

**POLICY:**

Applies to: Facilities Planning and Construction Project Managers

Issued: June 7, 2012

**PURPOSE:**

This policy shall address the protocol for the interaction of FP&C Project Managers with the UH Fire Marshal and their designated representatives as it relates specifically to the resolution of code related (or otherwise) directives, requested additions or changes to construction design or in-place work.

**SCOPE:**

The UH Fire Marshal's office is the officially designated Authority Having Jurisdiction over all local, municipal and national code related issues with a specific emphasis and expertise in life safety related interests. In that capacity they conduct drawing reviews periodically throughout the design development process, attend project coordination meetings of specific interest to public safety issues, planning, site logistics and coordination of construction activities impacting student, staff, faculty and public life around and adjacent to the campus. Additionally, they issue various permit documents and conduct a variety of inspections throughout the construction phase of the project (see Chapter 13 in the UH Quality Verification Guidelines).

The Fire Marshal's office has the authority and jurisdiction to assert life safety related code directives for all University construction projects. These directives could originate in any one of the following phases of the project development and construction process:

- Program & Planning Phase
- Schematic, Design Development and Construction Document Development
- Construction/Site Inspections
- Closeout/Commissioning/Project Certification

**CHANGE OR DIRECTIVE RESOLUTION PROCEDURE:**

The following dictates the appropriate sequence and proper steps for resolution of a Fire Marshal originated change or directive:

1. The Fire Marshal communicates a life safety related interpretation or directive contrary to the current design or work-in-place including the basis for interpretation or directive (i.e. code reference or other reasoning).
2. The Project Management Team (Project Manager, Architect/Engineer & Contractor) reviews the interpretation/directive to determine the impact to the project and the next course of action. Follow-up may occur in one of two ways:
  - a. The Project Management Team concurs with the Fire Marshal without further deliberation and documents/incorporates the necessary changes to the design and/or the work-in-place. No further action is necessary.
  - b. The Project Management Team does not concur with the Fire Marshal and desires to make an appeal. In this instance, step #3 and beyond apply.
3. The Project Manger shall submit a formal correspondence (email is acceptable) to the Fire Marshal representative who originated the interpretation or change directive also copying the Project Inspector, Principal Project Manager, the Executive Director and the Chief Fire Marshal. This correspondence shall state succinctly and professionally the following items:

- a. The forum from which the Fire Marshal directive originated (design review, meeting, inspection, etc.),
  - b. the existing specific condition, issue or item in question,
  - c. the specific directive/interpretation provided from the Fire Marshal,
  - d. the suggested decision, compromise or resolution contrary to the directive provided by the Fire Marshal, including the reason for the objection, and
  - e. the specific impact(s) of implementing the directive as applicable.
4. Upon receipt of the formal request for review and consideration as contemplated in step #3, the Fire Marshal and the Project Manager shall coordinate any additional follow-up discussion or meetings, if required, to clarify the directive and/or supporting reasoning contrary to the Fire Marshal's directive/interpretation.
  5. If, in the instance that steps #3 and 4 provide inconclusive results or do not achieve a mutually agreeable solution, the Fire Marshal's office will require the Project Manager to enlist the services of a 3<sup>rd</sup> party life safety engineer (at the expense of the project in question) to review both sides of the issue and make a certified recommendation.
  6. The Project Manager will submit the certified recommendation to the Fire Marshal, who will make the final determination. This determination will be binding upon the project team and is not subject to further appeal.

**NOTE: Authorization to proceed to step #5 must be requested of and provided in writing by the Executive Director. Furthermore, under NO circumstance shall the ODR appeal a UH Fire Marshal directive or interpretation to the State Fire Marshal's office.**