OSHPD Office of Statewide Health Planning and Development

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HOSPITAL BUILDING SAFETY BOARD
Education and Outreach Committee

Thursday, July 21, 2016
10:00 a.m. - 4:00 p.m.

Office of Statewide Health Planning and Development
400 R Street, Suite 452
Sacramento, CA 95811

and

Metropolitan Water District Headquarters
700 N. Alameda Street, Suite 2-546
Los Angeles, CA 90012

Board Members
Mike Hooper, Chair
Eric Johnson
Bruce Macpherson
Burt Hurlbut, Consulting Member
Joe La Brie, Consulting Member

HBSB Staff
Kathi Zamora
Krista Harrington
Evett Torres

OSHPD Staff
Hussain Bhatia
Gary Dunger
Glen Gall
Richard Tannahill
Nanci Timmins
Chris Tokas
Elizabeth Wied

1. Welcome and Introductions

Mike Hooper, Committee Chair, called the meeting to order and announced that a quorum was present. The committee members, OSHPD staff, and audience members introduced themselves from Sacramento and Los Angeles.

2. Review the June 7, 2016 meeting report/minutes

Mr. Hooper summarized the June meeting. The focus had been to come to agreement on the topic and sessions of the upcoming "Lessons Learned During Construction" seminar. The committee had discussed FREER and the Remodel Code Application Notice (CAN), the Comment and Process Review (CPR) process, requirements for documents coming in to OSHPD, plan check timeframes, OSHPD's checklist for design teams, materially alter, and repurposing older facilities.

The committee had decided on the four seminar sessions. They set up the session teams.

MOTION: (M/S/C/) [Macpherson/Johnson]
The Board voted unanimously to approve the meeting minutes of June 7, 2016.

3. Review and approve proposals for the 2016 "Lessons Learned During Construction" Seminar:

- **Suggested session/topics**

The committee had no changes to the topics.

- **Session timeframes**

The committee agreed on a 60/15 timeframe to leave sufficient time for Q & A at the end of the sessions. No panel discussion will be held.

- **Presentation content**

<u>Session 1: Before Construction</u>

Mr. Tannahill reviewed the outline for the presentation, "Before Construction," that he and Mr. Macpherson were developing. It included code requirements, options for getting a permit, CPR (because it is added to the 2016 code), required permits, the Remodel CAN, using the FREER Manual, the e-checklist, documenting compliance and accessibility, existing structures, content for documents, avoiding deferred submittals, types of reviews and designs, and preparing for construction. Fees will possibly be covered as well.

Mr. Macpherson stated that the presentation will focus in general on three areas: documents, permits, and processes. The timeframe will start before construction and go to the beginning of construction.

Mr. Johnson suggested differentiating between new projects versus remodel projects.

Committee members agreed on the importance of visiting the site before construction begins.

Mr. Hooper noted that Discovered Conditions and so on are substantial issues that inspectors have to deal with. He and Gordon Oakley had touched on letters of understanding; Mr. Tokas stressed that these should be done before design begins, or at least before document submittal.

Mr. La Brie pointed out the importance of having the seminar focus on lessons learned during construction rather than on processes. The committee agreed.

Mr. Tokas stressed that owners do not want to pay for Conditions Assessment, but this results in loss of money and time. He wanted to have this issue emphasized in the seminar.

Mr. Johnson asked about the e-checklists. Mr. Dunger explained that the form that will come out requires the designers to show where they demonstrate compliance with each item. In the future, the reference will be hyperlinked. Mr. Tannahill said that he will expand on the e-checklist discussion.

Mr. Hurlbut noted that large and small projects are treated differently – sometimes large projects end up being phased. Someone has to think the project through; designers frequently show just the end product. Mr. Johnson pointed out that the Testing-Inspection-Observation (TIO) has to follow the phasing, but we often start with a TIO of the whole job, resulting in misunderstandings.

Mr. Macpherson pointed out that some small projects have very complex phasing, even more so than large projects.

Mr. Johnson commented on the ineffectiveness of presenters merely reading the text on the slides.

Session 2: Activities at the Beginning of Construction – Small to Medium Projects

Mr. Hooper went through the presentation he had developed with Mr. Tokas.

They will start by recommending "Kick Off" meetings and explaining the steps that should be covered. The steps follow Part 1, Chapter 7, sections 7-135-139. The presenters will stress that the inspector must notify the Office when work is started or resumed. The Kick Off meeting section also explains LOUs and Discovered Conditions.

The session will cover Amended Construction Documents (ACDs), as well as Materially Altered and Non-Materially Altered, in detail.

Regarding the role of the IOR, Mr. Macpherson pointed out the importance of proactive interaction between the IOR and the contractor/subcontractor. Mr. Tokas requested for the session to stress the theme of inspecting to pass – the IOR sets up the expectations of what he is going to look for that the contractor has to execute.

Mr. Tokas also described the problem of not having designated IORs for specific items that they can go back and track. Mr. Hooper noted that with the software his company uses, the *who*, *what*, and *when* for inspections is clear. He agreed to add this point to the presentation.

Mr. Johnson and Mr. Bhatia discussed the desired storage capability for keeping a log of who inspected, what was inspected, and being able to see what was inspected.

Mr. Macperson stated that the session will include discerning which Policy Intent Notices (PINs) and CANs apply to a particular job by year.

The session will include fire stopping issues, as well as the requirement for special inspectors to be certified in four fire-resistant penetrations.

Every project has questions about construction barriers. The session will deal with this, as well as the Temporary Construction Remodel CAN 2-102.6.

The session will deal with temporary services for equipment, explaining whether permits are needed according to the time period in use.

The session will include the method of procedure notification for shutdowns. Mr. Johnson commented that his company has actually developed written scripts that have

become part of the project approved plan. Back-out plans should be addressed. Mr. Johnson agreed to send Mr. Hooper an example.

The session will discuss some PINs:

- PIN 58 is new and addresses structural tests and special inspectors in terms of approved agencies.
- PIN 62 addresses OSHPD preapproval of manufacturers, and lists what should be on the drawings.
- PIN 55 addresses special seismic certification.
- PIN 51 addresses OSHPD Preapproved Details (OPDs).

Mr. Hurlbut suggested including working with local agencies, such as the Fire Department.

Mr. Tannahill suggested addressing substitutions before construction starts.

Mr. Macpherson felt that the method of procedure discussion is going to be very important in the context of timing. Mr. Tokas said that the Materially Alter slide could include substitutions.

<u>Session 3: Issues During Construction</u>

Mr. Dunger said that he had analyzed all of the responses from the survey, extrapolating issues being brought forward by clients on various topics. He analyzed the issues, extracting the ones that were construction-related. The presentation will explain mitigating mechanisms or processes in place.

Mr. Hooper stated that the overall idea the committee had arrived at after reviewing the survey comments, was to select some that were pertinent.

Mr. Dunger had extrapolated the following.

- Ten responses identified field staff having disagreements with the approved plans.
- Ten responses mentioned that field staff were resistant in application or interpretation of the code.
- Seven responses mentioned that field staff were not available.

- Six responses dealt with IOR performance issues; the Best Practices seminar had addressed this issue.
- Four responses dealt with the inexperience of contractors and their unfamiliarity with OSHPD projects; this was also addressed in the Best Practices seminar.
- Four responses mentioned the TIO process; the Best Practices seminar had included a whole session on TIOs.
- Four responses dealt with the timeliness of field review.

Mr. Dunger asked the committee if this was the direction they wanted the seminar to take. Mr. Hooper felt that it was. Mr. Macpherson commented that material from the Best Practices seminar could be reiterated to good effect.

Mr. Dunger felt it frustrating that we have spent a great deal of effort and time getting this information out, yet we are still receiving feedback on the same issues. Mr. Hooper responded that there is a turnover in audience.

Mr. Macpherson commented that the topic of Materially Alter inherently fosters disagreements.

Mr. Hooper raised the issue of vetting all the drawings with the specifications – the two need to correlate.

Mr. La Brie noted that all the groups of comments except one were directed at OSHPD field staff. Maybe OSHPD should spend time advising everyone on aligning their expectations. Mr. Macpherson emphasized that planning ahead during a project is crucial. Mr. La Brie agreed – plan ahead, align expectations, and do the necessary document management so that the project can be successful. Alignment among IORs, contractors, design professionals, and owners across the board needs to happen.

Mr. Tokas agreed. He mentioned another issue that drives a whole set of problems: material arriving at a job site that is not verified but is signed off on. How should such communication and responsibility issues be coordinated?

Mr. Hurlbut suggested addressing collaboration issues. There should be no Requests for Information (RFIs) unless they are for purposes of confirmation.

Mr. Johnson suggested presenting an example of a catastrophe and dissecting what went wrong – the chain of failures. Then there could be a reconstruction of what would have happened had there been better expectations and communication.

Mr. Dunger recalled comments from attendees at previous seminars on the value of hearing about projects that did not work well.

Mr. Macpherson stated that two things that should be focused upon are that during construction, the best lesson learned is to build to the approved documents and minimize changes. When an issue occurs, solve the problem rather than assigning blame.

Mr. Johnson spoke of the “instant gratification curse” where people feel they cannot wait for a few days or a week for the answer to their problem. Also, jobs cannot be built by texting rather than speaking on the phone. Mr. Johnson noted the generational change in what communication looks like. He stressed the usefulness of phone calls made before anything is written, interpreted, or concluded. There is a changing expectation where people want immediate answers and responses; the seminar perhaps should address this new type of expectation.

Mr. Dunger pointed out an underlying theme of the survey that warranted discussion at the seminar: retaliation by field staff. We know it is out there. From the OSHPD perspective, it is not tolerated; however, we cannot address it if we do not know about it. The committee discussed the issue. Mr. Tokas stated that an approved detail shall not be changed by staff unless they go through the normal process.

Mr. Dunger mentioned the option of rolling Skilled Nursing Facilities (SNFs) into the presentations; they always seem to be an afterthought. Mr. Johnson said that from the perspective of due diligence studies, SNFs and the people buying them in package deals, sight unseen, are disasters. There is a substantial undercurrent of education needed, especially on the owners’ side. Mr. Macpherson commented on the extremely narrow financial margin upon which owners operate.

Mr. Tokas noted that OSHPD has been doing many seminars for the Commission on Accreditation of Rehabilitation Facilities (CARF).

Mr. Hooper felt that the FREER manual topic should be elaborated upon during Session 1.

Mr. Dunger asked the group if they wanted to address unauthorized construction and its penalties; they felt that they did.

Mr. Dunger said that with this feedback from the committee, he would go forward with developing the presentation.

<u>Session 4: Closure of Construction</u>

Mr. Hurlbut stressed the value of planning as the project moves toward obtaining the Certificate of Occupancy. To get to the end of a job, you need to plan the exit strategy. He described the parts of the TIO – they all need to be coordinated ahead of time. Mr. Hooper agreed that the parts of the TIO need to be signed off progressively.

Mr. Hurlbut suggested that phasing for sign-off at the end of the job could be done – a year ahead of time, you could sit down with the OSHPD Regional Compliance Officer (RCO) and plan for the target sign-off date.

Mr. Hooper suggested to include all the fees being taken.

Mr. Dunger said that he had a presentation he had done previously that could be updated. He also wanted to include the enhancements that have been made in the E-Services Portal that facilitate project closure; demonstrating them would be useful as part of the presentation.

The group all agreed with Mr. Dunger's stated approach: "Project close-out begins at the beginning of the project."

Mr. Tokas said that they would incorporate some of the new changes on e-portal. They would share where project closure is today and where it is going. OSHPD cannot continue with the current situation in which the project is ready to be closed on the OSHPD side, and they must chase down construction costs and documents from the design professionals.

- **Speaker assignments**

For Session 4, Mr. Dunger will be added as a speaker.

- **Seminar locations**

Ms. Torres reported that she had reserved the Marriott near Los Angeles International Airport.

- **Seminar dates**

The Los Angeles seminar will be on Tuesday, October 4 or 11.

Ms. Torres reported that staff was working to keep the ticket price no higher than last year's $140.

The group agreed not to have Wi-Fi because of the cost: $20/person. The Marriott is honoring the state rate for ten rooms. They offer free shuttle service to and from LAX.

For Northern California, Ms. Torres is looking at the Rancho Cordova Marriott and two hotels in Oakland.

- **Discussion and public input**

Ms. Torres requested for the presenters to keep the ratio on the PowerPoint slides at 16/9. She can change the background and anything else needed.

She also encouraged the presenters not to include too much verbiage on the slides – the audience will be reading it rather than listening to the presenter.

4. Discuss and determine the development of the proposed seminar, "Update on 2016 Code Changes"

Mr. Hooper suggested holding the "Update on 2016 Code Changes" seminar in the first quarter of next year, as that is when the code will actually be in effect.

Mr. Tokas felt that the seminar would require a full day rather than a half day, at least to cover the code changes.

Mr. Tokas posed the question of whether this seminar should be done by OSHPD only, or a collaborative of OSHPD and committee members.

Mr. Gall also felt that the seminar should be held off until the first quarter of next year; sooner than that and people will just forget what they heard. OSHPD Facilities is currently dealing with the 2012 edition of the Life Safety Code – very important for hospitals and SNFs – as well as Title 24 changes.

Mr. Gall felt that this committee should collaborate with OSHPD staff for the seminar, as OSHPD staff is more familiar with the material and the reasons for the changes.

Mr. La Brie felt that there wasn't sufficient time for committee members to prepare for this seminar before the first quarter of 2017.

Mr. Dunger pointed out that historically, the technical leads at OSHPD have to prepare training for internal staff; that needs to be done before the end of the year.

The committee agreed on next year for the seminar.

5. Comments from the Public/Board Members on issues not on this agenda

Mr. Gall commented that the Pharmacy Board has a new requirement for compounding pharmacies becoming effective January 1, 2017. It might be a good discussion as part of the educational component because it has many implications to hospital facilities doing compounding – it will involve construction projects. The requirements rely heavily on the U.S. Pharmacopeial Convention (USP) 800; our code does not address very well the construction parameters and requirements for pharmacies in hospitals. If this committee could somehow interface with those requirements it might be helpful.

Mr. Hooper agreed to make this a topic on the next committee meeting agenda.

6. Adjournment

For the next meeting on August 30, Mr. Hooper directed the group to be ready for a run-through of the presentations.

He adjourned the meeting at 12:24 p.m.