

## MEMORANDUM OF UNDERSTANDING

October 18, 2024

### CSU Spur Campus and Facilities Management

University Construction Policy ([CSU Policy# 5-6030-001](#)) requires that construction projects be overseen by the Colorado State University Architect, including maintenance work performed by trained in-house staff. The policy exempts certain departments "to the extent authorized by agreement with Facilities Management". The intent of this MOU is to add CSU Spur campus to the policy and codify this agreement.

The University Construction Policy was developed in response to Colorado law that requires Institutions of Higher Education to conform to specific requirements for:

- procurement of professional services and construction services
- insurance
- bonds
- code review
- code inspections

Failure to comply with these requirements can create significant liabilities in the form of bid protests, inadequate bond and insurance coverage, and substandard construction. All buildings on CSU campuses are university assets and the health and safety of the occupants is of primary concern. At a minimum, all maintenance and construction work must comply with the International Code Council's codes as adopted by the Office of the State Architect including but not limited to, the International Building Code (IBC), International Plumbing Code (IPC), International Mechanical Code (IMC), National Electrical Code (NEC), etc.

### AUTHORIZATION AGREEMENT

The CSU Spur Campus has in-house staff to accommodate routine maintenance and repair of facilities under their purview. Facilities Management authorizes these persons to provide services as detailed in the following paragraphs.

#### Professional Services

Professional services are not within the scope of the exemption and shall be obtained through Facilities Management as detailed below.

Professional services include plans or drawings, studies, program documents, energy analyses, supervision of construction projects, and other services provided by architects, engineers, landscape architects, land surveyors, and industrial hygienists. All third-party contracts for these services will be facilitated through Planning, Design and Construction or Remodel and Construction Services to ensure that procurement and contracting follow state statutes.

#### Facilities Management Services

Facilities Management has in-house architects, mechanical and electrical engineers, and landscape architects available to assist with projects.

Facilities Management has as-needed contracts in place with many professional consultants for projects that cannot be completed in-house and will assist with procurement for additional as-needed consultants as the need arises.

Facilities Management has resources and expertise and is required by the Office of the State Architect to conduct the Request for Qualifications process and provide contracting for projects outside of in-house or as-needed capabilities.

### **Construction Services**

Construction is defined in the University Policy as work to remodel, replace, upgrade, repair, demolish, or construct facilities, landscape, building equipment and/or utilities. Low voltage installations covered by the NEC are considered construction.

### **Fire Alarm and Fire Suppression**

Fire alarm and fire suppression installations and modifications are not within the scope of this exemption and may only be performed by technicians meeting the requirements of the Memorandum of Understanding with the Denver Fire Department.

### **Code Review and Inspections**

All work that is not regular maintenance or corrective repair requires code review by the CSU Building Department. The CSU Building Department will issue a code waiver if the project has no code impact, or a code compliance notice with required inspections noted. Without exception, all construction projects require code review and compliance through the CSU Building Department. Code inspections must be accomplished as directed by CSU Building Department. No work will be started without a signed waiver or code compliance notice and Building Inspection Record (BIR).

### **Emergency Work**

International Building Code 105.2.1 Emergency Repairs: Where equipment replacements and repairs must be performed in an emergency situation, the emergency code waiver application shall be submitted on the next working business day to the building official.

### **Construction Services by In-house Staff**

After code review, projects may be performed by trained and credentialed in-house staff. If required, a Building Inspection Record (BIR) will be issued by the CSU Building Department that will list the required inspections. Those inspections will be requested through the CSU Building Department, as coordinated by the project manager or tradespersons. Upon project completion, the fully signed BIR will be returned to the CSU Building Department for project closeout.

### **Construction Services by Contractors**


Projects that require an outside contractor shall be coordinated with Facilities Management. Spur Campus project managers can be delegated to oversee the project, with procurement, code review, contracting and project closeout provided by Facilities Management at a negotiated fee. Delegated project managers will ensure that the necessary inspections are completed as required by the CSU Building Department and will coordinate with Facilities Management through project closeout.


**Fees**

The CSU Building Department may charge fees for services provided, including code review, inspection, procurement, contracting and closeout as required. Remodel and Construction Services will charge a fee for service.

Both parties agree to respond to requests within two business days and agree to set regular meetings, the cadence of which can be adjusted as needed. The CSU Building Department will coordinate the code review process with a single point of contact at Spur Campus.

This exemption authorization is agreed to by the undersigned:

CSU Spur Campus  Date 11/27/2024

CSU Building Department  Date 12/03/2024

REFERENCE DOCUMENTS: UNIVERSITY POLICY 5-6030-001, CODE REVIEW FORM, EMERGENCY CODE REVIEW FORM, DENVER FIRE DEPARTMENT MOU