



Revised on April 13, 2023

How to declare and start work with an official capital construction emergency in which the State Construction Office is the Authority Having Jurisdiction (AHJ):

- An emergency declaration can be issued only if the conditions pose a hazard to the health and safety of people or their property. It is not a planned event. Consult with the local Authority Having Jurisdiction (AHJ) on their requirements for complying with their protocols for issuing permits and conducting inspections under an emergency need.
- An emergency declaration allows the project to proceed under provisions made for emergency projects. An emergency project is exempt only from the designer selection process (1 NCAC 30D.0302(e)) and public advertisement for bids (NCGS 143-129(e)(2)). There is no exemption from any other applicable statute, regulation, or State Construction Office requirement(s), including plan review for code compliance and inspections.
- The college will need to move swiftly and contact the Director of the State Construction Office for consensus in declaring an emergency. To facilitate coordination and communication, the Assistant Director of Design Review should be copied on any e-mail correspondence.
- An official emergency declaration letter must be in writing and signed outlining the emergency, and emailed to the Director of the State Construction Office for inclusion as an agenda item (As Information Only) at the next normal meeting of the State Building Commission.
- The college must immediately retain a contractor and a designer, if necessary. Even though an emergency is declared, the owner must verify that the contractor is licensed, insured, and bonded; and must obtain a cost estimate the college can accept.
- Begin the work, this is an emergency. The contractor can fill in a contract and send it to the State Construction Office when time allows.
- If plans are required to complete the work and a designer has been retained, they must prepare the plan for reviews and approvals immediately. Once the plans have been approved, any corrections to the work already taken place can be administered via change orders.
- If this is a new project and the college will be using any state funds or the project is over \$500,000.00 a NCCCS3-1 needs to be completed and e-mailed to ciprojects@nccommunitycolleges.edu when time permits (Contact Community College System Office for a project number.)

State Construction Office Contact Information

Michael J. Shumsky, PE, Director of State Construction Office

Phone: (984) 236-5401 (Office)

E-mail: michael.shumsky@doa.nc.gov

Vibha Goel, RA, Assistant Director Design Review

Phone: (984) 236-5415 (Office)

E-mail: vibha.goel@doa.nc.gov

01 NCAC 30D.0302

(e) Special Procedures for Emergency Projects: *On occasion, emergency design or consultation services may be required for restoration or correction of a facility condition which by its nature poses a hazard to persons or property, or when an emergency exists. Should this situation occur, in all likelihood there will not be sufficient time to follow the normal procedures described in this Rule. The Capital Projects Coordinator on these occasions may declare an emergency, notify the State Construction Office and then obtain the services of a designer or consultant for consultation or design of the corrective action. In all cases, such uses of these emergency powers shall involve a written description of the condition and rationale for employing this special authority signed by the head of the agency and presented to the SBC at its next normal meeting. Timeliness for obligation of funds or other non-hazardous or non-emergency situations do not constitute sufficient grounds for invoking this special authority.*

NOTE: An emergency is not a planned event, it requires immediate action.