



State Construction Office
Michael J. Shumsky, P.E. | Director

Roy Cooper | Governor
Pamela B. Cashwell | Secretary

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MEMORANDMUM 01262022

Subject: Delegated Designs

From: Michael J. Shumsky, P.E.

DocuSigned by:
Michael J. Shumsky
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In recent years our office has seen an increase in construction conflicts that revolve around attempts to delegate a portion of the final design to the contractor, commonly referred to as "Delegated Design".

The State contracts with the Designer of Record (DOR) to provide the construction documents for a final product and to oversee the construction of the product. The DOR is responsible and accountable to the State, and to their profession, for verifying that the final product is complete and complies with the approved construction documents. This system only works when the DOR provides complete design documents. This does not imply all designs must be accomplished in-house. The DOR may use consultants for specific aspects of the design that is out of his purview. However, the DOR is responsible for the entire design of the project. The contractor is responsible to implement the design into a constructed reality. The contractor is not responsible for design of the project.

The following preapproved delegated designs will be allowed on State Construction Projects. With prior written approval from the SCO, others delegated designs may be allowed with just cause:

Precast Concrete	Pre-engineered Roof Trusses
Pre-engineered Metal / Wood Buildings	Pre-engineered Pedestrian Bridges
Modular Block Retaining Walls	Curtain walls and Storefronts
Modular Buildings	Shear & Bracing Connections for Structural Steel
Seismic Restraints for Non-structural Bldg Components	Pre-engineered Canopies
Shoring Systems	Fire Sprinkler System
Pre-engineered Pre-insulated Thermal Utility Piping	Rammed-Aggregate Piers / Stone Columns
Steel Stairs / Handrails / Guards (IN SHAFTS)	Metal Bleachers

The delegated design engineering/architectural document shall comply with the written engineering/architectural requirements received from the DOR. They shall include criteria used as a basis for its preparation with the Delegated Design Engineer/Architect (DDE) contacting the DOR for resolution of issues within the requirements provided. The DDE shall forward the documents, calculations, and drawings for their proposed design, based upon the DOR requirements, with their seal and signature, to the DOR for review and approval. The DOR shall review the documents of the DDE to confirm that the documents conform to the intent of the DOR and meet the written requirements provided for the basis of design.

Delegated designs do not abdicate the responsibility of the DOR for the complete design on the project.

Mailing
1307 Mail Service Center | Raleigh, NC 27699-1307



ncadmin.nc.gov

Location
301 N Wilmington St #450 | Raleigh, NC 27601
984-236-5400 T