

Construction Project “Trigger Points” – Informational Purposes Only

Following is a brief summary of Building, Fire and Accessibility Codes that refer to “Trigger Points” that can lead to accelerated work on a building project. Excerpted from “*Evaluation of Existing Conditions – Executive Summary*,” a report generated for Minuteman Regional Vocational Technical School by Kaestle Boos Associates, Inc., and dated November 4, 2013:

- The code analysis, based on the anticipated cost of repairs and the assessed value of the building, will require that the entire building and site be handicapped accessible and that a sprinkler system be installed. According to the Town of Lexington, the current assessed value of the buildings is \$25,000,000 and so the threshold value of the cost triggers for accessibility and fire protection are:
 - if the cost of renovations exceeds \$7,500,000 (over the current 3 year period), then the entire building and site must be modified to be accessible,
 - if the cost of renovations exceeds \$8,250,000 (over the current 5 year period), or if the renovation area exceeds 7,500 square feet, then the entire building must be sprinklered.
- As the estimated construction cost for repairs exceeds these thresholds (refer to the Option 1 Repair Cost Estimate at the end of the Existing Conditions Evaluation Section), upgrades for both accessibility and fire protection will be required if all recommended repairs are permitted.

Summary of State Fire Code Triggers, AAB Triggers and Site & Building Triggers

- State Fire Code Triggers:
 - Compliance with Chapter 148 Section 26G of the State Fire Code is required in all existing buildings in which renovations will exceed 7,500 square feet in area or in which major alterations’ are planned, as defined by the statute. Under these conditions, an existing building must provide a full sprinkler fire suppression system if available water flow is available. A major alteration is reconfiguration of walls, doors, windows, mechanical systems, etc., which effectively makes installation of sprinkler systems easier and which affects more than 33% of the building area or more than 33% of the assessed value of the building. Buildings for which sufficient water flow does not exist are exempt, however, it is assumed that sufficient flow is available and all code discussions below are based on these buildings being fully sprinklered.
 - Also, according to this section of the Fire Code, any work performed, even if under separate contracts or building permits, within a 5 year period must be included in the aggregate construction cost to determine applicability of the code. This includes site work and building renovations, whether done separately or together. Future Change Orders and other unanticipated costs could also trigger full compliance if the aggregate value exceeds the 33% limit. Cost of future building projects requested for permit within 5 years, before or after the permit date for this project, will be considered part of the project costs and may trigger compliance. A full fire suppression sprinkler system is also required in all new construction for additions or new buildings which exceed 7,500 s.f. in area. If the aggregate area of an addition, when combined with the area of the

original building, exceeds 7,500 s.f., then both the new addition and the original building must be sprinklered.

▪ Architectural Access Board (AAB) Triggers:

- Applicability of the AAB Regulations for renovations of existing buildings is based on the value of the renovations as a percentage of the current assessed value of the building and grounds (100% valuation). According to AAB 3.3, partial compliance is required when the value of the renovations exceeds \$100,000 and full compliance of the entire facility is required when the value of the renovations exceeds 30% of the assessed value of the building. An exception to this rule is for maintenance work on MEP systems, sprinkler systems, roofs, replacement windows, masonry repair, site utilities, landscaping, and septic system which in aggregate is less than \$500,000. As stated in AAB 3.3 (paraphrased): “3.3 EXISTING BUILDINGS
- All additions to, reconstruction, remodeling, and alterations or repairs of existing public buildings or facilities ...shall be governed by all applicable subsections in 521 CMR. 3.3.1..., a. if the work costs less than \$100,000, then only the work being performed is required to comply with 521 CMR..., b. if the work costs \$100,000 or more, then the work being performed is required to comply with 521 CMR. In addition, an accessible public entrance and an accessible toilet room, telephone,
- Drinking fountain (if toilets, telephones and drinking fountains are provided) shall also be provided in compliance with 521 CMR..., 3.3.2 If the work performed, including the exempted work, amounts to 30% or more of the full and fair cash value (see 521 CMR 5.00) of the building the entire building is required to comply with 521 CMR. “ Also, according to AAB 3.5, any work performed, even if under separate contracts or building permits, within a 3 year period must be included in the aggregate construction cost. This includes sitework and building renovations, whether done separately or together. Future Change Orders and other unanticipated costs could also trigger full compliance if the aggregate value exceeds the 30% limit. Cost of future building projects requested for permit within 3 years of the permit date for this project will be considered part of the project costs and may trigger compliance.

▪ Site and Building Triggers:

- The building and site must be reviewed together, and may affect compliance in areas not anticipated to be updated to comply.
- If the Building renovation cost exceeds 30% of the building assessed value, then the entire Building and site must be made to comply.

Source: Information on “Trigger Points” compiled by Lawrence Trim, AIA, Kaestle Boos Associates, Inc., July 22, 2015