

FLORIDA BUILDING COMMISSION

**PRODUCT APPROVAL VALIDATION
WORKGROUP**

**RECOMMENDATIONS
TO THE FLORIDA BUILDING COMMISSION**

JUNE 1, 2006

Tampa, Florida

Meeting Design & Facilitation By



Report By Jeff A. Blair
Florida State University



jblair@fsu.edu
[http:// consensus.fsu.edu](http://consensus.fsu.edu)

This document is available in alternate formats upon request to Dept. of Community Affairs,
Codes & Standards, 2555 Shumard Oak Blvd., Tallahassee, FL 32399, (850) 487-1824.

Recommendations Regarding the Validation Provisions of the Product Approval System to the Florida Building Commission

The members voted to make the following recommendations to the Florida Building Commission regarding the validation provisions of the Product Approval System (Rule 9B-72 and/or relevant laws):

1. CERTIFICATION METHOD

Validation Checklist for the Certification Method

- Verify Product Manufacturer's name on the state application matches that in the Certification program
- Verify all products identified on the state application are listed in the certification program
- Verify Testing Standards on the application and the uploaded Certification Certificate match, and are as certified.
- Verify compliance documentation is current, not expired, suspended or revoked
- Verify Limitations of Use noted on the application are in accordance with the Certification
- Verify Installation Instructions, including anchorage requirements are for the same product performance documented in the uploaded Certification Certificate or that the manufacturer's licensed design professional has performed this verification.
- Status of certification agency.
- Application lists proper category and subcategory of product.
- The testing standards are as adopted and required by the Florida Building Code.
- The product is properly described.
- The limits of use are included as certified.
- If the documentation indicates that rational analysis was used verify that a Professional Engineer validated the analysis.

Products approved by certification method should have the online form reviewed to insure that the information presented is supported by the certification documents. The review can be done by the certification agency or any approved validation entity (operating within their scope of accreditation, if a test lab). The technical accuracy of the certification is the responsibility of the certification agency.

To the best of my/our knowledge, this application is complete, the items in the checklist above have been verified, and the Certification documentation submitted with this application indicates that the product, method, or system described in this application meets or exceeds the Florida Building Code requirements and reference standards listed in the application.

Allow multiple certification agencies per application provided there is a third party validation of the application.

Only allow certifications for products that have been tested to standards referenced in the Code, do not allow certifications of products that have no test standard(s).

2. EVALUATION REPORT FROM AN ARCHITECT OR ENGINEER

Validation Checklist for Evaluation Report by an A&E

- Verify the evaluator is a Florida Registered Architect or Florida Professional Engineer who has taken the core building code course.
 - Verify submission of the evaluator's certification of independence.
 - Verify the evaluation report is for the products listed on the application as described on the application and that the products are within the scope of Rule 9B-72.
 - Verify that tests reports demonstrating compliance were performed at an accredited, by an approved accreditation body, test lab location.
 - Verify that the test reports or rational analysis are required by the Building Code as a component of a product approval for the product category and subcategory.
 - Verify that rational analysis demonstrating performance were executed utilizing current code requirements and was not used in lieu of a standardized test required by the Code or that rational analysis was not required.
 - Verify that all data, test reports and calculations, are substantiated on the report.
 - Verify that the application has the Code sections and reference standards for which the evaluation demonstrates compliance.
 - Verify the method of demonstrating compliance indicate any limitations on the use of the product, as intended.
 - Verify the manufacturer installation instructions, including attachment, are provided.
- Verify that a quality assurance program audited by a Florida Building Commission approved third party quality assurance agency is in place.

To the best of my/our knowledge, this application is complete, the items in the checklist above have been verified and reviewed, and the evaluation report submitted with this application indicates that the product, method, or system described in this application meets or exceeds the Florida Building Code requirements and reference standards listed in the application.

Architects and Engineers validating shall sign and seal hardcopy of validation checklist.

Reference should be provided to the relevant Engineer's Rule(s).

The VALIDATOR must perform a TECHNICAL REVIEW sufficient to determine that the evaluator has complied with acceptable standards of engineering principals”.

And, “the VALIDATOR must provide an engineering verification that the evaluation complies with the code.” Additionally, “a hardcopy of the application, complying with all aspects of the RULE (Florida Board of Professional Engineers adopted Rule 61G15-36, FAC), must be filed with the Florida Building Commission to supplement the online filing”. Evaluations must be signed and sealed.

This applies to Registered Architects as well.

If validation is defined as a technical review, then the evaluation engineer does not need to be and independent third-party from the manufacturer. Manufacturer's engineer can do the evaluation, provided the engineer is a Florida PE or RA who has taken the core building code course.

3. TEST REPORT

Test Report Validation Checklist

- Verify the test facility is accredited and approved by the Florida Building Commission.
- Verify testing laboratory's certification of independence.
- Verify the test reports are for the products listed on the application and that the products are within the scope of Rule 9B-72.
- Verify that the test reports for the products are required by the Building Code as a component of a product approval with the proper category and subcategory.
- Verify that all data on the test reports are substantiated.
- Verify the Code sections and reference standards for which the test report demonstrates compliance.
- Verify the method of demonstrating compliance indicate any limitations on the use of the product, as intended.
- Verify the manufacturer installation instructions, including attachment, are provided and as tested.
- Verify that a quality assurance program audited by a Florida Building Commission approved third party quality assurance agency is in place.
- Verify that no rational analysis is conducted under this method. Otherwise must use another compliance method to seek product approval

To the best of my/our knowledge, this application is complete, the items in the checklist above have been verified, and the test report submitted with this application indicates that the product, method, or system described in this application meets or exceeds the Florida Building Code requirements and reference standards listed in the application.

Establish a rule that if the test standard requires rational analysis, the method for demonstrating compliance must be by an evaluation report.

Testing laboratories shall not validate their own test report applications.

Test labs shall not be allowed to conduct validations.

Validation for the test report method should be a technical review to verify that the reported data demonstrates compliance with the Code, and that the correct test was done.

4. EVALUATION REPORT FROM AN EVALUATION ENTITY

Evaluation Entity Checklist

- Verify the Evaluation Entity is an approved entity.
- Verify submission of the evaluator's certification of independence.
- Verify the evaluation report is for the products listed on the application as described on the application and that the products are within the scope of Rule 9B-72.
- Verify that the test reports referenced for the products are required by the Building Code as a component of a product approval for the product category and subcategory.
- Verify that rational analysis referenced demonstrating performance were executed utilizing current code requirements and was not used in lieu of a standardized test required by the Code or that rational analysis was not required.
- Verify that all data, test reports and calculations, are substantiated on the report.
- Verify the Code sections and reference standards for which the evaluation demonstrates compliance.
- Verify the method of demonstrating compliance indicate any limitations on the use of the product, as intended.
- Verify the manufacturer installation instructions, including attachment, are provided.
- Verify that a quality assurance program audited by a Florida Building Commission approved third party quality assurance agency is in place.

To the best of my/our knowledge, this application is complete, the items in the checklist above have been verified, and the evaluation report submitted with this application indicates that the product, method, or system described in this application meets or exceeds the Florida Building Code requirements and reference standards listed in the application.

For evaluation reports issued by an approved evaluation entity, the certificate of independence is not required for each application.

5. OPTIONS FOR ALL (4) COMPLIANCE METHODS

Validator shall retain all documentation on application (test reports, calculations, samples, etc.) for the time required by Florida law for documents retention of public documents, or for as long as a product is approved based on their validation, whichever is longer.

POC shall be proactive and discuss the referral to licensing boards and accreditation entities complaints on improper evaluations and validations.

A mandatory training program for validator(s), and require validator(s) to be accountable for their mistakes when not complying with the requirements in Rule 9B-72, shall be established. Providing a system of accountability regarding the validator (i.e., certification or a contract with the validator).

Penalties for validators that incorrectly validate applications shall be developed.

Time limits for State approval of products shall be established.