



City of Miami Gardens
Development Services Department
Building Services Division
19805 NW 27th Avenue, 1st Floor
Miami Gardens, FL 33056
(305) 622-8027
www.miamigardens-fl.gov

Policy and Procedure ~ Private Providers ~

REFERENCE: Florida Statute 553.791

The purpose of this policy statement is to establish a clear procedure for administering the permitting and inspection of construction projects that utilize the services of a private provider as stipulated in the Florida Statute.

BACKGROUND:

The Florida Legislature, in response to what it deemed unreasonable delays in the processing of permits and inspections in certain jurisdictions throughout the State, has sanctioned an alternative plan review and inspection process utilizing what is commonly referred to as "Private Providers". The provisions of Florida Statute 553.791 establish the scope of the law, procedural requirements and the local jurisdiction's responsibilities when a private provider is involved in a project.

STATEMENT:

Private providers are independent third party entities and are required to be architects or engineers and use the services of appropriately licensed plan reviewers and inspectors (F.S.468). The intent of the new law is clearly to provide an alternative process to help expedite the permitting and inspection of new development while maintaining the oversight provided by licensed code professionals. The provisions of the law challenge a building department by requiring it to manage two slightly different processes for both plan review and inspections when a private provider is involved. It is very important to recognize an owner's right to choose this method and to slightly modify our standard procedures in order to accommodate this process and assure compliance with all codes and regulations.

PROCEDURE:

Under the law, the City retains the responsibility for issuing both permits and certificates of occupancy for new development. The City also maintains its' responsibility for performing all plan review and inspections for site and zoning codes. In addition to the basic procedure outlined in the Questions & Answers section listed below, the following modifications to our basic plan review and inspection process shall be in effect:

Permit/Plan Review - The Residential and Commercial Development Divisions shall perform plan reviews of all plans submitted within the time frame allowed under the law. All project and permit descriptions shall be designated as "private provider" or similar abbreviation to clearly define it as a project or permit involving a private provider. The permit placard shall also be identified by printing "Private Provider" in large bold letters across the top of the placard. In addition, the cover sheet and/or pages of the plans shall be clearly stamped and labeled as a "Private Provider" project. Finally, a permit shall be created for each project with a description of "Private Provider - Final Inspection Report Required".

Inspection - The Inspection services Division shall perform random audit inspections of each phase of the construction as approved by the Building Official. The private provider will be required to call in each inspection request on the City's Inspection Line (305) 622-8029 or web service as approved by the Building Official. The private provider shall leave written evidence of the results of his inspection on the jobsite for review by the contractor and inspector. The Building Official shall recognize that the project is being inspected by a private provider and shall make every effort to maintain good communication with both the contractor and private provider.

When performing an audit inspection, the Inspector is to make his inspection and record his results in the following manner. If the private provider has already made the inspection prior to the inspector arriving, he is to proceed with the inspection, review the private provider's documentation and record the inspection result with a comment of "Audit". In addition, if the private provider has made the inspection and the work is covered up prior to the inspector arriving as allowed in the law, he is to review the private provider's documentation to insure the inspection was approved and record the inspection result with a comment of "Audit". If the inspector detects any discrepancy in the inspection process or an inspection performed by a private provider, he is to inform the Building Official who shall follow-up with the contractor and private provider.

PLAN REVIEW AND INSPECTION BY PRIVATE PROVIDER

QUESTION AND ANSWER

Question:

What is a private provider?

Answer:

\$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. Nothing in this section limits the ability of a fee owner to require a private provider is a person licensed as an architect under F. S. chapter 481, or an engineer licensed under F.S. chapter 471. A private provider, for the purpose of performing inspections of residential additions and alterations that are 1000 SF or less, is a person who holds a standard certificate under part XII of F.S. chapter 468.

Question:

Am I, as the fee owner, allowed to use this private provider to do alternative plan review and inspections?

Answer:

Yes. You have the option of using a private provider to provide plan review and inspection services.

Question:

Can I use the private provider for either plan review or inspections?

Answer:

Yes. In the City of Miami Gardens, you use a private provider to provide either plan review or inspection services or both.

Question:

What do I have to submit to the City of Miami Gardens?

Answer:

You have to submit the following information on the form approved by the Florida Building Commission:

- Name, firm, address, phone and fax number of the private provider.
- Private provider's license and certification number.
- Qualification statements or resume.
- A private provider may perform building code inspection services on a building project under this section only if the private provider maintains insurance for professional liability covering all services performed as a private provider. 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 additional insurance or higher policy limits. For these purposes, the term "construction cost" means the total cost of building construction as stated in the building permit application. 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. The insurance required under this subsection shall be written only by insurers authorized to do business in this state with a minimum A.M. Best's rating of A. Before providing building code inspection services within a local building official's jurisdiction, a private provider must provide to the local building official a certificate of insurance evidencing that the coverages required under this subsection are in force.

Question:

Will the City of Miami Gardens still do plan review and inspections?

Answer:

Yes. In accordance with the state law, the City must provide for an audit process to audit the performance of plan review and inspection services by private providers operating within the local jurisdiction.

Question:

Will the plan review and inspection fees remain the same?

Answer:

Yes, the fees will remain the same.

Question:

What types of plan review are covered under the required 30-business day turn-around time?

Answer:

Only those plans that fall under the applicable codes of the State of Florida... This means the Florida Building Code, and does not include any applicable local City of Miami Gardens codes or any applicable minimum Miami Dade Fire Department for fire safety codes, WASD, DERM or any other required outside agency.

Question:

So, if I submit for a simultaneous building and site plan review, when does the clock start for the 30- business day turn- around time?

Answer:

No Building permit will be submitted until site plan review is approved. The clock for the 30-business day turn-around time starts after the approval by all of the site review agencies and the fire marshal. This is because the law states that the 30-business day clock starts "after receipt of a permit application", and part of the required "permit application" is "any documents required by the local building official to determine that the fee owner has secured all other government approvals required by law".

Question:

So, if I use a private provider, could it take me longer to go through the plan review process and obtain my permit that if I just used the regular City of Miami Gardens permit process?

Answer:

It could, depending on how long the fire marshal and site review take, since the "clock" does not start until these approval have been given.

Question:

How will the City of Miami Gardens handle inspections by private providers?

Answer:

If a private provider will be making inspections, then the following requirements will be followed:

- The private provider provides notice to Inspectional Services no later than 3:00 p.m. of the prior business day that an inspection will be made.
- Inspectional Services will also make the random audit inspections.
- The private provider records the inspection on a form acceptable to Building Services Division, posts it on the site, and provides a copy to Building Services Division within 2 business days.

Question:

Once a private provider approves an inspection, can the

contractor proceed with the next step in construction, as it relates to the inspection?

Answer:

Yes, in accordance with Florida Statute 553.791.

Question:

How will the certificate of occupancy be handled with a private provider?

Answer:

Upon completion of all required inspections, the private provider will prepare a certificate of occupancy, on a form provided by City of Miami Gardens Development Services Department, summarizing the inspections performed and including a written representation, under oath, that the building construction complies with the approved plans and applicable codes.

Question:

Will the certificate of occupancy be issued upon receipt of the certificate of compliance by the private provider?

Answer:

City of Miami Gardens Development Services Department will issue a certificate of occupancy once it has determined that all of the permits have received a final inspection, all applicable fees have been paid, and any special requirements have received approval by the City of Miami Gardens. If **deficiencies** are noted, the private provider will be notified within 5 business days after the receipt of the request for the certificate of occupancy.

Question:

What happens if the private provider and City of Miami Gardens Development Services Department do not agree?

Answer:

Inspectional Services and the private provider must meet within 5 business days of the notice to try and resolve the dispute. If this is not successful, then the matter will be referred to the Miami Dade County Board of Rules and Appeals for resolution.

**Still have questions?
Call 305-622-
8027**



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**Notice for use of a
Private Provider
in the City of
Miami Gardens**

Section 1

Project Name: _____

Project Address: _____

Section 2

I, _____, the property owner of: _____

acknowledge that a private provider firm is being hired by the **Contractor** to conduct plan review and inspections at my property,

Signature _____

Print Name _____

Phone _____

Address _____

State of _____

County of _____

Before me, on this _____

day of _____

, 21 _____

, personally appeared _____

who _____

executed the forgoing instrument, and acknowledged before me that same was executed for the purposes therein expressed.

Notary Public

Personally known _____

, or produced identification _____

Type of _____

identification produced Notary Signature _____

Print Name _____

Notary Stamp: My commission expires: _____

I will be providing the plan review and inspection for the above project.

Private Provider Firm: _____

Private Provider Name: _____

Address _____

Phone _____ Fax: _____

Email _____

Florida License, Registration or Certificate Number: _____

I have elected to use one or more private providers to provide building code plan review and inspection services on the building that is the subject of the enclosed permit and plan review application, as authorized by s.553.791, Florida Statutes. Plan review and required building inspections will be performed by licensed or certified personnel identified in this application. I understand that the local building official will also review the plans submitted and will perform the required building inspections to determine compliance with the applicable codes. 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 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 and plan review applications.

I understand that the Building Official retains the 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 I business day after any change, update this notice to reflect such changes. The building plans review and 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 provided as required:

1. Qualification statements and/or resumes of the private provider and all duly authorized representatives.
2. Proof of Florida issued 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 _____

Phone _____

Address _____

State of _____

County of _____

Before me, on this _____

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

Notary Public

Personally known _____, or produced identification _____

Type of identification produced _____

Notary Signature _____

Print Name _____

Notary Stamp:

My commission expires: _____

Corporation

Signature _____

Print Name _____

Phone _____

Address _____

State of _____

County of _____

Before me, on this _____

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

Notary Public

Personally known _____, or produced identification _____

Type of identification produced _____

Notary Signature _____

Print Name _____

Notary Stamp:

My commission expires: _____

Partnership

Signature _____

Print Name _____

Phone _____

Address _____

State of _____

County of _____

Before me, on this _____

day of _____

, 20 _____

, personally appeared _____

a partnership, who

executed the forgoing instrument, and acknowledged before me that the same was executed for the purposed therein expressed.

Notary Public

Personally known _____

, or produced identification _____

Type of identification produced _____

Notary Signature _____

Print Name _____

Notary Stamp:

My commission expires: _____

Duly Authorized Representative Employment Affidavit

This affidavit is required pursuant to the
City of Miami Gardens Alternative Plan Review and Inspection Registration Program.

I _____ the Private Provider do hereby affirm that the Duly Authorized Representatives, listed below, are my employees, as required by Florida Statute 553.791 and are entitled to receive unemployment compensation benefits under Chapter 443.

DULY AUTHORIZED REPRESENTATIVES:
(List individually; use a second form if necessary)

Print Name	License Number(s)	Trade Category	Signature

Submit resumes of each Duly Authorized Representative and copies of their licenses. SIGNATURE OF THE PRIVATE PROVIDER _____

PRIVATE PROVIDER FIRM _____

THIS SECTION TO BE COMPLETED BY A NOTARY PUBLIC:

STATE OF _____ COUNTY OF _____

SWORN TO AND SUBSCRIBED BEFORE ME THIS DAY OF _____, 20 _____

NOTARY PUBLIC:

CHECK ONE PERSONALLY KNOWN TO ME _____

 PRODUCED IDENTIFICATION _____

TYPE OF ID PRODUCED _____

SIGN: _____

PRINT: _____



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**Plan Compliance Affidavit
~ Private Provider ~**

Section 1

Private Provider Firm _____

Private Provider Name _____

Address _____

Phone _____ Fax _____

Email _____

Florida License, Registration or Certificate Number: _____

Section 2

I hereby certify that to the best of my knowledge and belief that the plans submitted were reviewed for, and are in compliance with, the Florida Building Code by the following affiant, who is duly authorized to perform plans review pursuant to Section 552.791, Florida Statute and holds the appropriate license or certificate:

Name _____ Plan Sheets _____

Signature of Reviewer: _____

Section 3

Notary Public

Personally Known _____, or produced identification _____ Type of identification produced _____

Notary Signature: _____

Print Name: _____

Notary Stamp Below:

My commission expires _____



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Certificate of Compliance ~Private Provider~

Please check the appropriate box (*CITY APPLICATION IS REQUIRED*):

Request for a Certificate of Completion

Request for a Certificate of Occupancy

Private Provider Firm _____

Address _____

Phone _____

Fax _____

Email _____

Section 1

Final Inspection Summary

Check the box next to each selection to indicate that the inspections listed were completed and approved.

Building

- Foundation inspection: To be made after trenches are excavated and forms erected. It shall, at a minimum, include the following building components:
 - stem-wall
 - monolithic slab-on-grade
 - piling/pile caps
 - footers/grade beams
- Slab inspection: To be made after the reinforcement is in place, all concealed conduit, piping, ducts, and vents are installed and the electrical, plumbing, and mechanical work is complete. Slab shall not be pouted until all required inspections have been made and passed.
 - A foundation survey prepared and certified by a registered surveyor shall be required for all new construction prior to approval of the framing inspection. The survey shall certify placement of the building on the site, illustrate all surrounding setback dimensions and shall be available at the job site for review by the Building Official. In lieu of providing a survey, the contractor may elect to uncover all property line markers and string-up all property lines in preparation for inspection.
 - Flood Elevation: A copy of the certificate of elevation or a survey prepared and certified by a registered architect, engineer or surveyor that establishes the lowest floor shall be available for review at the job site before approval of the framing inspection for all new construction built in an "A" or "V" flood zone.
- Framing inspections: To be made after the roof, all framing, fire blocking, and bracing is in place, all concealing wiring, all pipes, chimneys, ducts and vents are complete and shall at a minimum include the following building components:
 - window/door framing installation
 - vertical cells/columns
 - lintel/tie beams
 - framing/trusses/bracing/connectors
 - draft stopping/fire-blocking
 - curtain wall framing
 - energy insulation
 - accessibility

Section 2

Section 2 (Continued)	<p><u>Building (continued)</u></p> <p><input type="checkbox"/> Tie Beam inspection: To be made after the masonry walls are complete and the reinforcement is in place.</p> <p><input type="checkbox"/> Sheathing inspection: To be made either as part of a dry-in inspection or done separately at the request of the contractor after all roof and wall sheathing and fasteners are complete and shall at a minimum include the following building components:</p> <ul style="list-style-type: none"> - roof sheathing - wall sheathing - sheathing fasteners - roof/wall/dry-in <p><input type="checkbox"/> Roofing inspection: Shall at a minimum include the following building components:</p> <ul style="list-style-type: none"> - dry-in - insulation - roof coverings - flashing <p><input type="checkbox"/> Insulation Inspection: To be made after the framing inspection is approved and the insulation is in place.</p> <p><input type="checkbox"/> Final Inspection: To be made after the building is completed and ready for occupancy. Swimming pool inspections:</p> <ul style="list-style-type: none"> - First inspection to be made after excavation and installation or reinforcing steel, bonding and main drain and prior to placing of concrete. - Final inspection to be made when the swimming pool is complete and all required enclosure requirements are in place. - In order to pass final inspection and receive a certificate of completion, a residential swimming pool must meet the requirements relating to the pool safety features as described in Section 424.2.17, Florida Building Code. <p><input type="checkbox"/> Demolition inspections:</p> <ul style="list-style-type: none"> - First inspection to be made after all utility connections has been disconnected and secured in such a manner that no unsafe or unsanitary conditions shall exist during or after demolition operations. - Final inspection to be made after all demolition work is completed.
Section 3	<p><u>Electrical</u></p> <p><input type="checkbox"/> Underground inspection: To be made after trenches or ditches are excavated, conduit or cable installed, and before any backfill is put in place</p> <p><input type="checkbox"/> Rough-in inspection: To be made after the roof, framing, fire-blocking and bracing is in place prior to the installation of wall or ceiling membranes.</p> <p><input type="checkbox"/> Final inspection: To be made after the building is complete, all required electrical fixtures are in place and properly, connected or protected, and the structure is ready for occupancy.</p>
Section 4	<p><u>Plumbing</u></p> <p><input type="checkbox"/> Underground inspections: To be made after trenches or ditches are excavated, piping installed, and before any backfill is put in place.</p> <p><input type="checkbox"/> Rough-in inspection to be made after the roof, framing, fire-blocking and bracing is in place and all soil, waste and vent piping is complete, and prior to the installation of wall or ceiling membranes.</p> <p><input type="checkbox"/> Final inspection: To be made after the building is complete, all required plumbing fixtures are in place and properly connected or protected, and the structure is ready for occupancy.</p>

Section 5	<p><u>Mechanical</u></p> <p><input type="checkbox"/> Underground inspections: To be after trenches or ditches are excavated, underground duct and fuel piping, and before any backfill is put in place.</p> <p><input type="checkbox"/> Rough-in inspection: To be made after the roof, framing, fire-blocking and bracing is in place and ducting and other concealed components, and prior to the installation of wall or ceiling membranes.</p> <p><input type="checkbox"/> Final inspection: To be made after the building is complete, the mechanical system is in place and properly connected, and the structure is ready for occupancy.</p>
Section 6	<p><u>Gas</u></p> <p><input type="checkbox"/> Rough piping inspection: To be made after all new piping authorized by the permit has been installed, and before any such piping has been covered or concealed or any fixtures or gas appliances have been connected.</p> <p><input type="checkbox"/> Final piping inspection: To be made after all piping authorized by the permit has been installed and after all portions which are to be concealed by plastering or otherwise have been so concealed, and before any fixtures or gas appliances have been connected. This inspection shall include a pressure test.</p> <p><input type="checkbox"/> Final inspections: To be made on all new gas work authorized by the permit and such portions of existing systems as may be affected by new work or any changes, to insure compliance with the requirements of this code and to assure that the installation and construction of the gas system is in accordance with reviewed plans.</p>

Inspection Reports

Rough piping inspection: To be made after all new piping authorized by the permit has been installed, and before any such piping has been covered or concealed or any fixtures or gas appliances have been connected.

I hereby certify that to the best of my knowledge and belief that all of the required reports are attached to this request, and that all of the inspections listed above were completed by the private provider; and that all of the inspections, and construction work are in compliance with the approved plans and with the Florida Building Code and all local amendments to the Florida Building Code by the following affiant, who is duly authorized to perform inspections pursuant to Section 553.791, Florida Statue and holds the appropriate license or certificate:

Name License/Certificate _____

No. _____

Signature of Private Provider _____

Notary Public

State of _____

County of _____

Before me, on this ____ day of _____, 20____, Who executed the foregoing instrument, and acknowledged before me that same was executed for the purpose therein expressed.

Notary _____ Signature _____

_____ Print Name

_____ Notary Stamp:

My commission expires: _____