



**PALM BEACH COUNTY
PLANNING ZONING AND BUILDING DEPARTMENT
BUILDING DIVISION
POLICY AND PROCEDURE**

Rebecca D. Caldwell, Director

PPM# PBO-115
Issued: 04/23/12
Effective: 04/23/12

- SUBJECT:** USE OF PRIVATE PROVIDERS FOR PLAN REVIEW AND/OR INSPECTIONS
- AUTHORITY:** Section 553.791 Florida Statutes; Palm Beach County Amendments to the Florida Building Code, as amended
- PURPOSE:** To establish guidelines when a fee owner or fee owner's contractor of proposed buildings elects plan review and/or inspections by private providers as authorized by Florida Statute 553.791.
- POLICY:** It is the fee owner or the fee owner's contractor responsibility to inform the Building Division of their intentions to use a Private Provider. Without acknowledgement by the Building Division, all applications shall be processed as a regular permit application.
- Permits shall be issued within thirty (30) working days of receiving a completed permit application (see definition), if critique comments have not been sent. Plan Review shall be thorough and critique comments shall be supplied to the contractor and the private provider before the 30th working day, after the completed permit application is received. Any critiques created after the permit is issued on the 30th working day, shall also be sent to the Owner, Contractor and Private Provider. No Certificates of Occupancy or Completion shall be issued unless all code violations are resolved
- PROCEDURE:**
1. **PERMIT SUBMISSIONS**
 - A. FS 553.791(1)(h): **“Permit Application”** means a properly completed permit application that includes the following:
 1. The plans reviewed by the Private Provider
 2. The affidavit from the Private Provider
 3. Any applicable fees
 4. Any documents required by the local building official to determine that the fee owner has secured all other government approvals required by law

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B. At time of permit application the fee owner or the fee owner's contractor shall present the documents referenced above; or for their convenience, they may select to use the Building Division's one stop routing process to secure those other government approvals that are required by law, and participate in the one stop process.

C. Whether the fee owner or the fee owner's contractor decides to use the one stop routing or not, they shall present the Florida Building Commission's form "Notice to the Building Official of Use of Private Provider" (Form 009-PBO-115) to the Building Permit Technician (BPT) in the Permit Center. The BPT shall attach a red Private Provider routing slip to the application form.

D. The Building Permit Technician shall then direct the applicant to Inspection Administration. Inspection Administration shall review the applicant's submittal for compliance with FS 553.791; and shall verify that "Notice to the Building Official of Use of Private Provider" (Form 009-PBO-115) has been properly filled out, all qualification statements and resumes are complete, and proof of insurance as outlined in 553.791 (16) has been submitted. If all Private Provider paperwork is correct, Inspection Administration shall sign off on the Private Provider routing sheet to allow submittal and then send the applicant back to the Permit Center.

E. The Building Permit Technician shall assign a PR number to the application. The application shall be appropriately "Permit Typed" for the proposed scope of work, in order to assess the appropriate fees. Plan Review fees must be paid at this time to assure a seamless transition later to a Building Permit Application. Immediately upon assessing the fee, the Permit Technician shall change the permit Type to "0" for the one-stop process applications, and then send the application to the ATIC for routing to all other required agencies, outside of the Building Division Plan Review. The BPT shall send a copy of the application to the Assistant Deputy of Large Projects or the Assistant Deputy of Plan Review depending on the type of permit.

F. After all of the other required agencies have approved the application the BPT shall change the Permit Type from "0" to the appropriate type for the proposed scope of work. This event constitutes the transition of the application to a Building Permit Application. Upon changing the Permit Type the application and plans shall immediately be sent to Plan Review to the attention of the Assistant Deputy of Large Projects or Assistant Deputy of Plan Review, depending on the type of permit.

2. PLAN REVIEW

- A. The building permit shall be issued no more than 30 days after the receipt of a complete permit application per FS 553.791(7)(a), unless written notification of code plan review deficiencies have been provided to the permit applicant.
- B. The assigned Plans Examiner shall verify that the listed Private Provider(s) have supplied the appropriate "Private Provider Plan Compliance Affidavit" (Form 009-PBO-115) for the reviewed plans. The Private Provider may list the licensed plans examiners in the Compliance Affidavit.
- C. The "Private Provider Plan Compliance Affidavit" must adequately identify the project and the plans that the affidavit is being submitted for. In the event that plan review deficiencies were found, any resubmitted pages must be accompanied with updated affidavits from the Private Provider.

3. INSPECTIONS

- A. Per FS 553.791(9), advance notice of all Private Provider inspections shall be provided to Inspection Administration, to the attention of the Assistant Deputy of Inspections or the assigned Secretary. The notice may be sent by FAX or email. The notice to inspect must contain the date and the approximate time and the type of inspection to be performed, and must be received by 2:00 PM on the prior working day.
- B. The Assistant Deputy of Inspections or the Appropriate Trade Chief shall determine if the inspection will be audited, for Code compliance. If the inspection is audited, the Building Division Inspector shall visit the job site after the time specified in the advance inspection notice. If code deficiencies are found, the Building Division Inspector shall leave a correction notice outlining the deficiency, and citing the appropriate code section. Any observed code deficiency must be corrected before a Certificate of Occupancy or Certificate of Completion is issued.
- C. Upon completing a required inspection, the Private Provider shall report to the Building Division the status of the inspection. (Either passed or failed). The report must be signed either by the Private Provider or the authorized representative. The Building Division must receive the inspection report within two business days of the date of inspection. The Private Provider must specifically address any code deficiencies observed by Building Division staff during an audit.

D. Any evidence of a Private Provider or the authorized representative acting outside their area of competency shall be reported to the Assistant Deputy of Inspections, for appropriate action with the Private Provider.

E. Careful job records shall be kept of inspection notifications, Private Provider inspection results, and Building Division Inspector observations. Photos shall be obtained on site by the Building Division Inspector, and delivered to the Assistance Deputy of Inspection and the Chief for review when identified code violations are not being addressed. The Building Official or the Deputy Building Official shall be notified when code deficiencies are not corrected and construction continues.

F. Any evidence of work being covered without proper inspection and code compliance shall be reported to the Assistance Deputy of Inspection and the Chief for a STOP WORK decision. Decision to place a STOP WORK notice shall trigger a request for a prompt meeting with all appropriate parties ie: Owner, Contractor, Designer and Private Provider.

G. Any constructed work observed in noncompliance with the permitted plans, requires a revision to the permitted plans. Revised plans along with the appropriate affidavits from the Private Provider shall be submitted to the Building Division for review and processing by the Building Division and any other required agencies.

H. Upon completion of all required inspections, the Private Provider shall prepare a final affidavit. The affidavit shall summarize the inspections and state that the construction inspected complies with the permitted plans and the Building Code.

I. Upon receiving the Private Provider's final affidavit, Building Division staff shall verify that any observed code deficiencies were resolved. Building Division staff shall verify all other agencies requirements are met and all appropriate fees are paid, prior to issuing a Certificate of Occupancy or Completion or a Temporary Certificate of Occupancy or Completion.

J. After reviewing the Private Provider's reports and final affidavit, and all other job requirements are met, the Certificate of Occupancy or Completion shall be issued. If there is any deficiency discovered that would prevent the Certificate of Occupancy or Completion from being issued, written notice shall be provided to the owner and contractor.

Supersession History:

1. PPM# PBO-115, issued 03/17/03
2. PPM# PBO-115, issued 04/22/03
3. PPM# PBO-115, issued 04/24/03
4. PPM# PBO-115, issued 05/30/08
5. PPM# PBO-115, issued 04/23/12


Director



Notice to Building Official of Use of Private Provider

Project Name: _____

Parcel Tax ID: _____

Services to be provided: Plans Review _____ Inspections _____

Note: If the notice applies to either private plan review or private inspection services the Building Official may require, at his or her discretion, the private provider be used for both services pursuant to Section 553.791(2) Florida Statute.

I _____, the fee owner, affirm I have entered into a contract with the Private Provider indicated below to conduct the services indicated above.

Private Provider Firm: _____

Private Provider: _____

Address: _____

Telephone: _____ Fax: _____

Email Address (Optional): _____

Florida License, Registration or Certificate #: _____

I have elected to use one or more private providers to provide building code plans review and/or inspection services on the building that is the subject of the enclosed permit application, as authorized by s. 553.791, Florida Statutes. I understand that the local building official may not review the plans submitted or perform the required building inspections to determine compliance with the applicable codes, except to the extent specified in said law. Instead, plans review and/or required building inspections will be performed by licensed or certified personnel identified in the application. The law requires minimum insurance requirements for such personnel, but I understand that I may require more insurance to protect my interests. By executing this form, I acknowledge that I have made inquiry regarding the competence of the licensed or certified personnel and the level of their insurance and am satisfied that my interests are adequately protected. I agree to indemnify, defend, and hold harmless the local government, the local building official, and their building code enforcement personnel from any and all claims arising from my use of these licensed or certified personnel to perform building code inspection services with respect to the building that is the subject of the enclosed permit application. I understand the Building Official retains authority to review plans, make required inspections, and enforce the applicable codes within his or her charge pursuant to the standards established by s. 553.791, Florida Statutes. If I make any changes to the listed private providers or the services to be provided by those private providers, I shall, within 1 business day after any change, update this notice to reflect such changes. The building plans review and/or inspection services provided by the private provider is limited to building code compliance and does not include review for fire code, land use, environmental or other codes.

The following attachments are provide as required:

1. Qualification statements and/or resumes of the private provider and all duly authorized representatives.
2. Proof of insurance for professional and comprehensive liability in the amount of \$1 million per occurrence relating to all services performed as a private provider, including tail coverage for a minimum of 5 years subsequent to the performance of building code inspection services.

Individual

(signature)

Print
Name: _____
Address: _____

Telephone
No.: _____

Corporation

Print Corporation Name

By: _____
(signature)

Print
Name: _____
Its: _____
Address: _____

Telephone
No. _____

Partnership

Print Partnership Name

By: _____
(signature)

Print
Name: _____
Its: _____
Address: _____

Telephone
No.: _____

Please use appropriate notary block.

STATE OF _____
COUNTY OF _____

Individual

Before me, this _____ day of _____, 20____, personally appeared _____ who executed the foregoing instrument, and acknowledged before me that same was executed for the purposes therein expressed. personally appeared.

Corporation

Before me, this _____ day of _____, 20____, personally appeared _____ of _____, a _____ corporation, on behalf of the state corporation, who executed the foregoing instrument, and acknowledged before me that same was executed for the purposes therein expressed

Partnership

Before me, this _____ day of _____, 20____, personally appeared _____ partner/agent on behalf of _____ a partnership, who executed the foregoing instrument, and acknowledged before me that same was executed for the purposes therein expressed

Personally known _____; or Produced identification _____ Type of identification produced _____

Signature of Notary

Print Name

Notary Public: NOTARY STAMP BELOW

My commission expires: