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## ***Chapter 3 – Other Stakeholders’ Duties***

Everyone involved in the special inspection process has a responsibility to perform their agreed upon duties correctly and in a timely fashion during the project. In order for the special inspection program to run smoothly, all parties must perform their duties as required and must work cooperatively. Communication between all parties is an essential element to the special inspection process.

Alone, a statement of special inspections does not ensure consensus regarding the scope of work and duties of the special inspector. A signed Special Inspection Agreement form verifies that consensus has been reached on the specific processes and frequency of special inspection tasks. An example of the form is available in Appendix B, Section B.4.1.

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### ***Duties and Responsibilities of the Project Owner***

Building owners understand that they have a role to play in the construction administration and quality assurance practiced for the project. By hiring experienced, qualified design professionals, construction contractors, and special inspection agencies, the owner affects construction.

The project owner, the design professional in responsible charge, or an agent of the owner is responsible for funding special inspection services.

The project owner supplies funds, approves the design, and employs all who work on a project. Ultimately, their vision drives the project. The owner or an agent of the owner hires the special inspector. When choosing special inspectors or special inspection agencies, the owner or designate should consider:

- Project size and complexity — experience with similar projects.
- Inspection staffing — sufficient qualified inspectors.
- Site location — proximity of inspection and testing facilities.
- Off-site inspection — capabilities for inspection at remote locations.

## ***Duties and Responsibilities of the Registered Design Professional in Responsible Charge***

The registered design professional (RDP) in responsible charge, an engineer or architect, prepares the statement of special inspections, which is submitted with the permit application. Requirements for the statement of special inspections are located in IBC Sections 1704.2.3 and 1704.3. Section 1704.2.3 specifies the statement as part of the construction documents required to obtain a building permit.

**1704.2.3 Statement of special inspections.** The applicant shall submit a statement of special inspections in accordance with Section 107.1 as a condition for permit issuance. This statement shall be in accordance with Section 1704.3.

**Exception:** A statement of special inspections is not required for portions of structures designed and constructed in accordance with the cold-formed steel light-frame construction provisions of Section 2211.7 or the conventional light-frame construction provisions of Section 2308.

Section 1704.3 describes when the statement of special inspections is required to be completed and contains an exception allowing certain statements to be prepared by someone other than a registered design professional (engineer or architect).

**1704.3 Statement of special inspections.** Where special inspection or testing is required by Section 1705, the registered design professional in responsible charge shall prepare a statement of special inspections in accordance with Section 1704.3.1 for submittal by the applicant in accordance with Section 1704.2.3.

**Exception:** The statement of special inspections is permitted to be prepared by a qualified person approved by the building official for construction not designed by a registered design professional.

The statement of special inspections is to be submitted with the construction documents. Section 107.1 details the documents required for submittal.

**107.1 General.** Submittal documents consisting of construction documents, statement of special inspections, geotechnical report and other data shall be submitted in two or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

The registered design professional in responsible charge also responds to reports of uncorrected discrepancies from the special inspector and approves remedial measures. The RDP submits to the building official and the special inspector written approval of any verbally approved deviations from the approved plans. The revised plans are also submitted for building official approval in accordance with Section 107.4.

**107.4 Amended construction documents.** Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.

The RDP is ultimately responsible for the special inspection program and has the following duties and responsibilities:

- Identifies special inspection requirements.
- Develops the special inspection program and prepares the statement of special inspections.
- Takes part in the submittal of documents.
- Conducts a preconstruction meeting.
- Outlines the duties of the special inspector.
- Makes periodic site visits as part of the structural observation program.
- Specifies tests and testing procedures.
- Reviews special inspection reports.
- Documents plan revisions to be submitted to the building official.
- Designates an “alternative” registered design professional.

The RDP is also a signatory of the Special Inspections Agreement and of any subsequent agreements affecting the work of special inspection on the project.

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### ***Duties and Responsibilities of the Contractor***

Each contractor responsible for construction of the wind- or seismic-force-resisting systems and components listed in the statement of special inspections is required to submit a written statement of responsibility to the building official and the owner prior to any work on the system or component. IBC Section 1704.4 defines the duties and responsibilities of the contractor.

**1704.4 Contractor responsibility.** Each contractor responsible for the construction of a main wind- or seismic force-resisting system, designated seismic system or a wind- or seismic-resisting component listed in the statement of special inspections shall submit a written statement of responsibility to the building official and the owner prior to the commencement of work on the system or component. The contractor’s statement of responsibility shall contain acknowledgement of awareness of the special requirements contained in the statement of special inspection.

The contractor is responsible for coordinating with special inspectors, building officials and the registered design professional. Although the code does not require a preconstruction meeting, for projects with a statement of special inspections the meeting is commonly sched-

uled to review the unique aspects of the project and verify attendees understanding of the project requirements. Typically, the contractor schedules and the registered design professional in responsible charge conducts the meeting. Some jurisdictions require a preconstruction meeting if a project requires special inspections.

Lastly, the contractor coordinates the on-site special inspection activities.

## CONTRACTOR STATEMENT OF RESPONSIBILITY

Project: \_\_\_\_\_ Permit #: \_\_\_\_\_

Project Address: \_\_\_\_\_ Contractor: \_\_\_\_\_

\_\_\_\_\_

Description of system or component included in Statement of Special Inspection:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Procedure for exercising control:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Supervisor of quality control:

Name \_\_\_\_\_ Job Title \_\_\_\_\_

Qualifications \_\_\_\_\_

\_\_\_\_\_

Reporting Method: \_\_\_\_\_ Frequency of reporting: \_\_\_\_\_

Report Distribution List:

_____	_____
_____	_____
_____	_____

I hereby acknowledge that I have received and read Statement of Special Inspection, and understand my responsibilities in maintaining control of construction of those systems and elements listed in the statement. I acknowledge that control will be exercised to obtain conformance with the approved construction documents.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Printed Name \_\_\_\_\_ Position \_\_\_\_\_

**Figure 3.1: Contrator Statement of Responsibility Form**

The contractor's Statement of Responsibility contains the following:

1. Acknowledgement of awareness of the special requirements pertaining to construction of a main wind- or seismic-force-resisting system, designated seismic system or a wind- or seismic-resisting component contained in the statement of special inspections.
2. Acknowledgement that control will be exercised to obtain conformance with the construction documents approved by the building official.
3. Procedures for exercising control within the contractor's organization.
4. Method and frequency of reporting, distribution of the reports.
5. Identification and qualifications of the person(s) exercising such control and their position(s) in the organization.

In addition to the responsibilities mentioned by code, the contractor should:

1. Give adequate notice to the special inspector so the inspector is prepared to perform specific inspection tasks or tests.
2. Provide the special inspector with access to approved plans, including all changes and RFI's, pertaining to the inspections to be performed, on the job site.
3. Retain at the job site all discrepancy reports submitted by the special inspector and provide these records for review by the building department's inspector upon request.
4. Provide access for the special inspector on the job site for inspection.

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### ***Duties and Responsibilities of the Building Official***

The building official has the legal authority to enforce the special inspection provisions of the code. The employment of a special inspector or agency shall not relieve the building department of responsibility for jurisdictional inspections or overseeing structural observations as required by the code and stated in the statement of special inspections. Building department inspections of items also requiring special inspection should not be signed off without the concurrence of the special inspector. The building official gives or denies the final approval of the special inspection program.

**104.4 Inspections.** The building official shall make all of the required inspections, or the building official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The building official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

The specific duties and responsibilities of the building official relating to special inspection include the following:

- Review of submittal documents for compliance with special inspection requirements. The building official is charged with the legal authority to review the plans and specifications pertaining to work and materials.
- Checking special inspection programs and other submittal documents for compliance with code requirements.

**107.3 Examination of documents.** The building official shall examine or cause to be examined the accompanying submittal documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

- Approval of materials in accordance with Sections 104.9 and 104.11.

**104.9 Approved materials and equipment.** Materials, equipment and devices approved by the building official shall be constructed and installed in accordance with such approval.

**104.11 Alternative materials, design and methods of construction and equipment.** The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

- Approval of fabricator(s) used for building components installed on-site (Section 1704.2.5.2).

**1704.2.5.2 Fabricator approval.** Special inspections required by Section 1705 are not required where the work is done on the premises of a fabricator registered and approved to perform such work without special inspection. Approval shall be based upon review of the fabricator's written procedural and quality control manuals and periodic auditing of fabrication practices by an approved special inspection agency. At completion of fabrication, the approved fabricator shall submit a certificate of compliance to the building official stating that the work was performed in accordance with the approved construction documents.

- Approval of the special inspection program. The building official is responsible for approving the special inspection program, in the form of a statement of special inspections included in the construction documents, submitted by the RDP in responsible charge. (Section 107.3.1).
- Approval of special inspectors and inspection agencies (Section 1703.1). Review qualifications and determine competence of the special inspectors for the types of work they will be inspecting. Require special inspectors and inspection agencies to notify the building department of each permit they do work on.

**1703.1 Approved agency.** An approved agency shall provide all information as necessary for the building official to determine that the agency meets the applicable requirements.

- Review of special inspection work with owner, RDP in responsible charge and contractor.
- Review of project documents and special inspection work with special inspection agency or special inspector.
- Requiring a preconstruction conference, if needed, to review the program with all applicable members of the construction team.
- Monitoring/auditing special inspection activities at the job site to assure that qualified special inspectors are performing their duties when work requiring special inspection is in progress.
- Withholding approval to proceed or cover current work when discrepancies have not been resolved.
- Issuing stop work orders when all other efforts have failed. The building official is recognized as having the authority to stop work at the job site (Section 115). The special inspector does not have this authority. Stop work orders are issued as a last resort when discrepancies have not been resolved and all other recourse has been explored by the building official.

**115.1 Authority.** Whenever the building official finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the building official is authorized to issue a stop work order.

**115.2 Issuance.** The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

- Performing regular inspections at the job site as required by code (Section 110).
- Giving approval to proceed. There are certain points of completion where work shall not proceed until approval by the building official has been given. The building official receives and reviews special inspection progress reports and final reports for conformance with the statement of special inspections, approved plans, specifications and workmanship provisions of the code (Section 110.6).
- Review of special inspection reports (Section 1704.2.4). The building official should not perform the final inspection and issue a certificate of occupancy for a project until the final special inspection report has been reviewed and approved.

**1704.2.4 Report requirement.** ... A final report documenting required special inspections and correction of any discrepancies noted in the inspections shall be submitted at a point in time agreed upon prior to the start of work by the applicant and the building official.

- Issuing final acceptance/certificate of occupancy (Section 111)

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### ***Preconstruction Meeting***

A preconstruction conference may be required prior to the start of major projects and will be initiated by the general contractor and conducted by the registered design professional. This conference is useful in achieving cooperation, coordination and cohesion among all parties involved with the project. Participants are provided with an outline of all required actions and documentation, including responsibilities of each participant. Any pertinent issues that may pose a challenge to special inspections or the building process should be addressed.

The parties that should attend the preconstruction meeting are:

- Registered design professional in responsible charge.
- Additional RDPs involved with writing the statement of special inspections.
- Project superintendent.
- Building department.
- Quality assurance agency for the project.
- Representatives of all subcontractors and material suppliers.
- Fire department.
- Sanitation district.
- Public works.
- Regional flood control.
- Any utility company involved.