

10 CODE COMPLIANCE – REPAIR OF THE BUILDING

It has been concluded that the Building cannot be repaired. However, if one were to attempt repairs, various elements would have to be brought into compliance with current code. Prior to knowing that the Building was a total loss, a preliminary investigation into building code compliance was performed. These investigations were conducted by real estate attorneys, code consultants, architects and engineers. If the Building were repaired for reoccupation, significant additional costs would be necessary to bring the Building's infrastructure in compliance with current building code. The New York City building code (Administrative Building Code) states that if the costs of alterations in any 12-month period exceed 60% of the Building's replacement cost, then the entire Building would be required to comply with code.

10.1 Changes to the Building Code

The Building was constructed in 1972. Significant updates to comply with current applicable code have occurred since that time. These code upgrades have been identified by Joseph Lombardi Architects [Vol III] in the following areas: seismic code, energy conservation, facilities for people with physical disabilities, MEP (life safety, fire alarm and communication components, compartmentalization and fire protection), and zoning regulations.

10.2 Repairs Required for Code Compliance

Architects and structural and MEP engineers have addressed the modifications required in these areas as follows:

10.2.1 1989 AISC ASD Manual of Steel Construction as Referenced in the 2000 NYC Building Code

Significant modifications are required to the structural frame of the Building due to 1) seismic loads not required by 1970 code, 2) wind loads determined by wind tunnel tests, and 3) stability requirements, all three of which were not required by 1970 code. Cantor Seinuk, structural engineers, have performed an analysis on the current design as well as an analysis on the most economical method for compliance with code. Their preliminary conclusion provides for code compliance through the installation of shear walls around the Building's core. [See Cantor Report Vol III] In addition, Swanke, Hayden, Connell Architects have described the impact of these shear walls on architectural elements throughout the Building. [See SHCA Report Vol III].

10.2.2 Energy Conservation Code

The New York state energy code requires that insulated glass curtain wall be provided in the event that 50% of the curtain wall component is replaced. [See SHCA Excerpts Vol III] The current curtain wall is does not meet these requirements.

10.2.3 Facilities for People With Physical Disabilities

With regard to facilities for people with physical disabilities, a preliminary determination has been made that minimal upgrades are necessary due to the Bank's active and continuous process of performing improvements within the Building. However, a more detailed study of individual restroom facilities and vertical transportation may be required to identify any exceptions to current code.

10.2.4 MEP (Sprinklers, Plumbing, Life Safety, HVAC and Emergency Power)

As discussed above, the Bank's active and continuous process of performing building improvements in infrastructure as well as to tenant spaces result in minimal upgrades required for MEP components. Jaros, Baum and Bolles, MEP Engineers, has performed a preliminary review of the Building components to identify additional areas that require any code compliance.