

Cornell University

# Procedure to Designate and Manage Out-of-Service Facilities

Approved by the Space Use Advisory Committee; November 10, 2016

## INTENT

Facilities that appear to no longer support the University's mission should be thoroughly evaluated for potential value to the University. Once determined to have no value, facilities should be appropriately secured, designated *Out of Service*, and managed until appropriate disposition occurs.

This procedure applies to all units of the University, excluding Weill Cornell Medicine.

## GIVENS

- Facilities that no longer support the University's mission require ongoing commitments in operating funds (e.g., maintenance, utilities, security, etc.) that are better used to address programmatic priorities in other facilities.
- Unexpected events (e.g., flooding) in vacant facilities due to lack of attention divert scarce financial resources to remediation and create unnecessary workloads that have the potential to divert attention from more critical needs.
- Vacant facilities increase risk and liability by creating attractive nuisance issues and may require community engagement resources to manage community concerns.
- Vacant facilities in poor condition may have a reputational impact on Cornell.

## TEMPORARY CLOSURE vs. OUT OF SERVICE

Cornell distinguishes between two primary types of vacancy by identifying temporary closure and Out of Service.

**Temporary closure** may occur for purposes related to program disruption (but not program discontinuance) and/or due to needs related to short-term savings on facility expenses, such as some utilities. Temporary closures don't typically result in removal of all materials and equipment within the facility nor changing of security devices to further limit access to the unit. Temporary closures need to be monitored and scrutinized, as they do not relieve the institution from potential significant burdens of life safety, security, and property maintenance. Keeping fire protective systems operational requires heat, electricity, and sometimes water for sprinkler systems. Generally, temporary closures are not encouraged and not seen as an effective, long-term management strategy. The stewarding unit must be

very vigilant in monitoring the security and maintenance status of temporarily closed structures. Units are charged to work with Facilities Management (FM) to temporarily close structures.

When the stewarding unit identifies that a facility is no longer able to cost-effectively or physically meet programmatic needs, then the unit is encouraged to pursue **Out of Service** status for the facility, and ultimately demolition or sale of the property as a final resolution. Out of Service status requires the facility to be fully vacated (all materials and equipment removed) and re-secured so that further access is severely limited.

## PURSuing OUT OF SERVICE DESIGNATION

The stewarding unit is invited to identify to the Director of Space Planning (SP) facilities that are in deteriorating condition and/or otherwise projected to not meet future needs of the units. These facilities will be entered into a primary source workbook as *Proposed to be Vacated*. This list will help with future planning of resource availability as well as capital plans for demolition projects. The list is a communication and management tool; units are not on a committed path of vacancy or removal for facilities on this list and facilities can be deleted from the list as programs and physical space needs evolve.

The stewarding unit must identify a facility that no longer meets programmatic needs to initiate the process of Out of Service designation, which proceeds as described in the rest of this section and as illustrated in the Process Flow Chart at the end of this document.

The Unit Facility Director (UFD) or other appropriate unit representative should contact SP and FM and provide the facility code, facility name, location and any relevant circumstances to begin a conversation about a facility that no longer meets programmatic needs. Through this process, FM's role is to serve as the facilities experts to determine that a facility has reached end of life, can't be re-used, or could be re-used with a certain level of investment. SP's role is to steer the facility toward reallocation or Out of Service and to maintain the primary source documentation for the status of facilities that are pending obsolescence.

SP and FM will work with the unit to visit and evaluate the facility. The evaluation will include consultation with the Campus Planning Office to determine if a facility is historically designated or within a historic district. Any such facility will likely require special consideration and process.

If the evaluation recognizes ongoing potential value to Cornell, the facility will be brought to the Space Use Advisory Committee (SUAC) with a recommendation that it be handled under the *Procedure for the Reallocation of Space*. If the reallocation procedure results in no interest from any unit in operating the facility, then the *Out of Service* process begins, and the facility is added to a *Vacancy in Process* list. If the FM and SP evaluation determines low value to any University use due to location, previous use, condition, etc., the facility will be added directly to the *Vacancy in Process* list.

SP maintains the source *Vacancy in Process* list and will notify the requesting unit(s), the Campus Planning Office (CPO), Real Estate (RE), Contract College Facilities (CCF), Environmental Health and Safety (EH&S), the University Treasurer, and SUAC whenever facilities are added to the list.

The unit will engage with the appropriate office – CCF Code Enforcement for Contract College facilities and EH&S for all other properties – and will follow a standard protocol<sup>1</sup> to completely empty of all contents and re-secure the facility. “Re-secure” means that the access is changed to more severely limit

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<sup>1</sup> The Standard Operating Procedure is “Vacating a Structure or Premises” by EH&S

who can enter the facility; this eliminates concerns about old keys and the facility being put back into use without authorization.

The Authority Having Jurisdiction (CCF Code Enforcement or EH&S working with the appropriate municipal jurisdiction) will certify the facility as vacant once all requirements have been met. The authority will notify SP, FM and the unit.

The SP will remove the facility from the *Vacancy in Process* list and identify the facility on a *Vacant (Out of Service)* list<sup>2</sup>. All stakeholders as listed above will be notified, along with the Facilities Information Group (FIG). FIG will change the status of the facility in the Facilities Inventory System (FIS) from Active to Out of Service (OOS); this change will initiate management changes, as itemized in the next section.

Until such time as a facility is designated OOS, it will be considered occupied for purposes of code compliance, space inventory, the budget model and other stewardship considerations.

## REAL ESTATE REVIEW

With the notification that a facility is on the *Proposed to be Vacated* or *Vacancy in Process* list, Real Estate will follow internal operating protocols to identify any facilities with potential sale or lease value. Any facility considered to have potential value to non-university stakeholders will be held on the primary source list with a *real estate hold* until sold or leased, or until Real Estate removes the hold. Separate Land Use Management Committee action will be required to declare the land “excess” if the property is sold with the facility.

## OUT OF SERVICE MANAGEMENT

The following protocols apply once a facility is designated as OOS:

- Service Level Agreement (SLA). FM will work with the units to develop and maintain a SLA for such facilities. The SLA will address important stewardship responsibilities such as code compliance, inspections, utility services, identification removal, etc.
- Space inventory coding
  - a. As noted above, FIG will change the facility status to OOS
  - b. Room assignments will remain with the stewarding unit until the building is removed
  - c. The room type for rooms that supported the program will be changed to 050 (incapable of use), which is an assignable room type
    - i. Existing, non-assignable space with room types 010-035, for bathrooms, circulation, mechanical rooms, etc. will retain existing coding (i.e., will not be changed)
  - d. The function codes for room type 050 (incapable of use) is 8.2, incapable of use.
    - i. The non-assignable rooms of type 010-035 will remain coded as 9.1, building space non-assignable
- Budget Model implications
  - a. For the maintenance component<sup>3</sup> of the model:

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<sup>2</sup> Vacant is a code-related terms that carries with it specific requirements; Out of Service is a Cornell management term used to classify the space in the inventory system and establish standard expectations for service, maintenance and property management.

<sup>3</sup> In the interest of “costs following the cost causers” the assessment for OOS buildings should be reduced, with the understanding that fixed costs related to FCS functions will be shifted elsewhere.

- i. For the fiscal year of designation, the technical rating of a facility is adjusted to 0, with a differential of 10%
  - ii. The net area is calculated as the sum of net square feet of rooms with the 050 (incapable of use) room type
- b. There will be no assessment for the building care component, based on 0 (zero) full-time equivalent assignments
- c. The utilities component will be based on actual use<sup>4</sup>.

## PURSUING ULTIMATE REMOVAL

The unit and FM will work through the capital planning process each year to reduce the number of facilities on the *Vacant (Out of Service)* list, although the ultimate responsibility for reducing this list remains with the unit.

The stewarding unit needs to plan for removal of OOS properties, including identifying funding, establishing projects, and demolition, especially for those facilities without Real Estate holds. The purpose of the process to move facilities toward OOS is to ultimately have them and their liabilities removed from the campus inventory.

## OUT OF SERVICE REVERSAL

Given that the Out of Service designation should not be pursued lightly and that it is a significant investment in time and resources to restore a certificate of occupancy to a vacated building, a unit is required to present a compelling argument to the Space Use Advisory Committee to reverse an *Out of Service* designation and remove the facility from the *Vacant (Out of Service)* list. The unit representative should initiate such reversals through SP. Should the OOS designation be reversed, the requesting unit is responsible for all costs associated with putting the facility back into code-compliant operation. The requirements for reversal in order to obtain a certificate of occupancy are outlined in the EH&S SOP, "Vacating a Structure or Premises."

## ROLES AND RESPONSIBILITIES

Campus Planning Office (CPO): Identify concerns for any facility added to the Vacancy in Process list; assist with process for facilities that are historically designated or within a historic district

Director of Space Planning (SP): Coordinates with Facilities Management to evaluate future value of buildings; leads internal notifications; maintains the primary source workbook that includes lists of buildings: Proposed to be Vacated (unit planning); Vacancy in Process; Vacant

Director of Facilities, Facilities Management (FM): Coordinates with Space Planning to evaluate future value of buildings; coordinates with code enforcement (CCF, EH&S) and units to vacate buildings; supports units in planning demolition projects

Environmental Health & Safety (EH&S), Contract Colleges Facilities (CCF) Code Enforcement: Sponsor the Standard Operating Procedures for vacating structures and guides the units in following requirements

Real Estate (RE): As described in the text, Real Estate can place a "hold" on facilities of potential interest

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<sup>4</sup> If the building utilities go through one or more meters that serve multiple buildings, the utility cost is pro-rated based on square footage of the connected buildings; this means that some OOS buildings may have higher than expected utility bills.

to non-university stakeholders and will follow internal process to sell or lease a property, or will remove the hold after consideration

Units (Unit Facility Directors, UFD): Identify buildings that are no longer meeting or that are projected to no longer meet programmatic needs and communicate this information to Space Planning and Facilities Management; empty and secure structures to meet vacancy requirements (including funding for such activities); fund and initiate projects to demolish vacant structures

University Treasurer: Identifies concerns for any facility added to the *Vacancy in Process* list with debt commitments

## CONTACT

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### Revision Tracking

February 2023: Update space inventory section to clarify room type coding and include functional coding

February 2022: Clarify applicability, clarify role of FM & SP

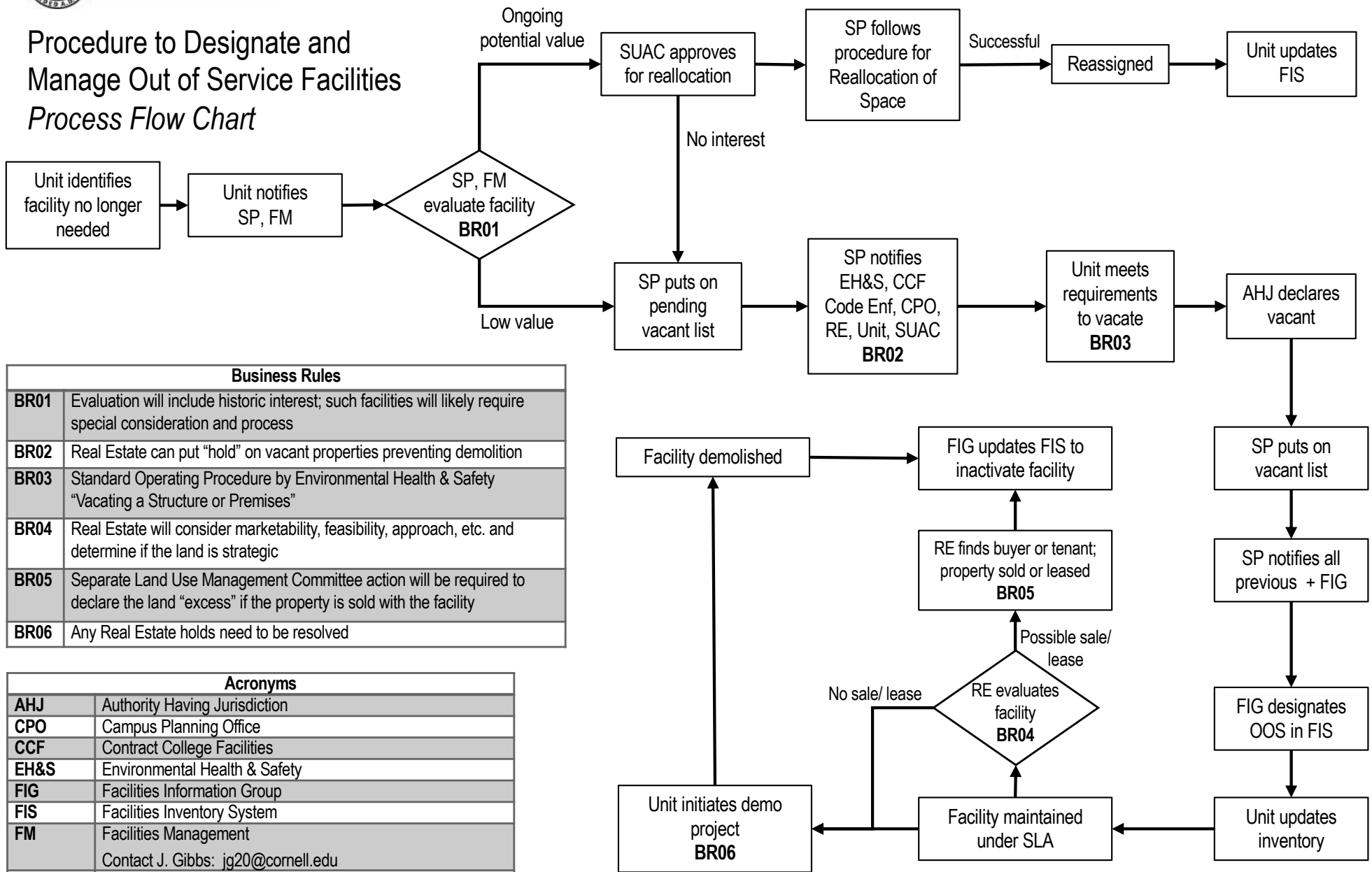
July 2020: Update operational procedures, roles & responsibilities, and add an explanation of Temporary Closure vs. Out of Service

July 2017: Include relevant operational procedures



# Procedure to Designate and Manage Out of Service Facilities

## Process Flow Chart



| Business Rules |   |
|----------------|---|
| <b>BR01</b>    | Evaluation will include historic interest; such facilities will likely require special consideration and process                      |
| <b>BR02</b>    | Real Estate can put "hold" on vacant properties preventing demolition   |
| <b>BR03</b>    | Standard Operating Procedure by Environmental Health & Safety "Vacating a Structure or Premises"                                      |
| <b>BR04</b>    | Real Estate will consider marketability, feasibility, approach, etc. and determine if the land is strategic                           |
| <b>BR05</b>    | Separate Land Use Management Committee action will be required to declare the land "excess" if the property is sold with the facility |
| <b>BR06</b>    | Any Real Estate holds need to be resolved   |

| Acronyms        |                               |
|-----------------|-------------------------------|
| <b>AHJ</b>      | Authority Having Jurisdiction |
| <b>CPO</b>      | Campus Planning Office        |
| <b>CCF</b>      | Contract College Facilities   |
| <b>EH&amp;S</b> | Environmental Health & Safety |
| <b>FIG</b>      | Facilities Information Group  |
| <b>FIS</b>      | Facilities Inventory System   |
| <b>FM</b>       | Facilities Management         |
| <b>RE</b>       | Real Estate                   |
| <b>SP</b>       | Space Planning                |
| <b>SUAC</b>     | Space Use Advisory Committee  |