

**Florida Board of Professional Engineers  
Structural Rules Committee Minutes  
March 13, 2017  
3:30pm FBPE Office via conference call  
Tallahassee, Florida**

1. Call to Order, Roll Call, Determination of Quorum and Address Absences

Mr. Fleming called the meeting to order. Ms. Sammons called the roll.

**Board Members Present:**

Kevin Fleming, P.E., Committee Chair  
Anthony Fiorillo, P.E., S.I.  
John Pepper, P.E., S.I.  
Babu Varghese, P.E., S.I.

**Attorney General's Office:**

Lawrence Harris, Assistant Attorney General, Counsel to the Board

**Staff Members Present:**

Rebecca Sammons, Assistant Executive Director

**Public Advisors:**

Doug Barkley, P.E., FES  
Andrew Lovenstein, PE, FSEA  
Jim Schock, P.E.



2. Introduction of Guests and Announcements

William Bracken, P.E., S.I.  
Tom Grogan, P.E.

3. Minutes and Actions from previous meeting

Upon motion by Mr. Fiorillo, seconded by Mr. Pepper to accept the February 1<sup>st</sup> minutes of the Structural Rules Committee Meeting as presented, motion passed.

Mr. Varghese asked about requirements of 61G15-35.003(1)(b) and (c) and the fact that we are not requiring the experience the same way. Discussion followed on gaining experience for 61G15-35.003 (1)(b) and (c).

4. Revisions to Rule 61G15-35.003 (removal of Temporary certification) and SI Application

The committee discussed possible changes to the rule.

Mr. Fleming asked Mr. Harris the status of the changes that the committee made in February. Mr. Harris stated that the changes have been published and are in process. Mr. Harris stated that if the committee and the board wants to publish a notice of change and amend the rule then that will take an additional 30 days or more before the rule becomes final. Discussion followed.

Upon motion by Mr. Varghese, seconded by Fiorillo, to accept the proposed changes to 61G15-35.003 as follows:

**61G15-35.003 Qualification Program for Special Inspectors of Threshold Buildings.**

(1) The minimum qualifying criteria for Special Inspectors of Threshold Buildings, also referred to as Threshold Inspectors, established by the Board shall be as follows:

(a) Proof of current licensure in good standing as a licensed professional engineer in the State of Florida whose principal practice is structural engineering or whose principal practice is in performing structural field inspections on Threshold Buildings.

(b) Licensed professional engineers whose principal practice is structural engineering shall also have three (3) years of experience in performing structural field inspections on threshold buildings and two (2) years of experience in the structural design of threshold buildings. ~~after having achieved licensure as a professional engineer.~~ For the purpose of these criteria, structural design shall mean the design of all structural components of the building and shall not be limited to specific structural components only, such as foundations, prestressed or post-tensioned concrete, etc.

(c) Licensed professional engineers whose principal practice is structural field inspections shall have five (5) years of experience in performing structural field inspections on Threshold Buildings and possess each of the certifications identified in paragraph 61G15-35.004(2)(f), F.A.C. at the time of application.

(2) Applications.

(a) The instructions and application form for Special Inspector, Form FBPE/~~TBI~~/006 (02/17) is hereby incorporated by reference, "Application for Special Inspector Certification." Copies of Form FBPE/~~TBI~~/006 may be obtained from the Board office or by downloading it from the internet website [www.fbpe.org/licensure/application-process](http://www.fbpe.org/licensure/application-process) or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-06472>.

(b) All applications for certification as a Special Inspector shall be submitted to the Board on Form FBPE/~~TBI~~/006.

(c) Applications shall contain the following basic information pertaining to the applicant:

1. Name;
2. Florida license number;
3. A list of projects submitted for experience credit. For each project identified, the following shall be clearly listed:
  - a. The beginning and ending experience dates;
  - b. The time spent on design or inspection work, expressed as a percentage of the applicant's

total work time; and

c. a description of work performed sufficient to clearly demonstrate that the minimum qualification criteria has been met;

4. Letters of recommendation from three registered professional engineers whose principal practice is structural engineering in the State of Florida, one of whom must be certified as a Special Inspector;

5. The signature, date and seal by the applicant attesting to the competency of the applicant to perform structural inspections on threshold buildings; and

6. Completed form FBPE/TBI/006.

(d) Upon a determination that the application contains all of the information requested by these rules, review of the application shall be scheduled for consideration by the Board. Such applications may be approved, rejected or deferred for further information by the Board. If the Board defers an application for additional information, it shall notify the applicant of the information needed. Applicants shall be notified in writing of the Board's actions as soon as practicable and, in the case of rejected applications, the Board shall set forth the reasons for such rejection.

~~(3) Temporary Certification. Professional engineers who have been granted temporary licensure in Florida pursuant to the provisions of Section 471.021, F.S., shall also be granted temporary certification as a Special Inspector provided the criteria set forth in these rules have been met. Such temporary certification shall be limited to work on one specific project in this state for a period not to exceed one year.~~

(4) Roster of Special Inspectors. The Board shall maintain a roster of all persons certified as Special Inspectors pursuant to the criteria established in these rules and the law. The roster shall be made available to interested parties upon request. The roster shall be updated on a continuing basis and additions or deletions to the latest published roster may be verified by contacting the Board office.

*Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.015(7), 471.033, 553.79(5)(a), FS. History—New 4-19-01, Amended 7-7-02, 4-5-04, 11-29-04, 2-4-13, 2-28-16, 6-6-16,\_\_\_\_\_.*

The motion passed.

Mr. Fleming talked about the SI application tabulation form and status of creating such a form. Discussion followed on this item. Further discussion of the tabulation form will take place at a subsequent meeting.

#### 5. Review of Rule 61G15-35.004

Mr. Fleming went over the proposed changes to 61G15-35.004 by Mr. Varghese. Discussion followed.

Upon motion by Mr. Fiorillo, seconded by Mr. Varghese, to recommend the following changes to Rule 61G15-35.004:

**61G15-35.004 Common Requirements to All Engineers Providing Threshold Building Inspection**

### Services as Special Inspectors.

(1) For each Threshold Building, a notice shall be filed for public record, bearing the name, address, signature, date and seal of the Special Inspector, certifying that the Special Inspector is competent to provide the engineering services for the specific type of structure.

(2) Special Inspectors utilizing Authorized Representatives shall ensure the Authorized Representative is qualified by education, licensure, or training to perform the duties assigned by the Special Inspector. Effective July 1, 2016, those qualifications shall include:

- (a) Licensure as a professional engineer or architect; or
- (b) Graduation from a four-year engineering education program in civil, structural or architectural engineering; or
- (c) Possession of a professional Architecture degree; or
- (d) Registration as a building inspector or general contractor; or
- (e) Four years of Threshold Building inspection training on non-Threshold Buildings performed under the supervision of a Special Inspector who was in responsible charge of the trainee's work; or
- (f) Possess current certifications in the following area(s) at the time of submission of the Threshold Building Affidavit;

1. If inspecting ~~Prior to inspection of~~ concrete components, certification from the American Concrete Institute (ACI) in concrete construction special inspection pursuant to the qualifications of such certification established by ACI on January 1, 2013;

2. If inspecting ~~Prior to inspection of~~ masonry components, certification from the International Code Council (ICC) in structural masonry special inspection pursuant to the qualifications for such certification established by ICC on January 1, 2013;

3. If inspecting ~~Prior to inspection of~~ post-tensioned components, certification from the Post-Tensioning Institute (PTI) in post-tensioning inspection pursuant to the qualifications for such certification established by PTI on January 1, 2013;

4. If inspecting ~~Prior to inspection of~~ structural steel components, certification from the International Code Council or American Institute of Steel Construction (AISC) in structural steel special inspection pursuant to the qualifications for such certification established by ICC on January 1, 2013 or AISC on January 1, 2013;

5. If inspecting ~~Prior to inspection of~~ soil related components, certification from the International Code Council in basic soil special inspection pursuant to the qualifications for such certification established by ICC on January 1, 2013.

(3) Special Inspectors shall be in responsible charge of the work of the Authorized Representative, including reviewing reports and spot checks.

(4) Special Inspectors shall institute quality assurance procedures to include but not be limited to requiring unscheduled visits, utilization or relevant check lists, use of a Daily Inspection Report and insuring that the Special Inspector or the Authorized Representative is at the project whenever so required by the inspection plan.

*Rulemaking Authority 471.008 FS. Law Implemented 471.015(7) FS. History—New 3-21-01, Amended 4-5-04, 5-6-09, 2-4-13, 12-23-15.*

The motion passed.

Upon motion by Mr. Pepper, seconded by Mr. Fiorillo, to reject the adding engineering intern as a qualification to Rule 61G15-35.004(2)(d). The motion passed. Mr. Varghese opposed.

Upon motion by Mr. Pepper, seconded by Mr. Fiorillo, to leave the language as is in 61G15-35.004(2)(e): Four years of Threshold Building inspection training on non-Threshold Buildings performed under the supervision of a Special Inspector who was in responsible charge of the

trainee's work. The motion failed. Mr. Fiorillo and Mr. Varghese opposed. No follow motion was made.

6. New Business

Mr. Fleming talked about the email from Mr. Schock regarding the legislative history of the requirement for threshold inspections, and Mr. Schock talked about the research that was done by the Executive Director of the Florida Building Commission. Discussion followed. Mr. Pepper asked Mr. Schock if he could provide the actual legal research done on the legislative history of threshold inspections for the committees review and possibly the board's review.

Mr. Bracken talked about an email he received from Mr. Shawn Anderson regarding local building departments requiring threshold inspections be done by SIs or licensed building inspectors, and not accepting inspections done by qualified representatives. Mr. Bracken stated that this was provided for informational purposes. Discussion followed on this email with no action taken.

7. Comment and Concerns

8. Set Next Meeting Date – the date of the next meeting date was not set.

9. Adjourn

