

## New PW3 Requirements Frequently Asked Questions

Information You Need to Know!

**When must the PW3 be submitted?**

The new revised PW3 is required at the following phases: at Initial Filing, for all changes affecting costs (including Prior to Approval Actions and Post Approval Amendments [PAAs]) and to obtain Sign-off. It will no longer be required at time of permit for any job.

**Will this apply to jobs already in progress?**

Effective August 4<sup>th</sup>, only the new PW3 will be accepted; however, you need not retroactively submit the application for past phases if you have already paid fees and had your application processed. Nevertheless, if the plan examiner finds inaccurate cost details submitted on previous PW3s and raises an objection, a submission of cost using the new PW3 form will be required.

**If I file an amendment, what needs to be included on the PW3?**

For PAAs and Prior to Approval Actions, it is necessary to list on the PW3 any changes that affect the total job cost. Do not include unchanged items from previous submissions.

**Must a new PW3 be submitted if the cost stays the same throughout the job?**

Yes. A new PW3 must be submitted even if the cost at Sign-off is the same as at Initial Filing.

**Who is responsible for the accuracy of the PW3?**

The owner is ultimately responsible for the accuracy of the PW3, as he or she is most knowledgeable of the actual value of work performed under the permit(s) issued. However, design applicants are responsible for informing owners of the costs in order to complete the PW3 and are required to seal and sign the form at Initial Filing and for any Prior to Approval Actions or PAAs.

**What categories of work should be included when filing a PW3?**

The PW3 is only required for work categories where fees are based on construction costs. No other categories aside from those indicated on the PW1 should be included on the PW3. See the "Applications Requiring PW3 Table" document for more details on when the PW3 is required.

**If only the cost is amended on the PW3, does the PW1 need to be updated?**

If construction cost is the only revised information, then only a revised PW3 is required.

**Do I need to submit a PW3 if the property is fee-exempt?**

Yes, a PW3 will still be required, although no fee will be collected.

**If an Alteration Type 1, OT: "No Work" application is filed, must a new PW3 be submitted?**

No, a PW3 need not be submitted.

**If an application is filed to legalize previous work, must a new PW3 be submitted?**

Yes, a PW3 is required. Cost details should provide an estimate of today's value of legalizing previously completed work.

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**If the PW3 required if I answer “No” to “Will PAA affect filing fees?” in Section 4 of the PW1?**

No. The PW3 is not required if the PW1 indicates that the PAA will not affect filing fees.

**What must be included when filing an enlargement?**

Enlargement fees are calculated based on additional square footage and are separate from the alteration fee. When filing an enlargement, the estimated cost on the PW3 should include items for work on existing construction, such as removing or altering walls, while the square footage for the planned enlargement will be calculated separately. The fee for the enlargement will be added to the alteration fee.

**If an Alt-1 enlargement and an Alt-2 boiler application are filed on separate applications, must I pay twice?**

If the Boiler application isn't included in the Alt-1 and the applications are filed separately, then the applications are processed independently. If the Alt-2 boiler is shown on the Alt-1 enlargement, the application would be processed as part of the Alt-1 enlargement and only a minimum permit fee would be required for the Boiler application.

**What if an application is filed in conjunction with an NB?**

If an application is accepted as being filed in conjunction with an NB, **you need not** submit a PW3.

**What if I first file a job in 2007 and Sign-off is not until 2010?**

A PW3 is required when making any changes that affect costs, as well as at Sign-off. When the job is ready for Sign-off, regardless of when it was first filed, the PW3 must be submitted with the actual value of the completed construction.

**If my application is sent through Pre-Filing, why are Plan Examiners raising objections?**

Pre-filers are not always validating construction costs – they assess fees. However, plan examiners will review scope and drawings in relation to construction costs and raise objections when necessary. Applicants may resolve any objections during subsequent plan examination appointments and are welcome to bring supporting documentation.

**Can I see the costs that the Department of Buildings is using?**

The Department is not in the business of setting construction costs; its purpose is to collect fees based on construction costs. The owner, who is most knowledgeable of the actual cost of work performed under the permit(s) issued, and the design applicants are responsible for calculating and reporting the value of the work to the Buildings Department.

**What if my Final Cost is higher than my estimates were and the scope has not changed?**

In these cases, if no part of the Job's scope has changed, please see the respective borough's Service Manager since no formal PAA is required.

**What happens if the actual cost is lower than estimated?**

The Buildings Department will return any overpayments. To obtain a refund, submit a refund form with any supporting documents (contracts, invoices, etc.) to the Borough Manager. If the form is approved by the borough, it is sent to the Central Budget Office for review and refund.

**Why are finishes now included in the PW3?**

As per §28-112.3 of the NYC Administrative Code, cost estimates must include the total value of work (including materials and labor) for which the permit is being issued. The codes include regulations for finishing materials, which must be shown on the plans.