§ 375. Capital construction planning. 1. Construction standards. On or before July first, nineteen hundred sixty-two, the state university trustees shall cause to be prepared with the assistance of the fund, the dormitory authority, the state department of transportation and the division of the budget, proposed standards for all facilities or classes of facilities to be constructed, acquired, reconstructed, rehabilitated or improved for the state university pursuant to contracts executed on or after a date thirty days subsequent to the effective date of such standards. The proposed standards may, in the discretion of the state university trustees, include, among other things, provisions relating to the quality and type of materials to be used in such facilities, provisions for safety, fire protection, health and sanitation, provisions for the installation of fixtures and equipment in such facilities and construction features deemed by the state university to be desirable for academic use or for habitability. The proposed standards shall be reviewed by the state university trustees and shall be subject to their approval, disapproval or modification on or before August first, nineteen hundred sixty-two and in the form approved, shall be forwarded to the governor for his further approval, disapproval or modification within thirty days thereafter. The proposed standards shall be deemed adopted, with or without modifications as the case may be, upon (i) written approval by the governor or (ii) the expiration of thirty days after receipt of the proposed standards by the governor from the state university trustees, whichever occurs first. The effective date of such standards shall be September first, nineteen hundred sixty-two. Such standards, in the form adopted, shall be filed by the state university with the secretary of state in the manner provided by section one hundred two of the executive law.

Changes in the construction standards so adopted may from time to time be formulated and proposed, reviewed, approved, disapproved or modified, adopted and filed in the same manner as the original standards.

2. Design. The fund shall prepare, or cause to be prepared, within the amounts appropriated therefor or otherwise available, the building plans, the exterior drawings or models displaying the architectural concept of the facility, and the detailed plans and specifications for

all construction, acquisition, reconstruction, rehabilitation and improvement work to be performed at state-operated institutions or statutory or contract colleges under the jurisdiction of the state university. The fund may cause the building plans, drawings, models and detailed plans and specifications for such work to be prepared under the direction of the letting agency in accordance with the terms of any agreement entered into between the fund and such letting agency pursuant to section three hundred seventy-six of this chapter.

The detailed plans and specifications for any such work to be performed pursuant to a contract executed on or after a date thirty days subsequent to the effective date of the construction standards adopted pursuant to subdivision one of this section shall comply with the standards in effect at the time the contract is executed.

Subject to the terms of any agreement entered into between the fund and the letting agency pursuant to section three hundred seventy-six of this chapter, the fund may from time to time modify, or authorize modifications to, such detailed plans and specifications provided (i) that the plans and specifications as so modified shall comply with the construction standards, if any, adopted pursuant to subdivision one of this section and in effect at the time of the modification, and (ii) that such modifications are made after consultation with the state university, and (iii) that in the event a contingency fund is appropriated to the fund to pay the added costs during the then current state fiscal year of all modifications made in the course of construction, acquisition, reconstruction, rehabilitation and improvement of facilities for the state university, no such modification may be made or authorized in such fiscal year without the approval of the director of the budget unless the cost thereof shall be less than five per centum of the total estimated cost of the facility as set forth in the budget bill referred to in subdivision one of section three hundred seventy-six of this chapter, but in no event shall any such modification be made or authorized in such fiscal year if the cost thereof, plus the cost of all modifications theretofore made or authorized during the same state fiscal year, would exceed the amount of the contingency fund appropriated for the purpose of such modifications,

and (iv) that in the event a contingency fund is not appropriated for the purpose of such modifications, no such modification involving an estimated expense of ten thousand dollars or more shall be made or authorized without the prior approval of the director of the budget.

3. Municipal regulations. No county, city, town or village shall have power to modify or change the plans or specifications for facilities to be constructed, acquired, reconstructed, rehabilitated or improved for state university purposes, or the construction, plumbing, heating, lighting or other mechanical branch of work necessary to complete the work in question, nor to require that any person, firm or corporation employed on any such work shall perform such work in any other or different manner than that provided by such plans and specifications, nor to require that any such person, firm or corporation obtain any other or additional authority or permit from such county, city, town or village as a condition of doing such work, nor shall any condition whatever be imposed by any such county, city, town or village in relation to the work being done pursuant to this article, but such work shall be under the sole control of the supervising architect or engineer in accordance with the drawings, plans, specifications and contracts in relation thereto; and the doing of any such work for the fund by any person, firm or corporation in accordance with the terms of such drawings, plans, specifications or contracts shall not subject said person, firm or corporation to any liability or penalty, civil or criminal, other than as may be stated in such contracts or incidental to the proper enforcement thereof.