

PROTOCOL FOR PROPOSALS TO THE BUILDINGS SUSTAINABILITY BOARD

The Buildings Sustainability Board is a panel of technical experts, appointed by the Commissioner of Buildings for terms of one year, which will advise the Commissioner regarding the conditions under which sustainable technologies not yet addressed by the New York City Construction Codes might safely and reasonably be permitted for use in the City. This Protocol establishes a uniform format for the presentation of technologies for the Board's consideration.

Request for Consideration

Requests for consideration of issues by the Board, whether submitted at the invitation of a Board member or otherwise, shall be sent to the Director of the Office of Technical Certification and Research, at otcr@buildings.nyc.gov. Requests shall be accompanied by a technical submission package. Items will not be added to the Board's agenda without timely transmission of the technical submission package and acceptance by the Department for Board consideration.

Filing with OTCR. All requests for consideration by the Board requiring OTCR evaluation (Department approval of alternative materials) shall have a complete OTCR1 application filed prior to presentation to the Board. Upon receipt of Board recommendation and Department approval, OTCR will expedite the evaluation process.

Proponent's Technical Submission

The proponent of a technology for Board consideration shall provide to Department of Buildings a technical submission package, in electronic format except as otherwise noted, as follows:

1. Format.
 - a. Statement of Requested Determination. The statement shall consist of one sentence of no more than three lines, and shall succinctly state the recommendation that the Board is requested to make to the Commissioner.

Example: Microturbines under 1000 kW each and listed according to UL 2200 should be permitted for installation in all occupancies under conditions set forth in NFPA 37 without amendment.

Example: Wind turbines certified by the Small Wind Certification Council should be permitted for use on buildings in New York City in accordance with manufacturer's recommendations, without further conditions by the Department.

- b. Background. In no more than one page, the proponent shall describe the background of the technology, including its operation, product testing standards and laboratories, experience in other jurisdictions, potential regulatory safety or other concerns relating to the technology as proposed (including either worker or public safety), and potential contribution to environmental health and public welfare in New York City. The background shall provide the relevant context for the Board's recommendation.
 - c. Technical specifications. Technical product literature of one or more manufacturers shall be included, including the technical specifications, relevant national product standards, performance claims, manufacturer's construction and installation recommendations and manufacturer's warranty information.
 - d. Relevant product and installation standards. One hard copy of the current edition of relevant or supportive product or installation standards, if not included as reference standards in the current edition of the New York City Construction Codes, shall be provided.
 - e. Test reports. Test reports of nationally recognized testing laboratory(ies) shall be provided if the product has been tested.
 - f. Supporting documentation. Supporting documentation may be provided as appropriate, including proposed system drawings, letters of support from users or regulatory agencies in other jurisdictions, technical studies, technical reports, technical publications relevant to the determination requested of the Board, case studies, cost information, risk analyses, insurance company reports, inclusion in codes other than the New York City Construction Codes, third-party statements of the potential impact on the environment and/or public welfare and/or contribution to the goals of PlaNYC 2030, etc.
2. Timing.
- a. Submission. The technical submission package shall be provided to the Director of OTCR no later than 60 days prior to the date the proposal will be heard by the Board. Request for Board consideration will be considered on a first come first served basis. Incomplete packages will not be accepted
 - b. Notification of Acceptance. The proponent shall be notified generally within one week of submission, or shortly thereafter, if the package is deemed incomplete by Department Board members.
 - c. Finalized Agenda. The Agenda will be finalized and distributed to the Board within 2 weeks of the Board meeting

3. Department review.
 - a. Department members of the Board shall review the technical submission package for completeness and shall evaluate whether the requested determination is appropriate for inclusion on the Board agenda. Staff members may consult with other Board members to make such an evaluation.
 - b. If the Department members decide to include the proposal on the Board agenda, the technical submission package shall be transmitted electronically to each Board member no later than 15 days prior to the Board meeting.
 - c. The Department shall attach to the transmission of the technical submission package all pertinent technical communication between the Department and the proponent and pertinent communication between the Department and any Board member(s) on the issue.

Presentations

Presentation of agenda items shall be made in person by the proponent at the designated Board meeting or through correspondence with the Board. All materials submitted for the presentation to the Board shall be limited to the allotted time available on the agenda, generally 10 - 15 minutes for the presentation and 10 minutes for Board Q&A. Presentations shall focus on the technical merits of the proposal and should refrain from proprietary information.

1. Presentations in person: In addition to the proponents technical submissions, presentations made in person shall require an electronic slideshow presentation or presentation outline provided to the Director of OTCR no later than 30 days prior to the date the proposal will be heard by the Board.
2. Presentations through correspondence with the Board: Proponents unable to present at the designated Board meetings shall submit supporting documentation providing sufficient detail to facilitate Board consideration. A letter of consideration shall be addressed to the Board and forwarded to the Director of OTCR.