



DEPARTMENT OF
GENERAL SERVICES

DIVISION OF ENGINEERING AND BUILDINGS

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DEB Notice 070116

(Effective: 07/01/2016)

DEB-SFMO Memorandum of Agreement

Replace CPSM **Appendix L – Memorandum of Agreement Between Division of Engineering and Buildings and State Fire Marshal’s Office**, dated July 1, 2008 with the attached memorandum, dated November 1, 2014.

**Memorandum of Agreement
Between
Department of General Services
Division of Engineering and Buildings
And the
Virginia Department of Fire
Programs, State Fire Marshal's
Office**

November 1, 2014

Introduction

The Code of Virginia §36-98.1 designates the Department of General Services (DGS), acting through the Division of Engineering and Buildings (DEB), as the building official for state-owned buildings or structures and for all buildings and structures built on state-owned property. The Bureau of Capital Outlay Management (BCOM) acts on behalf of DEB as the State Building Official.

The State Building Official enforces the *Virginia Uniform Statewide Building Code (VUSBC)*. In accord with Virginia Code §2.2-1132, BCOM ensures compliance with the *DGS/DEB Construction and Professional Services Manual, Building Permit Policy for Construction State Owned Buildings & Structures*, and, in accord with Virginia Code §2.2-1159, standards adopted to enforce provisions of the *Americans with Disabilities Accessibility Guidelines for Buildings and Facilities*. BCOM is authorized to charge for State Building Code inspections.

DEB also has the authority under Va. Code §36-98.1 to delegate inspection and building code enforcement duties to the Virginia Department of Fire Programs, State Fire Marshal's Office (SFMO), and DEB hereby does so. This agreement identifies the responsibilities of DEB, SFMO, and owning Agency Representatives; and defines the scope of inspection and building code enforcement duties delegated by DEB to the SFMO for construction, additions, alterations, and renovations of state-owned buildings.

Responsibilities

Plans review is performed by DEB, or by the Annual Permit Agency Representative, in accord with the Building Permit Policy. Fire protection system shop drawing review (sprinkler, fire suppression, fire alarm, and fire detection) is performed by DEB at the Working Drawing review or during construction. A Building Permit (by DEB) or a Project Permit (by the Agency Representative) is issued for work. Inspection is performed by the: Agency Inspector, A/E of Record, Special Inspectors, DEB, and SFMO. The Building Permit is closed out by DEB issuing a Certificate of Occupancy or a letter, and the Project Permit is closed out by the Agency Representative in accord with agency procedures.

DEB shall provide the SFMO a copy of the approved Building Permit, and the owning Agency Representative shall provide the SFMO a copy of the approved Project Permit. The owning Agency Representative shall maintain a copy on the site and provide the SFMO a copy of the approved construction documents including: working drawings, specifications, addendum, change orders, and approved fire protection system shop drawings; and shall provide the SFMO timely notice for inspection of all work regulated by the VUSBC.

If discrepancies in the application of the VUSBC are identified by the SFMO upon review of the approved documents or inspection of work in the field, then the SFMO shall identify these discrepancies to DEB for resolution by sending an e-mail to CapOut@dgs.virginia.gov. The SFMO does not have the authority to order changes to the approved construction documents.

The SFMO has the authority to order changes to the work to comply with the approved construction documents.

If deficiencies in work are identified by the SFMO which are outside of the scope of inspection delegated herein, then these deficiencies should be noted as advisory on the SFMO Inspection Report.

SFMO Scope of Work

Pursuant to this MOA, SFMO agrees to the following Scope of Work:

Inspect in accord with approved plans as referenced by the approved Building Permit or approved Project Permit.

Perform inspections within 10 calendar days of a request.

During construction: submit SFMO Progress Inspection Reports to the Agency Representative, with a copy to BCOM at CapOut@dgs.virginia.gov, within 10 calendar days of the inspection. Copies of the reports may be provided to the A/E of Record upon request.

At the completion of the work: submit SFMO Substantial Completion Inspection Report to the Agency Representative, with a copy to BCOM at CapOut@dgs.virginia.gov, within 10 calendar days of the inspection. Copies of the reports may be provided to the A/E of Record upon request.

SFMO inspection shall include the life and fire safety aspects of the VUSBC related to:

- Fire-Resistance-Rated Construction
- Fire Protection Systems
- Means of Egress
- Fire Department Access
- Safeguards during Construction

Assist in plans review as requested.

Evaluate and provide advice on the appropriate application of the VUSBC as requested. Recommend issuing a Stop Work Order for work that is being executed contrary to the VUSBC or any pertinent law, or in a manner endangering the general public.

Compensation

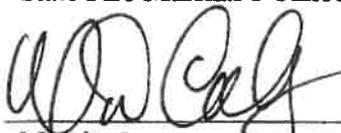
This delegation of authority to the SFMO to perform inspection services on behalf of DEB and BCOM includes the authority to bill agencies for recovery of SFMO's costs. The hourly rates charged to agencies for these services shall be equivalent to the JLARC-approved rates currently in effect for SFMO's standard inspection services. Either the SFMO invoices submitted to the agency, or the supporting backup thereto, shall include the name of the project inspected, date of service, hours expended, hourly rate and total cost.

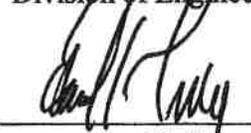
Period of Agreement

This agreement shall remain in effect until either party gives 60 days written notice of termination to the other party.

Virginia Department of Fire Programs,
State Fire Marshal's Office

Department of General Services,
Division of Engineering and Buildings


Melvin Carter, Date 11/4/2014
VDFP Executive Director


Edward C. Gully, PE Date 11/5/2014
DEB Director