

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 empty or neglected 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.
- Empty and neglected facilities increase risk and liability by creating attractive nuisance issues and may require community engagement resources to manage community concerns.
- Unused and neglected 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.

COORDINATION

The Director of Space Planning (SP) manages, in coordination with stakeholders, a primary source workbook in which the status of facilities planned for vacancy, out of service, or in process of reallocation or removal are tracked. This list has several purposes:

1. Support a regular, planful review of facilities that are of diminishing use and/or diminishing quality to support mission (i.e., one list for a coordinated conversation amongst stakeholders).
2. Create the opportunity for longer lead times to explore reallocation or sale of potentially useful facilities before they deteriorate beyond usefulness.
3. Provide checks and balances amongst multiple stakeholders to align with the Procedure and improve our internal communications and compliance with externally driven requirements.
4. Report on key metrics for buildings in declining condition or with obsoleted use.
5. Facilitate planning of demolition projects and inform capital budgets.

The workbook is shared to internal stakeholders through Box. It is generally locked from stakeholder edits to ensure that steps in the process are followed to comply with regulatory requirements and that internal communications occur as outlined in this Procedure.

SP maintains the workbook 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. SP will meet with the units on a regular basis to try to maintain a list that reflects current unit plans.

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.

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 the facilities tracking list with the status *Proposed to be Vacated*.

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, asset assignment, SUNY ownership (if applicable), 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 facilitate the reallocation process, where appropriate, or support the process toward Out of Service designation and align the tracking list with this process.

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 SP will change the facility status to *Potential Reallocation* and will bring the facility 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 SP will update the status to *Vacancy in Process* and the unit can pursue legal vacancy and an *Out of Service* designation. If the FM and SP evaluation determines low value to any internal use due to location, previous use, condition, etc., the SP will update the facility status to *Vacancy in Process* without the reallocation step.

The stewarding 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 protocol¹ to completely empty of all contents and re-secure the facility. “Re-secure” means that the access is changed to more severely limit 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, the Facilities Information Group (FIG) and the unit.

With appropriate notification from the AHJ, SP will update the facility status from *Vacancy in Process* to *Out of Service (FIS)*². 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 with the sign-off from the AHJ, it will be considered occupied for purposes of code compliance, space inventory, the budget model and other stewardship considerations even if the unit considers it “vacant” or otherwise empty.

For state-owned facilities, CCF will discuss the intent to demolish the facility with the State University Construction Fund and will determine with SUCF whether the property is associated with any bonding. Bonding terms will need to be considered when planning the demolition of state-owned facilities.

A unit may initiate a demolition project for a facility without following this procedure and these steps involving status changes and notifications. In this case, the facility status is not communicated through the shared list at all, or only when demolition is already underway. While such action to demolish without advance notification may be deemed as the best path for a unit at a given time, such action does reduce institutional review and may result in unforeseen consequences (e.g., removal of a structure with a historic designation without appropriate process) or may remove an asset that could have been useful to another unit.

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

² 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. A facility may only be designated as Out of Service once it is Vacant, a code-related terms that carries with it specific requirements.

REAL ESTATE REVIEW

With the notification that a facility is in the *Proposed to be Vacated* or *Vacancy in Process* status, 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 tracking list with a *real estate hold* status until sold or leased, or until Real Estate removes the hold.

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 component³ of the model:
 - 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 use⁴.

PURSUING ULTIMATE REMOVAL

The unit and FM will work through the capital planning process each year to reduce the number of facilities in any status that reflects the low value of these facilities. The ultimate responsibility for facility removal remains with the stewarding 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.

³ 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.

⁴ 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.

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 a *Out of Service (FIS)* status. 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 designated as *Vacancy in Process*; assist with process for facilities that are historically designated or within a historic district

Contract College Facilities (CCF): Will discuss the intent to demolish state-owned facilities with the State University Construction Fund and will determine with SUCF whether the property is associated with any bonding; support the contract college units in planning demolition projects, particularly for state-owned facilities; assist with identifying funding to demolish state-owned facilities

Director of Space Planning (SP): Coordinates with Facilities Management to evaluate future value of buildings; coordinates internal notifications; maintains the primary source workbook that includes the facility status tracking list

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

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

Real Estate (RE): As described in the text, Real Estate can place a “hold” on facilities of potential interest 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, unused, and neglected 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

January 2025: Added a section to address “coordination”; updated status designations and workflow per internal discussions; added CCF to roles and responsibilities section; clarified use of the term “vacant”

August 2023: Added asset assignment and SUNY ownership to key data provided by the unit; added CCF role in determining bonding on state-owned facilities

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

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

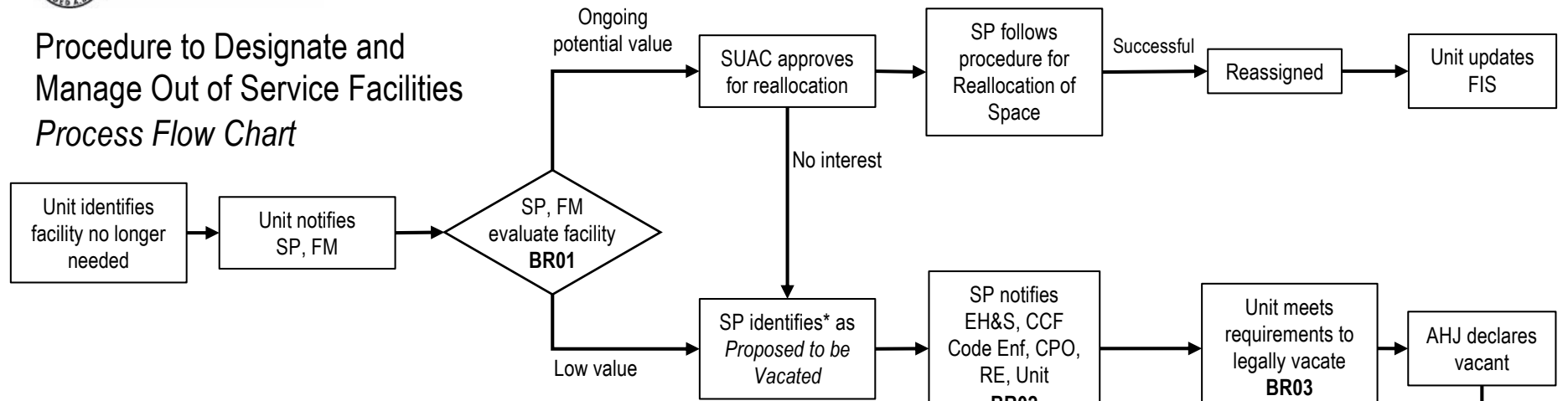
July 2020: Update operational procedures, roles & responsibilities, and add an explanation of Temporary Closure vs. Out of Service

July 2017: Include relevant operational procedures



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Process Flow Chart



*SP actions take place in the facilities tracking list maintained by Space Planning per the Procedure

Business Rules	
BR01	Evaluation will include historic interest; such facilities will likely require special consideration and process
BR02	Real Estate can put "hold" on vacant properties preventing demolition
BR03	Standard Operating Procedure by Environmental Health & Safety "Vacating a Structure or Premises"
BR04	Real Estate will consider marketability, feasibility, approach, etc. and determine if the land is strategic
BR05	Any Real Estate holds need to be resolved

Acronyms	
AHJ	Authority Having Jurisdiction
CPO	Campus Planning Office
CCF	Contract College Facilities
EH&S	Environmental Health & Safety
FIG	Facilities Information Group
FIS	Facilities Inventory System
FM	Facilities Management Contact appropriate Maintenance Planner
RE	Real Estate
SP	Space Planning Contact spaceplanning@cornell.edu
SUAC	Space Use Advisory Committee

