



Alterations and existing fire protection systems in New York City – Five essential considerations - by Peter Simon

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Over the last several years New York City real estate interests have made significant efforts to modernize, freshen up and renovate existing buildings. Renovations are often driven by a desire to keep older existing buildings competitive with newer buildings and most recently as a response to the COVID-19 pandemic (HVAC modifications, changes to workspaces etc.). As a result, the contracting community is often faced with significant construction operations inside a building with existing systems and occupants.

What is a stakeholder to do when a sprinkler system, fire alarm system, or standpipe cannot be maintained or must be removed to be replaced?

A good starting point is NYC Department of Buildings Technical Buildings Bulletin 2020-12. This document outlines the basic ground rules for fire protection system impairments for fire protection systems in existing buildings.

Over the course of six pages the Buildings Bulletin lays out various minimum compliance requirements for various impairment scenarios in existing buildings with fire protection systems. Some of the possible scenarios referenced in the Bulletin include construction related impairments on partially occupied floors, impairments on fully unoccupied floors, scopes of work lasting one year or more in duration and fire rated partition compartmentation alternatives.

Below are five items that should be considered when performing fire protection impairment work in an existing building:

1. **FDNY Notification System Out of Service:** Whenever an existing sprinkler system, standpipe or fire protection system is taken out of service for construction the owner is required to notify FDNY. The owner is also required to notify FDNY when the system is restored to service. The method of notification is telephoning the non-emergency FDNY phone number specific to the borough where

the impairment is occurring.

2. Maintain Fire Watch F-O1 as Required: Impairing existing systems is a trigger for providing fire watch coverage while the impaired system is down. The goal is for fire watch to continuously inspect the impaired space acting as a temporary countermeasure during the impairment. The fire watch must possess a FDNY certificate of fitness F-01, Citywide Fireguard for Impairment. The fire watch certificate of fitness is issued to individuals that pass an FDNY exam. Depending on the extent of the impairment, multiple fire watches might be necessary. The NYC Fire Code requires one fireguard for each 50,000 s/f of impaired floor area. Fire watch duties and responsibilities include: Continuously patrolling the out of service area; having the means to notify FDNY and certain building staff; immediately reporting a fire to FDNY and emergency preparedness staff; being trained in the use of portable fire extinguishers; extinguishing small fires; maintaining a record of the fire watch; and the fire watch should not have other duties.

3. Designate an Impairment Coordinator: NYC Fire Code requires that the owner designates an impairment coordinator for the impaired existing system. As a default, the owner is to be considered the impairment coordinator if one is not designated. The impairment coordinator and owner are tasked with overseeing compliance related to the NYC Fire Code out of service system requirements. The impairment coordinator is also tasked with notification to FDNY when a system is taken out of service and returned to service.

4. FDNY Letter of No Objection: A job should evaluate the need for a FDNY Letter of No Objection. This is a scope specific analysis because not all projects require a Letter of No Objection. If the work involves impairment of more than five contiguous floors, the job should apply for a FDNY Letter of No Objection. If the work involves impairment of an existing standpipe, the job should apply for a FDNY Letter of No Objection.

If the planned work involves five or fewer contiguous floors and does not involve the impairment of a standpipe, a FDNY Letter of No Objection is generally not required. Instead the owner follows the established FDNY protocols that include notification to FDNY, notification to building occupants, maintaining fire watch, and following the NYC Fire Code requirements for out of service fire protection systems.

5. Tenant Protection Plan or Occupant Protection Plan: If the existing building where the construction work is occurring is partially or fully occupied, the job should have a tenant or occupant protection plan available for inspection by NYC agencies. NYC has placed a greater emphasis on tenant and occupant protection plans and agencies from DEP, DOB, Mayor's Office and FDNY have been emphasizing protections for tenants (including fire protection elements) as should be reflected on the tenant or occupant protection plan.

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