



January 24, 2018

The American Council of Engineering Companies of New York (ACEC New York) appreciates the opportunity to share the following comments on the NYCDOB Proposed Electrical Code Rule Change:

**1. DOB electrical reviewers must have sufficient level of knowledge and expertise**  
**Regarding the elimination of the Electrical Advisory Board (EAB), if DOB intends to now conduct electrical reviews in-house, it is critical for DOB to have a sufficient number of reviewers with the requisite knowledge and experience.**

The existing EAB consists of 12 volunteer electrical professionals with broad-based experience (Consulting Engineers, Manufacturers, Electrical Contractors, Owners with electrical backgrounds, UL professionals and others) who review each drawing that is required to be filed in accordance with DOB Rules. Each EAB member provides review from a unique perspective and is looking for items associated with their profession and experiences. This added-level of scrutiny and review, unique to New York City, has resulted in a history of safe electrical conditions. This is important, considering the complexity of the City's infrastructure and electrical power systems.

If DOB intends to provide in-house reviewers with a level of expertise equivalent to the EAB's, it is critical for the reviewers to have sufficient breadth. Electrical systems are different, by nature, than other types of systems because they are often unique and carry life/public safety implications. This is especially true because of the many unusual conditions we see in NYC, which the codes just don't address, where existing conditions have to be incorporated in a project or where the scope of a project is of a size not foreseen by the codes.

**2. Continue to allow Licensed Electrical Contractors to file electrical submissions**  
**The professional engineering industry strongly prefers that the "New York City Licensed Master or Special Electrician" continue to be allowed to make electrical submissions to the DOB.**

Currently, under the existing rule, both licensed electricians and professional engineers are allowed to file submissions with DOB. But, in practice, it is almost always the licensed electricians who file these detailed electrical submissions and implement the design prepared by the Engineer of Record. We strongly recommend DOB maintain this current process. Electrical Contractors have the expertise needed in construction, including familiarity with details of equipment construction and installation.

NYS Education Law does have a clause, excerpted below, that allows PEs to sign and seal drawings not prepared by the licensee. However, this is a high-bar and most of our members are not willing to sign and seal detailed shop drawings for electrical work prepared by others. For a PE to sign and seal, they must take on the following responsibilities:

**Rules of the Board of Regents.** Sect. 29.3(a)(3) requires that when a licensee reviews work prepared by others, a **thorough written evaluation of the work** must be prepared and retained by the licensee for a period of not less than six years. **This report shall include and address: A thorough written evaluation of drawings and specifications; reports; design calculations and references to applicable codes and standards against which the work was checked.** The report shall identify the common name of the project; owner of the project and/or the client; the preparer of the documents; date of evaluation; documents reviewed, with listing of dates of issue. Conformance with applicable codes including, but not limited to: town, city, state and federal codes; appropriate professional standards (ASME, IEEE, ASTM, etc.).

By leaving the current option open to either entity, it does not preclude electrical contractors from engaging PEs who have the expertise and desire to sign and seal electrical equipment drawings.

**3. If responsibility for electrical submissions is shifted to Professional Engineers, eliminate any responsibility for the submission of information related to the manufacturer's equipment**  
If, under the new rule, PEs are required to make electrical submissions to DOB, then we request that any responsibility for submitting information related to the manufacturer's equipment be removed. Please see the attached marked-up copy of the proposed rule showing specific changes (deletions and additions) to the text that we request be made.

As noted above, PEs should not have any mandatory responsibility over manufacturer's equipment, as it is not fabricated, assembled or installed under their supervision. PEs do not prepare the type of equipment-specific shop drawings required to be submitted by the proposed rule, as a manufacturer has not been chosen at the point in the project timeline when design drawings are created.

Therefore, if the rule changes shifts responsibility for filing electrical submissions onto professional engineers, we request that text in the rule be deleted (see attached) so as to remove any responsibility for the professional engineer related to the manufacturer's equipment. The attached document requests deletion of provisions, O, V and W, and edits to U, T, P and e(iii).

**Attachment:** Marked Up NYCDOB Rule

-----

**For further information please contact:**

Hannah O'Grady, Vice President, ACEC New York/Bill Murray, Government Affairs Associate  
8 West 38 Street, Ste 1101, New York, NY 10018

P: 212-682-6336

[hannah@acecnyc.org](mailto:hannah@acecnyc.org)/[bill@acecnyc.org](mailto:bill@acecnyc.org)

[www.acecnyc.org](http://www.acecnyc.org)

**The American Council of Engineering Companies of New York (ACEC New York)** is the voice of the professional engineering community, representing 280 member firms throughout New York State that collectively employ close to 25,000 people statewide, with a concentrated presence of firms located in New York City. Our members plan and design the structural, mechanical, electrical, civil, environmental, plumbing, fire protection and technology systems for the city's buildings and infrastructure.