



PRIVATE PROVIDER PERMIT APPLICATION CHECKLIST **(FBC 8th Edition 2023)**

Florida law allows owners to use private providers for plan review *and* inspection services. Owners who use private providers may receive fee reductions as applicable (see below for details). Fee reductions for plan review can only be provided if the Notice to Building Official form is submitted with the permit application. If private provider services are used for inspections only, the Notice to Building Official must be submitted to the Town before the first scheduled inspection for the main permit, pursuant to F.S.S. 553.791.

Collect your Required Information

- Services to be performed by the private provider
- The name, firm, address, telephone number, and e-mail address of each private provider who is performing or will perform such services.
- Florida license, registration, or certificate number
- Qualification statements and/or resume for the private provider and all duly authorized representatives
- A copy of the private provider's license
- Private provider's proof of insurance

Notice to Building Official of Use of Private Provider

- Submit the completed Town of Indian River Shores (TOIRS) Notice to Building Official of Use of Private Provider. *The Required Information and Notice to Building Official of Use of Private Provider is required for permit processing.*

Private Provider Plan Compliance Affidavit

- Submit Private Provider Plan Compliance Affidavit if the private provider is completing plan review.

Duly Authorized Agents Affidavit

- Submit the completed Town of Indian River Shores (TOIRS) Duly Authorized Agents Affidavit for use of private provider authorized agent(s) for plan review and/or inspections.

Per F.S. Section 553.791(9) A private provider performing required inspections under this section shall provide notice to the local building official of the approximate date and time of any such inspection. The local building official may not prohibit the private provider from

performing any inspection outside the local building official's normal operating hours, including after hours, weekends, or holidays.

Per F.S. Section 553.791(12), Results of Private Provider Inspections shall be provided to the TOIRS within 2 business days and posted on the jobsite. A Certificate of Compliance shall be submitted requesting a Certificate of Completion or Certificate of Occupancy, from the Private Provider once the project is complete.

Form # 61G20-2.005-2002-01
Notice to Building Official of
Use of Private Provider
Effective January 1, 2025
61G20-2.005, F.A.C.

Project Name: _____

Parcel Tax ID: _____

Services to be provided:

☐ Plans Review

☐ Inspections

Note: If the fee owner elects to use or authorizes the use of a private provider to provide plans review, the local building official may, at his or her discretion and subject to duly adopted local policy, require that a private provider be used to perform inspections as well, pursuant to section 553.791(2)(a), Florida Statutes.

I _____, the

☐ fee owner / ☐ fee owner's contractor, have entered into a contract with the Private Provider indicated below to conduct the services indicated above.

Private Provider Firm: _____

Private Provider: _____

Address: _____

Telephone: _____

Email Address: _____

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 or structure 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 or structure 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, or within 2 business days before the next scheduled inspection, 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 prevention, firesafety, 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. A certificate of insurance as required by section 553.791(18), Florida Statutes.

Individual

Print name

Address (line 1)

Address (line 2)

Telephone Number

Email Address

Signature

Date

Corporation

Print name

Representative name

Address (line 1)

Address (line 2)

Telephone Number

Email Address

Signature

Date

**Town of Indian River Shores
Private Provider
Plan Compliance Affidavit**

Private Provider Firm: _____

Private Provider: _____

Address: _____

Phone: _____ Fax: _____

Email: _____

I hereby certify that to the best of my knowledge and belief the plans submitted were reviewed for and are in compliance with the Florida Building Code and all local amendments to the Florida Building Code by the following affiant, who is duly authorized to perform plans review pursuant to Section 553.791, Florida Statute and holds the appropriate license or certificate:

Name: _____ Plan Sheets: _____

Florida License/Registration/Certification #(s) and description:

Signature of Reviewer: _____

SWORN AND SUBSCRIBED before me by _____
being personally known to me _____ or having produced as identification _____
_____ and who being fully sworn and cautioned, state
that the foregoing is true and correct to the best of his/her knowledge or belief.

Signature of Notary

Print Name

Notary Public: NOTARY STAMP BELOW

My commission expires:

TOWN OF INDIAN RIVER SHORES
EMPLOYMENT AFFIDAVIT FORM

For Private Provider Duly Authorized Representatives (DAR) F S 553.791(4)

Florida Statute 553.791(8) requires that all Duly Authorized Representatives are employees of the Private Provider who are entitled to receive unemployment benefits under Chapter 443 of the Florida Statutes.

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

DULY AUTHORIZED REPRESENTATIVES:

If more space is needed to list all DAR, have another separate EMPLOYMENT AFFIDAVIT FORM signed and sealed, to list them.

Print name

Florida License no(s):

Discipline:

Signature:

Submit resumes of each Duly Authorized Representative and copies of their licenses.

Private Provider Qualifier Name: _____

Florida License No.: _____

SWORN AND SUBSCRIBED before me by _____

Seal/Signature/Date

being personally known to me _____ or having produced as identification _____, and who being fully sworn and cautioned, states that the foregoing is true and correct to the best of his/her knowledge and belief.

Signature of Notary

Print Name

Date

Notary Public Stamp:

My Commission Expires: _____



PRIVATE PROVIDER AUDITING

PURPOSE:

A fee owner of a building or their contractor may elect to use a Private Provider to provide alternative plans review and/or inspections in place of the City of Sebastian building department for the purpose of enforcing the Florida Building Code. Building permits must be obtained from the City of Sebastian as required under the Florida Building Code and all applicable Florida Building Codes need to be adhered to and enforced. The purpose of an audit is to confirm that the building code plans review, and inspection services have been properly performed, and all required documentation have been properly recorded. Should a fee owner or fee owner's contractor use a private provider for plans review services, the same private provider must also perform the required inspections associated with that project.

NOTE: According to Florida Statute 553.791(1)(b), the following actions do not constitute an audit and shall not be limited: investigation of complaints reported to the building official and site visits to ensure private providers are performing required inspections.

SCOPE:

The auditing of plans, review and/or inspections performed by a private provider is to ensure building code compliance and shall be performed as needed. The audit of a private provider or private provider firm shall take place up to a maximum of four times a year unless a condition of a building is discovered that constitutes an immediate threat to public safety and welfare as defined in Florida Statute 553.791.

FOCUS OF AUDIT:

An Audit, as it relates to Private Providers under Florida Statute 553.791, is a formal review process conducted by a local building enforcement agency. The audit focuses on evaluating the quality and accuracy of the services provided by a Private Provider, including:

- Reviewing the Private Provider's completed plan reviews and inspections.
- Ensuring that the required affidavits and documentation have been submitted properly.

- Verifying compliance with the Florida Building Code through a review of records and documentation.
- Observe the actual conditions of the construction work.
- Verify that construction activities align with approved plans, permits, and building codes.
- Identify any immediate safety issues or potential code violations in real-time.

AUDIT PROCEDURE:

1. An audit may be performed, as needed, during construction and construction work on the structure may continue, without delay, while the inspection audit is completed.
2. Once a project has been identified as requiring an inspections audit, staff will notify the permit holder.
3. Staff will contact the permit holder and/or their representative to coordinate the required access to the job site.
4. Once on site, staff will begin the audit process.
5. The permit holder and private provider will be notified as soon as practical regarding the audit findings via a completed Audit Report that is uploaded to the record with associated comments added to the inspection summary.
6. If no issues are identified, then the audit process is completed.
7. If discrepancies, omissions, or code violations are identified during the audit, then the parties involved will be notified of the compliance issues requiring correction, along with the associated code references. Any required code compliance corrections and inspections will be the responsibility of the private provider and the permit holder.
8. The private provider shall provide a copy of all subsequent inspection reports. Additionally, if the Certificate of Completion were previously generated by the private provider, it would be nullified, and a valid Certificate of Completion must be provided upon completion of any additional inspections. *(See Below Audit Results and Reporting)*
9. Either the private provider or the permit holder will notify staff once any required corrections have been made. Staff will then confirm the corrections for compliance, repeating steps 4 through 6 as outlined above.

RECORD KEEPING:

Audits performed of private providers on construction projects shall be documented on an Audit Log developed by the Town of Indian River Shores. In the event of a failed inspection and/or plans review audit, a notice with detailed findings will be provided to the contractor and the private provider as soon as possible. Summaries of audit results from the previous two quarters should be available on the local building authority's website for transparency (compliance with FOIA/Public Records Requests). Audit records must be kept pursuant to Florida's record retention laws.

AUDIT RESULTS AND REPORTING:

In the event of a failed inspection and/or plans review audit, a notice with detailed findings will be provided to the contractor and the private provider as soon as possible. Indian River Shores building department staff will make every effort to assist in the resolution of the deficiencies with the private provider and the contractor. A stop work order may be issued by the Building Official or their representative should the nature of the deficiency constitute *an immediate threat to public safety and welfare*. If deficiencies are found, the Private Provider must submit a corrective action plan detailing resolution. Upon receipt of a corrective action plan, a follow-up audit or site visit may be scheduled to ensure compliance.

Dispute Resolution: If a Private Provider disputes the findings of an audit, they may request a review by the local designated building official. The designated building official must respond within 15 business days. Further disputes can be escalated to administrative or legal channels (e.g., DBPR, FBPE). 8. Compliance with Florida Statute: All audits must adhere to the requirements of Florida Statute 553.791.