



COVID-19 UPDATES – April 15, 2020

*The MPC is providing information mostly derived from official Government sources. This update is provided to bring you **information** only. This information contained in this notice is being updated on a continuous basis and, as such, you should personally verify that it is accurate before relying on it. Some of these updates are being sent prior to receiving official responses to our questions for the DOB. The notice will be updated as soon as newer or official information is provided by the DOB.*

Message from the Executive Board:

We hope everyone is staying safe. Our thoughts and prayers go out to our members and their families that have been stricken by this disease.

As of this writing there have been **3,037** requests granted to continue operations because the work has been deemed essential. Yesterday another one of our members had a request for essential work denied. The member followed the proper protocols and notified the Council immediately. The Council, working closely with our Lobbyist Arthur Goldstein, anticipates that this job may be approved by the close of business today.

It looks like some people are still busy since there has been an increase of 1,643 approvals in just one week. The MPC considers a primary backflow preventer installation as essential work. We sent an email to the DOB last week to get a confirmation. As you are aware, this work is done primarily on a LAA permit. The new LAA application process requires you to submit an essential construction request prior to permit issuance. However, the LAA permit will be issued automatically. It is very important that you only apply for work that is deemed essential. **We recommend that you refrain from filing for a primary backflow installation until we hear back for the DOB.**

If you have any questions regarding filing a LAA or working on a site, contact us immediately at dob@nycmpc.org



DOB UPDATES 04-15-20

Buildings news

April 2020

COVID-19 Response: Updated Guidelines for Suspension of Work on Non-essential Construction and Demolition Sites Including Professional Certification Categories and new Certificate of Authorization Requirement

As part of the ongoing COVID-19 public health emergency, in accordance with [New York State Executive Order 202.6](#), [Empire State Development guidance](#) (updated 4/9/20) and [New York City Emergency Executive Order](#), all work on non-essential construction and demolition sites is suspended for the duration of this state of emergency.

See [Buildings Bulletin 2020-004](#) for guidance on securing suspended construction and demolition sites and [DOB Guidance Document on Enforcement of Essential vs. Nonessential Construction](#) (updated 4/15/20). For suspended sites that require a site safety manager, site safety coordinator or construction superintendent, a weekly certification must be submitted to the Department. See the [COVID-19 Response: Weekly Safety Inspection Reports Service Notice](#). The Department of Buildings will regularly inspect all construction sites to ensure compliance with emergency orders. Non-compliance will result in the issuance of a violation carrying a penalty of up to \$10,000.

Essential Construction Requests

The Essential Construction request portal at www.nyc.gov/dobnow has been modified for the updated guidelines as set forth in Empire State Development guidance on NYS Executive Order 202.6 and the DOB Guidance Document. For jobs in approved status, an Essential Construction request must be submitted to proceed with an initial work permit application (PW2). Antenna, Construction Fence, Curb Cut and Sidewalk Shed work types and jobs at a BIN that has already been identified as essential (see the [Essential Active Construction Sites](#) map for more information) are exempt and can proceed without submission of an Essential Construction request. See the [FAQs](#) for information about electrical, elevator and limited alteration applications.

Professionally Certifiable Essential Construction Requests

Essential Construction requests submitted as Emergency Construction section A (protect safety and health of occupants), work limited to a single worker or construction for other essential business will be professionally certified. All other categories will be submitted to the Department of Buildings for plan examiner review.

Appeals of Essential Construction Requests

Appeals are no longer available for requests submitted prior to the updated DOB guidance issued on April 15, 2020. Submit a new Essential Construction Request for consideration under the updated guidelines. A maximum of two appeals are allowed for new requests submitted on or after April 15, 2020. To request an appeal, log in at www.nyc.gov/dobnow and from the Essential Construction dashboard select Appeal from the Filing Actions column. Selections made on the Essential Construction Questionnaire cannot be changed during the appeal process.

Certificates of Authorization

Once a request is approved in the Essential Construction portal, a Certificate of Authorization must be printed for each approved job and posted at the work site. The certificate is valid from the date the Essential Construction request was approved until April 29, 2020. If the state of emergency is extended, the certificate date will be automatically updated and a new certificate will need to be printed.



To print the certificate, go to www.nyc.gov/dobnow and from the Essential Construction tab (without logging in), enter the job number and select Print Certificate. The certificate can also be printed when logging in from the Essential Construction dashboard by opening the request and selecting the printer icon on the Actions column for each Job Filing No.

A Certificate of Authorization is only required to be posted at work sites categorized as Approved Work on the **Essential Active Construction Sites** map. All other categories (affordable housing, homeless shelter, hospital/health care, schools and utilities) do not require a certificate provided the building is identified as such on the Essential Active Construction Sites map.

Permits already in effect, are required to remain active until the end of the term for which they were issued and must be renewed for as long as work remains suspended. There are no changes to the permit renewal process and all applicable fees apply.

After Hours Variances (AHV)

Initial AHVs can only be requested for jobs that have an approved Essential and Emergency Construction request. All approved jobs seeking a permit can drop off initial AHV applications at a borough office; it cannot be submitted in eFiling or DOB NOW. See the [Application Processing Service Notice](#) for information about drop off procedures.

For additional service updates see the [DOB COVID-19 Response](#) page.

Message from the DOB Committee:

Major Changes 04-15-20

- Approvals for emergency and essential work will now include a Certificate of Authorization. To limit the possibility of disruption of this work, we ask that you **post your Certificate at your job site**.
- Essential Construction Requests for the following scopes of work will now be subject to professional-certification and Department audit:
 - Work necessary to protect the safety of occupants
 - Work in support of an Essential Business
 - Work limited to a single worker
- A maximum of two appeals can be requested on a disapproved Essential Construction Request.
- DOB will be establishing a process to notify the Department electronically when work to make a site safe has concluded. More to come.

FAQs:

LOCAL LAW COMPLIANCE INSPECTIONS & TESTS

Q1. Are local law compliance inspections and tests (elevators, facades, boilers) permissible during this suspension of non-essential construction work?



A1. Yes. Local Law compliance inspections and tests are considered projects necessary to protect the health and safety of occupants.

DOB Committee Notes: We strongly recommend that members refrain from conducting LL152 inspections at this time. The utilities resources are strained and gas restoration, if required, may be delayed.

MISCELLANEOUS

Q1. I am performing work by myself. Is that permissible?

A1. This work can be performed as long as there is only one worker on the job site

DOB Committee Notes: This response is contrary to other information published. We have reached out to DOB for an answer.

Q16 Can I perform building construction work that does not require a permit from the Department during this suspension of non-essential construction work?

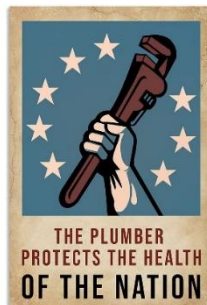
A16. No. This work cannot be performed unless there is only one worker on the job site.

DOB Committee Notes: This response is contrary to sections 28-105.4.2; 28-105.4.3, 28-105.4.4. The preceding Code sections pertain to Ordinary repairs, emergency gas restoration in coordination with a utility and Ordinary Plumbing work. We have reached out to DOB for a clarification. Plumbing work quite often requires more than one person.

See the entire updated [FAQs](#) for information about electrical, elevator and limited alteration applications.

The DOB Committee Needs your Help

At the end of this crisis there will be audits, during this crisis there will be violations. Members who read these updates and follow them should come out ok. At the very least, will have some official information to back them up if they are violated. Please help them by making the Council aware if you have **any** DOB related issues. The best way to contact us is dob@nycmpc.org for all issues related to work and permits. Right now, only you can control your future. We will try to provide as much information as possible to help you make decisions. We would also like to hear how plumbers are coping with this crisis. Email us: info@nycmpc.org



STAY SAFE