



Division of Engineering & Buildings

# DEB Newsletter

#74

Spring 2021

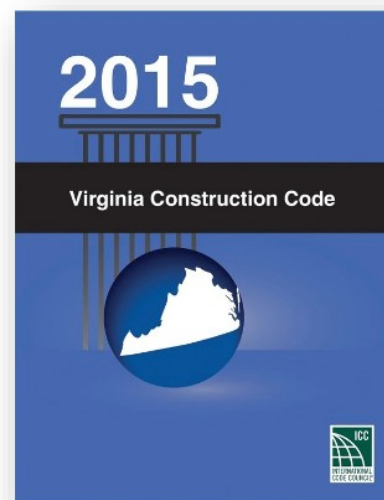
## DEB Newsletter Becomes Quarterly Publication

The DEB Newsletter is shifting from a monthly publication to a quarterly publication. DEB is committed to providing informative articles and useful guidance for agencies, architects, engineers, and contractors. If you have any suggestions for future articles, please send them to [capout@dgs.virginia.gov](mailto:capout@dgs.virginia.gov) with "Newsletter" in the subject line.

## Virginia Construction Code Requirements for Fire Alarm and Fire Sprinkler System Supervision

The nature of the 2015 Virginia Construction Code (VCC) and the 2013 National Fire Alarm and Signaling Code (NFPA 72) requirements for the remote supervision of fire alarm and fire sprinkler systems are often confusing to both A/E's and Agencies. For example, a common misconception is the belief that, since they have a centrally located fire alarm control panel in one facility which monitors all of the other fire alarm systems throughout campus, and those panels are "monitored" 24/7, they have a code compliant remote supervision arrangement. In many cases, they are incorrect. The purpose of this article is to demystify the various code requirements and nuances associated with fire alarm and fire sprinkler system supervision.

Supervisory requirements for fire alarm and fire sprinkler systems, such as those found in VCC Sections 901.6, 903.4, and 907.6.6 have been in the VCC for many years. These sections require that the fire alarm and fire sprinkler systems are to be monitored by an approved supervising station that complies with NFPA 72. Chapter 26 of NFPA 72 sets forth the requirements for three



categories of supervising stations, which are defined in Sections 3.3.283 through 3.3.285: Central Station alarm services, Proprietary supervising stations, and Remote supervising stations.

NFPA 72 Section 26.3 covers Central Station alarm services (third party monitoring services for multiple property owners.) The Central Station service shall be listed as required by Section 26.3.4.1. The protected premises fire alarm systems for each protected building shall be listed for fire alarm Central Station protected premises service. Per Section 3.3.211, the term "protected premises," in this article refers to the physical location protected by a fire alarm system.

### Also in this issue

[Order of Precedence for](#)

[Contract Documents](#)

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### Upcoming events

CPSM Webinar:

May 4, 6, 11, 13, 2021

June 1, 3, 8, 10, 2021

[Link to CPSM EOI Form](#)

VCCO Webinar:

Fall 2021

[Link to VCCO EOI Form](#)



NFPA 72 Section 26.5 covers Remote supervising stations. These services consist of third-party firms that also serve multiple property owners. However, unlike Central Station alarm services, Remote supervising stations are not required to be listed. Based on the requirements found in Chapter 26, these arrangements are not as “robust” as Central Station services. The protected premises fire alarm systems for each protected building shall be listed for fire alarm Remote station protected premises service.

For both Central Station service and Remote supervising station service, the owner is required to pay for the service, such as an annual or monthly fee, as well as the use of the communications infrastructure to connect to the service. The Central Station or Remote supervisory station service firms may also have additional equipment and fee requirements that the protected premises owner needs to meet.

NFPA 72 Section 26.4 covers Proprietary supervising stations (monitoring service provided by the owner at the protected premises). For a Proprietary supervising system receiving station, the owner is required to locate the



station on their own property within a fire-resistive separate building or a fire-resistive separate room within a building. The use of this space is required to be limited to only those persons responsible for the implementation of fire related emergency procedures. The Proprietary supervising station fire alarm control unit shall be listed for fire alarm Proprietary fire alarm receiving service. The fire alarm control units in each protected premises shall be listed for fire alarm proprietary fire alarm protected premises service.

Where a product listing is required, as described above, it is important to note that the listing applies to “fire alarm” systems. For example, there are combination systems that are listed for both fire alarm and burglary use. This would be acceptable. However, systems that are listed only for burglary alarm systems (and not for fire alarm), would not be acceptable. The A/E and Agency shall carefully coordinate to ensure the proper products and services are specified in order to meet the intent of the code for system supervision.

As an alternate to providing a Proprietary supervising station or connecting each protected building to a Central Station service or a Remote supervision station, some campuses have chosen to apply NFPA 72 Section 23.8.2 which permits multiple fire alarm control units in different buildings to be connected to a single master control unit. In this arrangement, there can be a centrally located fire alarm control unit located in one building that



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is connected to fire alarm control units in the other buildings on campus. The “protected premises” in this scenario consists of all the interconnected buildings. Section 23.8.2 provides the applicable requirements, including the application of Section 12.6 for the cable connections between the separate control units and the centrally located unit. To comply with VCC Sections 901.6, 903.4.1, and 907.6.6, the centrally located fire alarm control unit is required to be monitored by one of the methods described in NFPA 72



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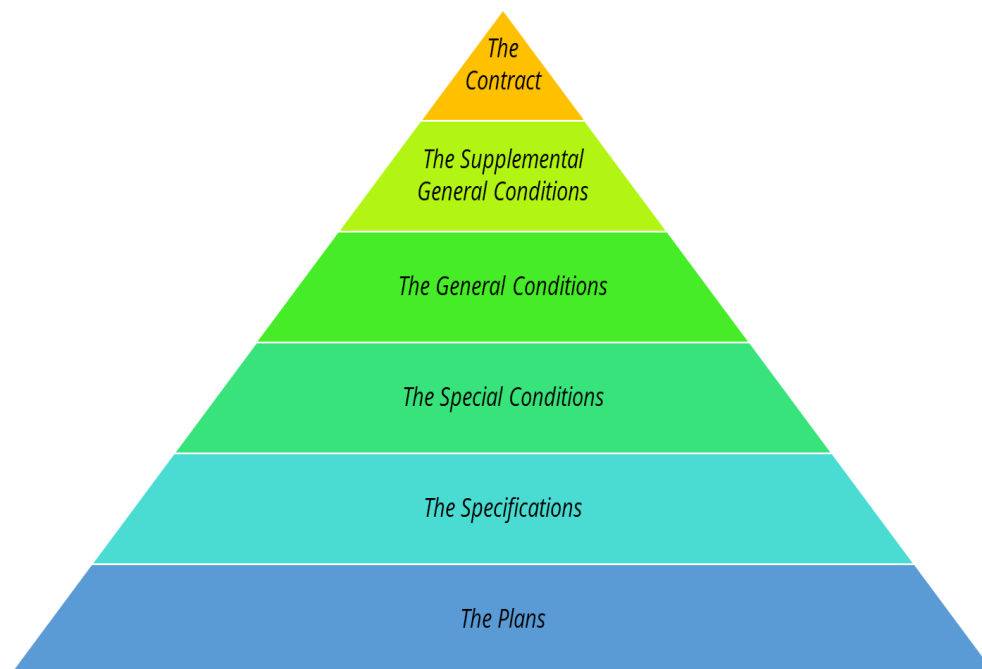
## Order of Precedence for Contract Documents

There is a hierarchy, referred to as Order of Precedence, defined in state construction contracts that creates a distinct sequential arrangement. This Order of Precedence can sometimes be overlooked, misunderstood, or in some cases inappropriately contradicted by directives provided in the design documents. It is critically important for agencies, architect/engineers, and contractors to understand the Order of Precedence for contract documents that is established in state contracts.

The order of precedence for the contract documents is defined in the CO-9, Contract between Owner and Contractor (CO-9DB, CO-9CM and CO-9ESCO all contain identical language).

Section 2e states:

*“Whenever possible, the Contract must be read as a whole with all parts being harmonized so as to avoid conflict. In the event of a conflict between or among the Contract Documents, the precedence of the Contract Documents shall be in the following order:*



From this sequential list, we highlight two points of interest.

- First, the contract “and any documents expressly incorporated therein”, such as the Contractor’s Bid Form and Post-Bid Modifications, take priority over the design documents created by the A/E.
- Second, The Specifications take precedence over The Plans.

This hierarchy is logical as The Specifications, defined as “That part of the Contract Documents containing the written administrative requirements and the technical descriptions of materials, equipment, construction systems, standards, and workmanship for the Work,” are inherently more detailed than The Plans.

The A/E must not attempt to revise this defined Order of Precedence with general notes such as:

"Contact the Architect if you notice a conflict between the plans and specifications, and the Architect will determine which is correct."

For consistency, recent revisions to the CO-3a Terms and Conditions of the A/E Contract provided a clarification to the definition of "Contract Documents" to include the Order of Precedence as follows:

**Contract Documents:** The Contract between Owner and Contractor (CO-9) signed by the Owner and the Contractor and any documents expressly incorporated therein. In the event of a conflict between or among the Contract Documents, the precedence of the Contract Documents shall be in the following order: the Contract; the Supplemental General Conditions; the General Conditions; the Special Conditions; the Specifications; and the Plans.

There is a similar Order of Precedence in Section 45 of the Terms and Conditions of the A/E Contract (CO-3a). This Order of Precedence pertains to the A/E's responsibilities in preparing the Contract Documents and provides a resolution for potential conflicts between the various provisions.

An understanding of the hierarchy and interconnection of the various contract documents by all interested parties is critical for coordinated planning, design, and execution of both capital outlay and non-capital outlay projects. All contractual components have a place of importance and provide a roll no matter where they fall in an order of precedence.



## OAG Review of Bonds

Agencies are required to have Bonds reviewed and approved by the Office of the Attorney General (OAG). The OAG website now has a webpage which provides guidance to client agencies seeking bond reviews. That page is at:

<https://www.oag.state.va.us/our-office/legal-services-for-client-agencies/approval-of-performance-and-payment-bonds>

The email address for submission is [BondApprovalOAG@oag.state.va.us](mailto:BondApprovalOAG@oag.state.va.us).

Submissions should be sent with:

- The fully executed payment and performance bonds;
- The fully executed and completed Affidavit and Acknowledgment of Attorney in Fact that accompanies each bond; and
- The contract to which the bonds relate.



# DEB Notices

Three DEB Notices were issued in the first quarter of 2021:

- [032521](#) Special Procedures for Urethane Flooring Containing Mercury
- [032621](#) Requirement for Payment of Prevailing Wage
- [032921](#) Supplemental General Conditions Requiring Project Labor Agreements

These notices can be found in the [DEB Notices section](#) of the [DEB Website](#).



## DEB Form Updates

Form Name	DGS Form #	Version	Alternate ID #
DEB Forms Master List	<a href="#">DGS-30-000</a>	04-21	(DEB Forms List)
General Conditions of the Construction Contract	<a href="#">DGS-30-054</a>	04-21	CO-7
General Conditions of the Design Build Contract	<a href="#">DGS-30-056</a>	04-21	CO-7DB
General Conditions of the Construction Management Contract	<a href="#">DGS-30-057</a>	04-21	CO-7CM
Standard Performance Bond	<a href="#">DGS-30-084</a>	04-21	CO-10
Standard Labor and Material Payment Bond	<a href="#">DGS-30-088</a>	04-21	CO-10.1
Supplemental General Conditions Requiring Project Labor Agreements	<a href="#">DGS-30-379</a>	04-21	—

