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## Memorandum

To: Private Providers, Contractors and Property Owners  
From: Michael DiNorscio, Chief Building Official  
Subject: Private Provider Plan Review or Inspections  
Date: October 1, 2019

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**Subject: Private Provider: Plans Review and Inspections**

**Authority: Florida Statute Section 553.791**

**Purpose:** To establish minimum guidelines and safeguards to protect property owners that choose to hire private providers to conduct plan review and/or inspections of proposed new construction of building'(s) or alteration of existing building'(s) under the procedures set by Florida Statute 553.791.

**Policy:** Upon receiving a complete private provider submittal packet and approved by the Building Official, applications under F.S. Section 553.791 shall be processed as outlined herein. Applicants should know that F.S. Section 553.791 requires that all needed outside agency approvals shall be delivered with the application to the Building Department before the allotted plan review time frame begins. Applicants without all outside approvals should know the plan review time frame for Building will only start after we route the application and get approval of other agencies.

Permits shall be issued within thirty (20) working days of completed application, if critique comments have not been sent. Any open critique comments that do exist shall be addressed in accordance with F.S. 553.791 or no permit shall be issued. All critiques issued after the permit has been approved shall also be sent to the Owner, Designers, and Contractor, since all need an alert that no Certificates of Compliance will be accepted and no Certificate of Completion or Occupancy will be issued unless all apparent code violations or outstanding conditions are resolved.



## Procedure

### 1. *Actions required by Private Provider:*

**A.** Private Provider shall not be a designer or the contractor for the project.

**B.** A \*Certificate of Insurance shall be provided with the complete application packet, fully in accordance with the statute (minimum \$1,000,000 Professional Liability **Minimum**, without deductions).

*\*Definition of Insurance Per F.S. 553.791, “Such insurance shall have minimum policy limits of \$1 million per occurrence and \$2 million in the aggregate for any project with a construction cost of \$5 million or less and \$2 million per occurrence and \$4 million in the aggregate for any project with a construction cost of over \$5 million.” (Which includes plan review).*

***If the private provider chooses to secure claims-made coverage to fulfill this requirement, the private provider must also maintain coverage for a minimum of 5 years subsequent to the performance of building code inspection services.***

**C.** The Notice to Building Official form completed on City of Boca Raton form, bearing the owner’s notarized signature, shall be submitted by the applicant for the application to be deemed complete and acceptable.

**D.** A Plan Compliance Affidavit attesting that all documents and plans submitted comply with the Florida Building Code and all local amendments to the Florida Building Code, if Private Provider is performing Plan Review as well as Inspections.

**E.** The Notice to Building Official application form shall indicate if plan review and/or inspections are desired by Private Provider. As provided in F.S. Section 553.791, the Building Official requires inspections by Private Provider if plan review is selected by the applicant. All other standard application forms, fees and contractor qualifications shall also be required.

**F.** Complete list of inspections on City of Boca Raton forms must be provided for application to be deemed complete.

**G.** Permit shall be issued within our plan review time frame, unless unresolved critique observations indicating code violations have been sent to the applicant.



**H.** Per F.S. Section 553.791(9), **Notice** of all Private Provider inspections shall be provided to Building Division staff at the email addresses listed below as well as, scheduling the inspections on the City's system using C2G or IVR. 2:00PM on the prior working day. Results of Private Provider Inspections shall be provided on forms provided by the City of Boca Raton and posted on the jobsite.

1. Michael DiNorscio, Chief Building Official – [MdiNorscio@myboca.us](mailto:MdiNorscio@myboca.us)
2. Andre Bendavid, Assistant Building Official – [ABendavid@myboca.us](mailto:ABendavid@myboca.us)
3. Neha James, Permitting & Customer Service Manager – [NJames@myboca.us](mailto:NJames@myboca.us)

**I.** A Certificate of Compliance shall be submitted requesting a Certificate of Completion or Certificate of Occupancy, by the Private Provider once project is complete.

**J.** Once a complete Certificate of Compliance/Request for Certificate of Occupancy is submitted along with all completed inspection reports a Certificate of Completion or Occupancy shall be issued, provided no prior identified code violations or appropriate conditions exist and all documentation is in order and acceptable to the Building Official.

## **2. Actions required of Building Division personnel:**

**A.** Review private provider submitted packet to verify all required documentation is complete and insurance certificates verifying all coverage is in full force.

**B.** Review plans to determine proper permitting for records and fees are consistent. Verify that all pages of plans, specifications and documents are stamped by the private provider and shall include the name of the plans examiner and the DBPR license number. Send critique comments promptly to permit applicant and/or designers. Attempt to obtain Revisions and/or Alternates acceptable to the Building Official.

**C.** Notify permit applicant in writing if any building code or FEMA critique comments.

**D.** Any evidence of a Private Provider acting outside their area of competency shall be reported to the Building Official, for action with/against the Private Provider with Florida DBPR.

**E.** After receipt of details on unresolved code issues and review of plans are completed the packet and plans will be routed to the Assistant Building Official to create a Private Provider File for the project.



**F. In accordance with F.S. 553.791(9) The Building Official may visit the building site as often as necessary to verify that the Private Provider is performing all required inspections.** Careful job records shall be kept of inspections requests, Private Provider inspection results, and/or Inspector's observations. If City of Boca Raton inspectors visiting the building site to pick-up the Private Provider inspection report find that jobsite conditions do not reflect what is spelled out in the report, an **"audit"** will be initiated. Photos shall be obtained on site by City of Boca Raton Inspectors, and delivered to the Building Official for review when identified code violations or violations of other city ordinances are observed.

**G.** Any evidence of work being covered without proper inspection or building code violations shall be reported to the Building Official for a **stop work** decision. In accordance with F.S. 553.791(15)(c) the Building Official is authorized to issue a stop-work order for a building project or any portion of the project, as provided by law, if the Building Official determines that a condition on the building site constitutes an immediate threat to public safety and welfare. Decision to place **stop work** shall trigger a request for a prompt on site meeting with all involved notified, i.e., (Owner, Contractor, Designer and Private Provider) ext.

**H.** Private Provider inspection reports may be audited on a random basis on select projects and if Private Provider inspection reports do not match the stage of construction in field an audit will be initiated. Any building code violations approved by the Private Provider, shall be reported in writing to the Building Official, Private Provider, Contractor, Owner and Designer as an alert to possible residual problems at time of request for a Certificate of Completion or Occupancy. File photos shall be obtained to document the existence of building code violations not being corrected during construction, The Building Official in accordance with F.S. 553.791 (9), may visit the building site as often as necessary to verify that the Private Provider is performing all required inspections. An audit may be initiated if it is determined the field conditions or stage of construction do not match the Private Provider inspection reports to ensure compliance with the Florida Building Code.

**I. Any building code violations found will be documented and report to the Florida Department of Business & Professional Regulation in accordance with F.S. 553.791(17).**

**J.** Inspections required by agencies outside the Building Division shall be arranged directly by the Private Providers or the permit holder. Any missing or needed approvals blocking the request for Certificate of Completion or Occupancy, shall be explained to the Private Provider, owner and contractor, along with written documentation provided to all parties.

**K.** Any circumstances which indicate a code violation may exist that would legally block the issuing of a Certificate of Occupancy at completion of construction, shall be reported to the Building Official as soon as conditions indicate that actions to bring code compliance are lacking, for written notification to the owner, contractor and professionals involved.



CITY OF  
**Boca Raton**

BUILDING DEPARTMENT  
200 NW 2<sup>nd</sup> AVENUE • BOCA RATON, FL 33432  
PHONE (561) 393-7930  
(FOR HEARING IMPAIRED) TDD (561) 367-7043  
[www.myboca.us](http://www.myboca.us)

*L. Certificate of Occupancy shall be issued when all conditions and inspections of the permit have been resolved and **No Code Violations** are known to exist. The Building Official shall be promptly involved by Building Division Staff should a request for a Certificate of Occupancy be received and code violations do exist.*