewed and Approved By _____
 Basis for Rejection (See Attached)