STATE UNIVERSITY CONSTRUCTION FUND

P R O G R A M D I R E C T I V E S

DIRECTIVE 1C-13 Issue date: September 2014

DESIGN DELEGATION

BACKGROUND

The New York State Education Department (NYSED) Rules of the Board of Regents allow design delegation as long as it is done in accordance with certain requirements. The requirements are found in Part 29.3 (Unprofessional Conduct), and plain language guidance is provided in Guideline 4 of the Practice Guidelines on the Regents Rule for Design Delegation, both found at the NYSED website.

The conditions under which NYSED considers delegation appropriate are:

1. The work is ancillary to the main project.
2. The Consultant specifies all design parameters and performance requirements for the components or systems to be delegated.
3. The Contractor's design professional designs to those parameters.
4. The Contractor's design professional is licensed in New York State and signs and certifies its submittal.
5. The Consultant reviews, and through its approval, certifies that design parameters have been met and that as designed, it can be integrated into the building design.

FUND AUTHORIZATION

Design can only be delegated with the written authorization of the Fund. It will be authorized only when necessary, for example, because the Contractor's design professional has special expertise, and only when the work is ancillary to the main components of the project. It is critical that the Consultant takes complete responsibility for the design of the work and avoids delegation of design to others.

If the Consultant wants to delegate design, he/she will request in a letter to the Fund's Director of Design that delegation be authorized, explain specifically why for each case, and state that the work is ancillary to the project. The Design Delegation schedule provided in the Fund's Boilerplate Division 1- General Requirements (see sample template below) will be completed and attached to the letter. The Fund will review the request and provide a written reply.

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P R O G R A M D I R E C T I V E S

Project No.

Project Title:

Section Number	Section Name	Description of Delegated Design (See Section for complete details)	Explain specifically why delegation is necessary
xx xx xx			

NECESSARY DELEGATION

Delegation of design is necessary for manufacturer engineered components (such as joists, pre-cast plank, common steel connections, standard steel stairs, rainscreen, and curtainwall) and engineered systems (such as excavation support systems and underpinning) because the delegate has special expertise that the Consultant designer of record does not.

Delegation of design is necessary when required by code, such as fire for sprinkler and standpipe systems. The Consultant shall design the systems (see the Directive entitled Fire Protection Systems) and show it on the plans. If field conditions warrant a change, the installer will provide revised stamped calculations and design documents as part of the submittal process.

Delegation of design is necessary in cases where due to field conditions, the design done by the Consultant must be changed or verified and submitted to the Consultant for review and approval, such as for piles or caissons. In this case, the Consultant will design the foundation based on the soil characteristics determined from borings. If during construction soil conditions are found to be different, the Contractor's engineer will provide revised design documents, signed and certified, for the Consultant's approval.

Delegation of design is not necessary for means and methods work such as concrete formwork or temporary shoring for partial demolition. In these cases the contractor's engineer will stamp the documents and submit to the design engineer of record for review, but not approval.

Delegation of design in not necessary for products that are engineered by the manufacturer and are selected from a catalog, such as louvers or standard railings. To require signed and certified documents causes unnecessary delay during construction.

Delegation is not necessary for products that are standardized or systems that are considered 'off the shelf' products (such as trusses). In these instances, the Consultant should rely on the manufacturer's certification that the submittal meets the design criteria, standardized tests and/or associated standards. The Consultant must still 'review and approve' these submittals, but the signature and certification by the manufacturer's designer is not required.

The Consultant is expected to design the connections between the delegated components or systems and the building structure or component support. This applies to things like curtainwall attachment to structure, framed openings for very large combined louvers, lintels for sliding doors, engineered glass rails attachment to structure, and site lighting pole anchorage.

When there are multiple ways to achieve the same end functionally, but the Consultant has a preference, for example regarding the appearance of a monumental stair, the design should not be delegated.

DESIGN PARAMETERS AND PERFORMANCE REQUIREMENTS

In all cases when design is delegated, the Consultant will provide the layout, loading, performance requirements, geometry, referenced standards and all other design parameters required so the Contractor's design professional is able to design the components or systems. The information must be sufficiently detailed to ensure the design intent is understood. Installation criteria, limitations and constraints must be included.

Enough information must be shown on the design documents so that the bidders are able to price the work in the short amount of time available during the bid period. Contractors and their subs and suppliers should not have to engage an engineer to perform design services and calculations during bid period. During design, the Consultant should determine by speaking with suppliers, the project construction manager, and others as required, that the parameters included in the design documents are sufficient for pricing.

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