

FLORIDA BUILDING COMMISSION

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SUPPLEMENT TO THE JANUARY 25 - 26, 2005 MINUTES

FACILITATOR'S SUMMARY REPORT OF THE
JANUARY 25 - 26, 2005
COMMISSION PLENARY SESSION

Orlando, Florida

Meeting Design & Facilitation By



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FLORIDA BUILDING COMMISSION

SUPPLEMENT TO THE JANUARY 25 - 26, 2005 MINUTES

OVERVIEW OF COMMISSION'S KEY DECISIONS

TUESDAY, JANUARY 25, 2005

Agenda Review and Approval

The Commission voted unanimously, 19 - 0 in favor, to approve the agenda as presented. Following are the key agenda items approved for consideration:

- ✓ To Consider/Decide on Accessibility Waiver Applications
- ✓ To Conduct a Rule Development Workshop on Rule 9B-70—Florida Building Code Training Program
- ✓ To Conduct a Supplemental Rule Hearing on Rule 9B-72—Product Approval
- ✓ To Consider/Decide on Requests for Declaratory Statements
- ✓ To Consider/Decide on Approval of Products and Product Approval Entities
- ✓ Orientation session on Government in the Sunshine

Consideration of Accessibility Waiver Applications

The Commission reviewed and decided on the Waiver applications submitted for their consideration.

Rule Development Workshop on Rule 9B-70, Florida Building Code Training Program

Chairman Rodriguez informed the Commission and public that the proposed rule amendment codifies the "Program for Voluntary Accreditation of Building Code Training Providers". The criteria for the program were developed by the Commission's Education TAC. Following public comment, the workshop was closed and the Commission discussed the proposed rule language and made several comments.

Commission Actions:

Motion—The Commission voted 18 – 1 in favor to proceed with rule adoption for Rule 9B-70, by conducting a rule adoption hearing at the March 16, 2005 Commission meeting.

Supplemental Rule Hearing on Rule 9B-72—Product Approval Rule

Chairman Rodriguez noted that the purpose of the rule hearing was to get an update on the status of the rule as it relates to the Product Approval Workgroup's (PAWG) schedule and delivery of recommendations. The supplemental rule hearing will serve to keep the Rule open while providing time for the PAWG to develop their recommendations for refinements to the Rule. The Chair reminded the public that their participation with the PAWG is encouraged and at this point in the process is the best forum for effecting refinements to the Rule, and that the Commission will solicit more extensive public comment when they receive and consider the Workgroup's package of recommendations, as well while conducting any rule adoption hearings.

Jeff Blair explained that the PAWG has held three meetings to date, and the schedule provides for additional meetings on February 8 – 9, 2005 in Ocala, and March 28 – 29, 2005 in Orlando. In addition, the PAWG anticipates delivering their recommendations to the Commission at the May 11, 2005 meeting in Orlando.

Following an opportunity for public comment and Commission discussion the Commission took the following action:

Commission Actions:

Motion—The Commission voted 19 – 0 in favor to conduct an additional supplemental rule hearing for Rule 9B-72, hearing to be held at the May 10, 2005 Commission meeting.

Petitions For Declaratory Statements

Following are the actions taken by the Commission on petitions for declaratory statements. Jim Richmond served as legal counsel for the Commission.

Second Hearings

DCA-DEC-165 by Ricardo Lizaranu of Suncoast Post-Tension

Motion—The Commission voted unanimously, by a vote of 19 – 0 in favor, to approve their previous action on the petition.

DCA04-DEC-192 by Bart Walden of CBS

Motion—The Commission voted unanimously, by a vote of 19 – 0 in favor, to approve their previous action on the petition.

DCA04-DEC-195 by Roger Joyce of Bilco

Motion—The Commission voted unanimously, by a vote of 19 – 0 in favor, to approve their previous action on the petition.

DCA04-DEC-219 by W. Vincent of Construction Specialties Inc.

Motion—The Commission voted unanimously, by a vote of 19 – 0 in favor, to approve their previous action on the petition.

DCA04-DEC- 230 by Patricia Weeks of Blair Home Construction

Motion—The Commission voted unanimously, by a vote of 19 – 0 in favor, to approve their previous action on the petition.

DCA04-DEC-231 by Carl Driver of NuAir Manufacturing

Motion—The Commission voted unanimously, by a vote of 19 – 0 in favor, to approve their previous action on the petition.

First Hearings

DCA04-DEC-225 by Bemie Eustace of Interplan LLC

Withdrawn due to procedural issues.

DCA04-DEC-233 by Seann M. Frazier of Greenberg Traurig PA

Motion—The Commission voted 18 – 1 in favor, to , to approve the TAC’s recommendations on the petition as presented.

Consideration of Applications for Product and Entity Approval

Commissioner Carson presented the committee’s recommendations for entities and Jeff Blair presented the committee’s recommendations for product approval. The results of product and entity applications are found in the Product Approval POC report included as an attachment to the minutes.

Recess

Motion—The Commission voted unanimously, 19 - 0 in favor, to recess the plenary session until 9:00 AM on January 26, 2005.

WEDNESDAY, JANUARY 26, 2005

Agenda Review and Approval

The Commission voted unanimously, 19 - 0 in favor, to approve the agenda as presented.

Following are the key agenda items approved for consideration:

- ✓ To Consider/Decide on Chair's Discussion Issues/Recommendations
- ✓ To Review and Update the Workplan
- ✓ To Hear Progress Report of the Product Approval Work Group
- ✓ To Consider the Construction Practices/Quality Assessment Report and Recommendations
- ✓ To Consider Florida Building Code Interim Amendment Cycle
- ✓ To Hear a Water Intrusion Study Presentation
- ✓ To Consider/Decide on Accessibility and Electrical TAC Reports/Recommendations
- ✓ To Consider/Decide on Product Approval/Prototype Buildings/Manufactured Buildings Program Oversight Committee (POC) Report/Recommendations
- ✓ To Hear Public Comment
- ✓ To Discuss Commissioner Issues
- ✓ To Review Committee Assignments and Issues for the Next Commission meeting

Process Overview

Chairman Rodriguez and Jeff Blair indicated that with the new split plenary session format, the public will be provided an opportunity to provide comment on each of the substantive issues before the Commission, at the time of consideration and before the Commission discusses the issues. The comment periods will allow for a full exchange of the different views, with one point counter point opportunity per position if needed.

Review and Approval of the December 7 – 8, 2004, Meeting Minutes

Motion—The Commission voted unanimously, 19 - 0 in favor, to approve the December 7 - 8, 2004 minutes as amended.

Amendments:

The vote on Rule 9B-3.047, to proceed with rule adoption, should have been 19 – 2 in favor, and not 20 – 1 as indicated in the report.

Chair's Discussion Issues/Recommendations

Chairman Rodriguez reviewed the plan for the key issues before the Commission during 2005. Below are the key issues and plan as outlined by the Chair, as well as Commission actions.

Responding to Commissioner's Recommendations

Chairman Rodriguez informed the Commission that staff will be developing recommendations throughout the year to address many of the procedural and logistical issues identified by the Commission from the "Effectiveness Assessment Survey" results. He noted that the Commission has already modified the plenary session from a one-day to a two-day format in response to Commissioner's requests to provide more time for considering issues, as well as providing ample time for public comment during all of the substantive issues under discussion.

Special Session

The Chair indicated that there was no Florida Building Code related legislation included in the call for the Special Session. He stated that all of the Commission's recommendations to the Legislature are included in the Report to the Governor and 2005 Florida Legislature, as approved by the Commission at the December 2004 meeting.

Code for Existing Buildings

Chairman Rodriguez stated that the Commission has gone on record supporting early implementation of the Code for Existing Buildings in their 2003 and 2004 recommendations to the Governor and Legislature. In addition, the Commission remains committed to the Code's implementation at the earliest possible date. As of now, the Code will go into effect on July 1, 2005 with the 2004 Edition of the Florida Building Code.

Construction Practices/Quality Assessment Process

The Chair reported that Jeff Blair has completed the assessment report and recommendations, and will deliver them to the Commission as a separate agenda item later in the meeting.

Florida Building Code System

Chairman Rodriguez informed the Commission that by Law (Section 553.77 (1)(b)) the Commission is required to conduct a tri-annual assessment of the Florida Building Code System (Building Code, Product Approval, and Education systems). He stated that since the Commission has completed the 2004 Edition of the Florida Building Code it is time to start this process and present their Report and Recommendations in time for the 2006 Legislative session. When a State-wide code was first envisioned by the Building Code Study Commission the concept was to provide accountability and responsibility for the public, and simplicity and consistency for industry. The focus of the system survey will be to assess what's working, what's not working, and how could the system be improved. In short, how are we doing and how can we improve. The Chair instructed Jeff Blair to compile a survey for Commission members and another for the public/stakeholder groups. After the surveys are compiled the Commission will hold public input sessions at the Commission meetings being held in different areas of the State to gather additional input. When all of the input is compiled and analyzed, the Chair will appoint a Commission member Ad Hoc Committee to develop a package of consensus recommendations for the Commission's consideration, and finally delivery to the 2006 Legislature. He promised to keep the Commission updated on the planning process.

TAC Chairs and TAC Membership

The Chair requested that each TAC and POC chair speak with their members to determine whether they wish to continue serving. In addition, I asked the Chair to assess whether to recommend any membership changes and report back to him at the March 15 – 16, 2005 Commission meeting. The Chair took the opportunity, on behalf of the Commission, to thank each of the TAC/POC chairs, their members, and the public who attend and contribute, for their selfless service on behalf of the citizens of Florida.

Workgroup to Resolve Conflicts and Overlapping Responsibilities Between the Florida Building Code and the Florida Fire Prevention Code

Chairman Rodriguez informed the Commission that Jeff Blair will begin the assessment process during February and plans to have some preliminary findings for the Commission's March 2005 meeting.

Swimming Pool/Solar TAC Issues

The Chair reported that Jim Schwartz, Executive Director of the Florida Swimming Pool Association (FSPA) notified him that the Association's leadership met on January 15, 2005, and has recommended that a Swimming Pool & Solar TAC not be established at this time. Mr. Schwartz indicated that the Association will continue to monitor issues related to representation for their industry on the Commission, and advise of any future recommendations. On this basis, the Chair indicated that he will not be recommending any changes/additions to the Commission's current representation.

Hurricane Research Advisory Group Appointments

Chairman Rodriguez states that he is appointing a small coordinating group consisting of Commissioners and other stakeholder representatives, charged with identifying what research is being conducted related to building failure issues resulting from the 2004 hurricanes, identifying any research gaps on key issues identified but not being researched, and finally, to ensure that the Commission is provided with all relevant research findings on each of the major issues, prior to the Commission considering code enhancements resulting from lessons learned.

The Chair reviewed the chronology of events and subsequent Commission actions resulting from the 2004 hurricanes.

- ✓ Hurricane Charley hit on August 13, 2004 near Cayo Costa, Florida;
- ✓ Commission met in Miami on August 29 – 31, 2004 and staff presented early observations from the storm;
- ✓ Hurricane Francis hit on September 6, 2004 over Southern Hutchinson Island, Florida;
- ✓ Hurricane Ivan hit on September 16, 2004 between Gulf Shores, Alabama and Pensacola, Florida;
- ✓ Hurricane Jeanne hit on September 26, 2004 near Stuart, Florida;
- ✓ The Commission met on October 18 – 19, 2004, following three additional hurricanes and presented preliminary data collected from the four storms;
- ✓ The Commission met on December 6 – 8, 2004 and a hurricane researchers workshop co-sponsored by the Commission and the Institute for Business and Home Safety, was held on December 6, 2004;

- ✓ On January 12, 2005 the Florida Homebuilders Association released an assessment report concerning water intrusion during the 2004 hurricanes;
- ✓ At the Commission's January 2005 Commission meeting the Chair convened a workgroup to assist the Commission by ensuring they have all relevant research on each of the key issues identified during the hurricane assessments to assist the Commission with any needed code enhancements.

Appointments:

Chairman Rodriguez will Chair the group and represent the Commission and architects,
 Chris Schulte will represent contractors,
 Do Kim will represent engineers,
 Nick D'Andrea will represent building officials,
 Tim Reinholdt will represent researchers and insurance,
 Joe Crum will represent BOAF,
 Jack Glen will represent home builders,
 John Ingargiola will represent FEMA,
 George Wiggins will represent local governments,
 Craig Parrino will represent product manufacturers, and
 Dave Olmstead will represent product manufacturers.

Commission Actions Under Chair's Issues:

Motion—The Commission voted unanimously, 19 – 0 in favor, to conduct a rule development workshop on Rule 9B-3.004—Commission's Rules of Procedure, at the March 2005 Commission meeting.

Motion—The Commission voted unanimously, 19 – 0 in favor, to direct staff to consult with the Governor's Office of Policy and Budget and stakeholder groups, regarding exploring any opportunities related to early implementation of code enhancements resulting from research results related to 2004 hurricane damage, and to report back to the Commission at the March 2005 meeting.

Review and Update of Commission's Workplan

Commission Actions:

Motion—The Commission voted unanimously, 19 - 0 in favor, to approve the updated workplan and meeting schedule/locations as presented to reflect the Commission's priorities.

(Included as Attachment 2—Commission's Updated Workplan)

Product Approval Work Group Progress Report

Jeff Blair, Commission and PAWG facilitator, reported that the Product Approval Workgroup was making progress on evaluating issues and options related to refining the Product Approval System. The PAWG has reached agreement on the scope of the Rule and refinements to the local product approval system. The Workgroup is scheduled to meet two more times, and anticipates delivering recommendations to the Commission at the May 11, 2005 meeting. The next meeting will be held on February 8 – 9, 2005, where the Workgroup will focus on issues requiring statutory changes.

PAWG Meeting Schedule:

| | | |
|----------------------|--------------------------------------|---------|
| August 11, 2004 | (Local Product Approval Workgroup I) | Orlando |
| October 20, 2004 | (Product Approval Workgroup II) | Orlando |
| January 11 -12, 2005 | (Product Approval Workgroup III) | Orlando |
| February 8 -9, 2005 | (Product Approval Workgroup IV) | Ocala |
| March 28 - 29, 2005 | (Product Approval Workgroup V) | Orlando |

Information, including agendas, reports, and worksheets, may be found at the following web-link location:

<http://consensus.fsu.edu/LPAWG/index.html>

Construction Practices/Quality of Construction Assessment Report

Jeff Blair, Commission facilitator, reported that he had completed the assessment report on construction and inspection practices related to quality in residential construction.

Overview

On June 3, 2004, Senator Lee Constantine sent a letter to Florida Building Commission Chairman Raul L. Rodriguez, AIA, outlining the outcome of building code related legislation resulting from the 2004 legislative session. One of the issues, and the subject of this assessment report, concerns the Senator’s request that the Commission “study the current practices of builders and inspectors and make recommendations that will maintain the quality of construction and the effectiveness of home inspections while providing protection for builders, inspectors and consumers”. The Senator indicated that although specific legislation relating to construction practices was initiated (SB 1328) and enjoyed support at the committee levels, it was not taken up by the 2004 Legislature due to time constraints. Senator Constantine indicated to the Commission, that now is an opportune time to review certain construction practices, and remarks in his letter that the State of Florida has a rapidly expanding population, and the subsequent demand for the sale and construction of homes has created the “possibility of an increase in problems associated with home construction”.

At the June 15, 2005 Commission meeting, Chairman Rodriguez outlined the Senator’s letter, and indicated that he would respond to the Senator in writing, which was done in a letter dated July 14, 2004. In regards to the quality of construction issue, the Chair charged Jeff Blair, Commission facilitator with the Florida Conflict Resolution Consortium at Florida State University, with conducting an assessment by interviewing stakeholder groups affected by the issue, and reporting back findings and recommendations to the Commission in time for their review at the January 25, 2005 meeting.

Following are the three key issues identified in Senator Constantine's letter, and they are addressed in the assessment report:

Study the current practices of builders and inspectors and make recommendations that will maintain the quality of construction and the effectiveness of home inspections.

Review procedures used by tract builders regarding the post construction checklist, and the length of time for completing the list.

Review current practices that inspectors use when doing home inspections as well as the number of inspectors that are available to conduct inspections.

In addition, other related issues, considerations, and options identified by interviewees, are also addressed. These include issues related to roles and responsibilities as well as procedural matters. It should be noted that the findings in this assessment report are limited to residential home construction. Finally, an analysis of the findings and recommendations for proceeding are included as a component of the report.

It should be noted that the express purpose of the request for a review of construction practices is, "to increase the safety, accountability, and affordability of the construction industry".

The report presents the results of the assessment conducted on behalf of the Florida Building Commission. It is based on interviews with the affected interests and a review of documentation. There are no views attributed to specific individuals and findings represent a compilation of views representing a general level of agreement between interviewees. In some cases, opinions run the gamut from the Commission should be granted additional authorities to deal with an issue to nothing should be done unless the market drives the change through the course of business and economic decisions. Views run from a desire for more regulation to less regulation to leaving the system as it currently is.

A central finding of the assessment is that, there are many interrelated issues and interest groups affected by the quality of construction and construction practices review issue, and no single process or option will adequately address the issue. Rather, a coordinating role will be required where issues of education, training and qualifications, licensing, building codes, inspection functions, public and private roles and responsibilities, construction professionals from design through installation trades, consumer interests, and executive and legislative policy decisions can be considered in a holistic and systematic manner. Finally, the implementation of any recommendations for system enhancements will require a commitment of funding, and stakeholder were unanimous in agreeing that the Florida Building Commission should not be given additional responsibilities and duties without a commensurate increase in funding support.

Following an overview of the findings and recommendations and public comment, the Commission took the following action:

Commission Actions:

Motion—The Commission voted unanimously, 19 - 0 in favor, to adopt Recommendation 1 from the Report, as presented below:

Recommendation 1

Stakeholder Workgroup Process. The Commission convene a stakeholder workgroup process, similar to the product approval and private provider workgroups, to work with stakeholders to identify the issues, evaluate alternatives, and develop recommendations for enhancing coordination between the various entities charged with the education, licensing, enforcement, and code and standards development functions related to the construction and inspection of residential homes.

The entire Report with findings and recommendations is included as Attachment 3 to this report. *(Included as Attachment 3—Construction Practices/Quality Assessment Report)*

Presentation on Home Builders Association of Metro Orlando and the Florida Home Builders Association, Water Intrusion Study

Jack Glenn, Technical Services Director for the Florida Homebuilders Association, presented the findings and recommendations from the report titled: “Rainwater Management Performance of Newly Constructed Residential Building Enclosures During August and September 2004”. Following the presentation and questions and answers with the Commission, members of the public were provided an opportunity to comment on the issues.

Committee Reports and Recommendations

Accessibility TAC

Commissioner Richardson presented the Committee’s report, and indicated that no action was requested of the Commission.

Electrical TAC

Commissioner McCombs presented the Committee’s report, and indicated that no action was requested of the Commission.

Product Approval/Prototype Building/Manufactured Buildings Programs Oversight Committee (POC)

Commissioner Carson presented the Committee's report, and the Commission took the following actions:

Commission Actions:

Motion—The Commission voted unanimously, 19 – 0 in favor, to adopt a process for dual product approval application cut-off dates. Product application submittals must be received by the Friday, two weeks before the next POC meeting. Applications must be deemed to be complete by Friday, one week before the next POC meeting. The product approval summary report will be posted on the BCIS on Monday, one week before the POC meeting.

Motion—The Commission voted unanimously, 19 – 0 in favor, to refer to the Product Approval Workgroup, A&A's proposal to have a fee (\$100.00 proposed) for manufacturers to revise an approved product; and,
To refer the window labeling issue to the Structural TAC; and,
To refer to the Product Approval Workgroup, the issuing of a product application number prior to Commission approval of the product.

General Public Comment

Chairman Rodriguez invited members of the public to address the Commission on any issues under the Commission's purview.

Commission Member Comment/Issues

Chairman Rodriguez invited members of the Commission to address the Commission.

Adjourn

The Commission voted unanimously, 19 – 0 in favor, to adjourn the meeting at approximately 12:00 PM.

Staff Assignments

- ✓ Send a notification to TAC/POC and Workgroup members reminding them of upcoming meeting dates and times.
- ✓ Include all reports as a part of the "Minutes".
- ✓ Provide amplification for meetings where 30 or more people are expected to attend.
- ✓ Provide Commissioners with a bulleted list of Commission related Legislative issues.
- ✓ Research the possibility of providing travel waivers for Commissioners who live closer than 50 miles in crowded areas such as Southeast Florida.

ATTACHMENT 1

FLORIDA BUILDING COMMISSION January 25 – 26, 2005—Orlando, Florida

Meeting Evaluation Results

A 0 To 10 Rating Scale Where A 0 Means Totally Disagree And A 10 Means Totally Agree Was Utilized.

1. Please assess the overall meeting.

- 9.6 The background information was very useful.
- 9.5 The agenda packet was very useful.
- 9.6 The objectives for the meeting were stated at the outset.
- 9.4 Overall, the objectives of the meeting were fully achieved.
- 9.6 Accessibility Waiver Applications.
- 9.6 Requests for Declaratory Statements.
- 9.7 Approval of Products and Product Approval Entities.
- 9.6 Rule Development Workshop on Rule 9B-70.
- 9.7 Chairs Issues and Recommendations.
- 9.5 Update of the Commission's Workplan.
- 9.5 Construction Practices/Quality Assessment Report.
- 9.8 Progress Report of the Product Approval Work Group.
- 9.1 Water Intrusion Study Presentation.
- 9.6 TAC and POC Reports and Recommendations.

2. Please tell us how well the facilitator helped the participants engage in the meeting.

- 9.6 The participants followed the direction of the facilitator.
- 9.7 The facilitator made sure the concerns of all participants were heard.
- 9.8 The facilitator helped us arrange our time well.
- 9.8 Participant input was documented accurately.

3. What is your level of satisfaction with the meeting?

- 9.4 Overall, I am very satisfied with the meeting.
- 9.6 I was very satisfied with the services provided by the facilitator.
- 9.4 I am satisfied with the outcome of the meeting.

4. What progress did you make?

- 9.6 I know what the next steps following this meeting will be.
- 9.6 I know who is responsible for the next steps.

**5. Commission Member's Meeting Evaluation Comments:
January 25 – 26, 2005—Orlando, Florida**

- ✓ DCA staff (Dixon, Madani, Blair, and etc.) are performing outstanding work. Keep it up.
- ✓ Kudos to Jeff Blair for the quality of the Construction Practices/Quality Assessment and the Product Approval Workgroup reports.
- ✓ Recommend that Jeff Blair conduct another “Workstyle Preference Exercise” by answering questions with the Commission.
- ✓ Recommend that Jeff Blair conduct another “Commission Effectiveness Assessment Survey”, and use the results for better management ideas.
- ✓ Need a bulleted list of legislative issues.
- ✓ Put minutes of all meetings as independent documents and not hidden in the Facilitator's Report.
- ✓ Very pleased with the effectiveness of the new split meeting structure.
- ✓ The split plenary session allows for delivering a quality more informed session. Keep the split session but start at 8:00 AM on the second day.
- ✓ Commission should consider returning to a two day format. The last two meetings the Commission met for about 5 hours which could have been accomplished in this format.
- ✓ Fifty (50) mile limit for staying at hotels for Commission members should be eliminated. The amount of work to be done requires a local hotel office to digest after the meetings.
- ✓ The sound system during the Commission meeting was muffled and not clear enough.
- ✓ With regard to the PA system discussion, perhaps there is a hybrid cost saving way to provide a few key microphones around a meeting room, which would be less costly.
- ✓ Please try to get a PA system for the Product Approval Workgroup meetings.
- ✓ Need second projection screen, one for each side of the room.
- ✓ Need more seating space for Commissioners at the meeting, for working and computer usage.
- ✓ Once again! Not enough room at the tables for the number of people sitting there!!!
- ✓ Need more laptops so that each Commissioner can have their own computer to use.

ATTACHEMNT 2

COMMISSION'S UPDATE WORKPLAN

MEETING DATES

2004

| | | |
|---------------------------|-------------|------------------------|
| January 11, 12 & 13 | Orlando | Adams Mark Hotel |
| February 28 & March 1 & 2 | Orlando | Rosen Plaza Hotel |
| April 18, 19 & 20 | Orlando | Rosen Centre Hotel |
| June 13, 14 & 15 | Panama City | Marriot Baypoint Hotel |
| August 29, 30 & 31 | Miami | Fontainbleau Hotel |
| October 17, 18 & 19 | Orlando | Rosen Plaza Hotel |
| December 5, 6, 7 & 8 | Orlando | Rosen Centre Hotel |

2005

| | | |
|---------------------|---------------|-----------------------|
| January 24, 25 & 26 | Orlando | Rosen Plaza Hotel |
| March 14,15 & 16 | Miami | Radisson Mart Hotel |
| May 9, 10 & 11 | Orlando | Rosen Centre Hotel |
| June 27, 28 & 29 | St Petersburg | St. Petersburg Hilton |
| August 22, 23 & 24 | Miami | |
| October 10, 11 & 12 | Orlando | |
| December 5,6 & 7 | Orlando | |

| | |
|---|---------------|
| Contractor report due | Sep 2003 |
| Fact finding public workshop | Oct 2003 |
| Review report to the Legislature | Nov 2003 |
| Report submitted to Legislature by Jan 1 (recommend further study) | Jan 2004 |
| Plan for continued study approved | 1/13/04 |
| Task Group Formed | Jan 2004 |
| First public workshop | 2/18/04 |
| Additional recommendations to Legislature (if any) | 3/ 2/04 |
| Additional workshops and task group meetings | Apr- Jun 2004 |
| Recommendations to Commission | 8/31/04 |
| Finalize recommendations for report to Legislature | 10/19/04 |
| Finalize Report to Legislature | 12/ 8/04 |

F. Review Attic Ventilation Criteria

| | |
|--|---------|
| Hire contractor to conduct literature search and provide consulting services | 12/04 |
| Conduct issue assessment/consensus development workshop | 3/14/05 |
| Conduct second consensus workshop (as needed) | 5/9/05 |
| Report to TACs and Commission | 5/11/05 |

G. Update Florida Energy Code Compliance Software and Develop Training Materials

| | |
|---|----------|
| Obtain match funding from US Department of Energy | FY 05/06 |
| Software Updated for 2004 FBC | 1/05 |
| Training materials developed | FY 05/06 |

Other Tasks:

1. Hurricane Damage Investigations/Code Actions

| | |
|---|-----------------|
| Hurricane Researchers Workshop co-sponsor with IBHS | 12/6/04 |
| Hurricane Research Coordination Workgroup appointed | 1/26/05 |
| Hurricane Symposium | 2/11-12/05 |
| Coordination Workgroup meetings | 3/14, 5/9, 2005 |

2. Conduct a Design Options Workshop (Charette) on Miniature Golf Courses

| | |
|----------------------|---------|
| Conduct Charette | 5/10/05 |
| Report to Commission | 6/05 |

3. Recommendations for Report to 2006 Legislature

| | |
|---|----------|
| Consider preliminary recommendations to Legislature | 10/12/05 |
| Consider recommendations to Legislature | 12/ 7/05 |
| Finalize report to Legislature | 1/06 |

4. ICC Codes Development Participation

| | |
|---------------------------|---------|
| Work Group Appointed | 10/04 |
| First Work Group Meeting | 12/7/04 |
| Second Work Group Meeting | 3/15/05 |

5. 2004 Update of the Florida Building Code:**Phase I, Approval of Florida specific statewide and local amendments:**

| | |
|---|-------------|
| Amendment submittal cutoff (independent submittals) | 4/18/03 |
| Post on website (independent/base code updates/local amends) | 4/23/03 |
| TACs review and develop recommendations | 6/16-18/03 |
| TACs complete review and recommendations | 7/14/03 |
| Post TAC recommendations on website | 7/25/03 |
| Commission considers TACs recommendations and approves amends | 10/13-14/03 |

Phase II, Consider model code changes together with all approved statewide and local amendments, draft rule changes and adopt by rule:

| | |
|--|---------------|
| Administration, Fire and Structural TACs review and consult with staff on where to integrate Florida specific amendments into the IBC and IRC | 12/03 to 1/04 |
| Plumbing and Mechanical TACs review and consult with staff on where to integrate Florida specific amendments into the IRC plumbing, mechanical and fuel gas chapters | 12/03 to 1/04 |
| Rule development workshop | 3/1-2/04 |
| Rule adoption hearing | 4/19-20/04 |
| Approve change per JAPC comments but delay filing rule till 7/19 meeting | 6/15/04 |
| Authorize additional rule hearing for 8/31 meeting | 7/19/04 |
| Rule adoption hearing | 8/31/04 |
| Rule effective | 1/1/05 |
| Code implemented | 7/1/05 |

5.1 Adopt Revised Chapter 34 for Existing Buildings**Schedule:**

| | | |
|---|------------------|----------|
| Draft code amendments | Completed | Dec 2002 |
| Report to the Legislature recommended expedited adoption (<i>no bill</i>) | | Dec 2002 |
| Adopt via the 2004 FBC Update Process (see schedule above) | | |
| Code effective | | 7/1/05 |

5.2 Appeals Procedures [98-287, LOF/ss.553.73 & .77 & 2000-141, LOF/s.120.80,FS]**Schedule:** (Adopting through 2004 FBC update, see schedule above)

| | |
|----------------|--------|
| Effective date | 7/1/05 |
|----------------|--------|

5.3 Establish standards and criteria for foundation permits and other “specialty permits”:

(CS/CS/SB 336 & 180, 2001)

Schedule:

| | |
|---|----------|
| Develop recommendations for criteria | Feb 2003 |
| Adopting through 2004 FBC update (see schedule above) | |
| Effective (2004 edition of FBC) | 7/1/05 |

6. 2006 Annual Interim Amendments:

(Alternative 1: selected at 12/8/04 meeting)

| | |
|---|-------------|
| Amendment submittal cutoff | 6/24/05 |
| Post on website (45 days minimum) | 7/3/05 |
| TAC's consider/Commission approves for draft amendments | 8/20-21/05 |
| Post TAC recommendations on website (45 days minimum) | 8/28/05 |
| Commission considers in rule development workshop | 10/10-11/05 |
| Rule adoption hearing and filing with DOS authorized | 12/5-6/05 |
| Rule filed | 12/13/05 |
| Effective date of first update | 7/1/06 |

7. Update Rule Chapter 9B-3 Sections .048, .049 and .050

| | |
|---------------------------|---------|
| Rule development workshop | 4/20/04 |
| Rule adoption hearing | 3/15/05 |
| Rule effective | 5/05 |

7.1. Develop Code Commentaries:

Plan:

Amend Rule 9B-3 to require submittal of “rationale” for proposed amendments (See task above). Capture rationales for proposed amendments, declaratory statements and advisory opinions in BCIS to provide “commentary”.

8. ISO Ratings Program for Building Departments [s.553.77(1)(n),F.S.]

Ongoing: Addressed by establishment of policy on updating the FBC. ISO ratings dependent upon building codes being kept current with national standards.

9. Florida Building Code System Review and Triennial Report to the Legislature

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| Conflict Resolution Consortia Assessment | Apr & May 2005 |
| Public input hearings (at Commission meetings) | Jun & Aug 2005 |
| Workgroup meetings | Sep & Oct 2005 |
| Workgroup recommendations to Commission | Oct 2005 |
| Commission recommendations to Legislature (first triennial report) | Dec 2005 |

ATTACHMENT 3

FLORIDA BUILDING COMMISSION

**CONSTRUCTION PRACTICES/QUALITY
ASSESSMENT REPORT**

**ISSUES, OPTIONS, AND RECOMMENDATIONS REGARDING CONSTRUCTION AND
INSPECTION PRACTICES**

JANUARY 26, 2005



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Codes & Standards, 2555 Shumard Oak Blvd., Tallahassee, FL 32399, (850) 487-1824.

I. INTRODUCTION AND OVERVIEW

On June 3, 2004, Senator Lee Constantine sent a letter to Florida Building Commission Chairman Raul L. Rodriguez, AIA, outlining the outcome of building code related legislation resulting from the 2004 legislative session. One of the issues, and the subject of this assessment report, concerns the Senator's request that the Commission "study the current practices of builders and inspectors and make recommendations that will maintain the quality of construction and the effectiveness of home inspections while providing protection for builders, inspectors and consumers". The Senator indicated that although specific legislation relating to construction practices was initiated (SB 1328) and enjoyed support at the committee levels, it was not taken up by the 2004 Legislature due to time constraints. Senator Constantine indicated to the Commission, that now is an opportune time to review certain construction practices, and remarks in his letter that the State of Florida has a rapidly expanding population, and the subsequent demand for the sale and construction of homes has created the "possibility of an increase in problems associated with home construction".

At the June 15, 2005 Commission meeting, Chairman Rodriguez outlined the Senator's letter, and indicated that he would respond to the Senator in writing, which was done in a letter dated July 14, 2004. In regards to the quality of construction issue, the Chair charged Jeff Blair, Commission facilitator with the Florida Conflict Resolution Consortium at Florida State University, with conducting an assessment by interviewing stakeholder groups affected by the issue, and reporting back findings and recommendations to the Commission in time for their review at the January 25, 2005 meeting.

Following are the three key issues identified in Senator Constantine's letter, and they are addressed in the assessment report:

Study the current practices of builders and inspectors and make recommendations that will maintain the quality of construction and the effectiveness of home inspections.

Review procedures used by tract builders regarding the post construction checklist, and the length of time for completing the list.

Review current practices that inspectors use when doing home inspections as well as the number of inspectors that are available to conduct inspections.

In addition, other related issues, considerations, and options identified by interviewees, are also addressed. These include issues related to roles and responsibilities as well as procedural matters. It should be noted that the findings in this assessment report are limited to residential home construction. Finally, an analysis of the findings and recommendations for proceeding are included as a component of the report.

It should be noted that the express purpose of the request for a review of construction practices is, "to increase the safety, accountability, and affordability of the construction industry".

This report presents the results of the assessment conducted on behalf of the Florida Building Commission. It is based on interviews with the affected interests and a review of documentation. There are no views attributed to specific individuals and findings represent a compilation of views representing a general level of agreement between interviewees. In some cases, opinions run the gambit from the Commission should be granted additional authorities to deal with an issue to nothing should be done unless the market drives the change through the course of business and economic decisions. Views run from a desire for more regulation to less regulation to leaving the system as it currently is.

A central finding of the assessment is that, there are many interrelated issues and interest groups affected by the quality of construction and construction practices review issue, and no single process or option will adequately address the issue. Rather, a coordinating role will be required where issues of education, training and qualifications, licensing, building codes, inspection functions, public and private roles and responsibilities, construction professionals from design through installation trades, consumer interests, and executive and legislative policy decisions can be considered in a holistic and systematic manner. Finally, the implementation of any recommendations for system enhancements will require a commitment of funding, and stakeholder were unanimous in agreeing that the Florida Building Commission should not be given additional responsibilities and duties without a commensurate increase in funding support.

II. THE ASSESSMENT PROCESS

The purpose of the assessment was to consider the various issues related to the construction practices of builders and inspection practices of inspectors from the perspectives of stakeholder groups with an interest in the system. Interviewees were asked to identify what they consider to be the key issues related to construction and inspection functions, what were some acceptable options from their perspectives, and what role they felt the Commission should play in any process convened to consider these issues.

This assessment was conducted by Jeff Blair of the Florida Conflict Resolution Consortium, a center based at Florida State University. Additional information on the assessment interviewer can be found in Appendix II of this report.

A. Conduct of the Assessment

The assessment interviewer met initially with Chairman Raul L. Rodriguez, AIA and DCA staff to discuss the parameters of the assessment and to identify potential interviewees. Additional interviewees were suggested by those interviewed during the course of the project. Most interviews were conducted by phone. In addition, the assessment interviewer reviewed relevant documents, including Senator Constantine's letter, construction and inspection relevant statutes, and a draft of SB 1328. A list of persons interviewed is provided in Appendix I of this report.

B. Interview Questions

- Are you aware of the purpose behind this quality of construction assessment?
- How does this issue affect and/or impact your interests?
- From your perspective what are the key issues that should be considered in any process convened to conduct a review of current practices in terms of construction and inspections?
- What do you see as the role of the Commission in a review and recommendation process?
- Is this a Building Code Issue?
- Any suggestions for enhancing the system (construction and inspections)?
- What would be the best format to review the issues and make recommendation?
- Who else should I talk to in order to get a complete picture of the situation?

III. FINDINGS OF THE ASSESSMENT BY ISSUES

Role of the Florida Building Commission

In general, interviewees felt that the Florida Building Commission (the Commission), is the best forum for reviewing issues related to quality of construction, with broad based stakeholder representation, and a proven commitment to consensus-building on substantive policy issues. However, certain concerns were identified especially related to providing additional funding to hire staff and/or consultants to review code related issues and make recommendations back to the Commission. A common theme was that, whatever new authorities may be granted to the Commission should include additional commensurate resources to ensure the Commission can continue to meet all of its responsibilities in an effective manner

In addition, there are many issues related to quality of construction that belong in the purview of the various licensing and enforcement boards, as well as some issues which belong in the private sector as a part of their business practices.

Although most agree that, the Commission could serve as a review forum with coordination functions, some interest groups believe many of the issues are not Commission and building code issues per se. Many interest groups felt the Commission could play a coordinating role in consumer education as well as with building code related education, again with commensurate additional funding.

Finally, it was strongly recommended by many interest groups that the Commission receive legislative authority to issue binding interpretations on the Building Code to ensure consistent and uniform enforcement of the Code around the State.

The Florida Building Code Process

In general, interviewees felt that the Building Code amendment process is already in place and effectively responding to emerging information related to enhancing the performance of homes in areas such as flashing, water infiltration, and product performance. In fact, the Commission is currently participating in a review of the research conducted as a result of this season's hurricanes, and determining whether to effect code enhancements resulting from lessons learned. Several interviewees who engage in damage investigation and/or repair work, noted that certain products should be reviewed for suitability since they allegedly do not perform well under specific Florida conditions such as high humidity and moisture. They also indicated some of the

existing weatherproofing practices including caulking should be evaluated for performance and unintended consequences, such as trapping moisture inside of walls.

In addition, numerous interviewees pointed out that the Florida Building Code, as are building codes generally, is a minimum standard and intended to address structural integrity and the life-safety of a building, and not the more subjective issue of “quality”.

Support was expressed for reviewing the minimum inspections required in the code.

In fact, as will be discussed later, most believe that issues of quality are often related to installation and improper use of products, and not the result of the Florida Building Code.

There is general agreement that, the Code is a living document designed to provide a reasonably cost effective and structurally sound building.

The issues of resources and funding was another central finding, with stakeholders recommending the Commission receive additional funding to hire consultants to assist with the review of key issues under consideration by the Commission.

In many instances, multiple complex issues are concurrently under consideration by the Commission, and the DCA staff as well as the Commission’s Technical Advisory Committees (TAC’s) are unable to research and develop recommendations to the extent desirable on all issues due to resource constraints related to staffing, time, and funding. Interviewees report that if the Commission were able to hire more consultants, then the Commission would have the best research and data available for making their decisions and recommendation on the Building Code System.

Consumer Related Issues

According to interviewees, the issues of consumer protections related to construction and inspection practices, should be addressed primarily from the licensing and enforcement perspectives. Many mentioned the Construction Industry Licensing Board and other professional boards as venues for reviewing protections afforded in contracts and warranties, such as requiring minimum contract standards for builders’ contracts. There were also comments regarding a need to coordinate between the Building Code and the various licensing boards in terms of enforcement strategies and education initiatives. Again, the issue of ensuring the use of durable and weather tight products and proper installation techniques was considered a consumer safeguard issue that could be addressed in the Code.

Education and dissemination of sound accurate information to the public, was described as a potential role for the Building Commission as long as funding came with the responsibility.

Many interest groups believe that “quality”, beyond the requirements of the Building Code is a market driven issue, based on the performance record of the contractor, and the subsequent satisfaction level of consumers. In short, the market drives the process as related to quality.

Post Construction Check Lists—Punch list

Although this is clearly a consumer issue, it is also a builder issue, and affects both consumer and builder in a substantial way. In general, with one exception, interest groups believed strongly that requiring standards for punch lists is not a proper issue for consideration in a review of construction quality as related to building practices, and is in fact, a marketing and reputation decision of the individual contractor. Many felt that a review of punch lists is an unwarranted intrusion, and not appropriate for regulation.

Enforcement

There appears to be near universal agreement that local jurisdictions and the various licensing boards should remain responsible for enforcement issues; however, the Florida Building Commission should put forth a vigorous effort to coordinate education and licensing requirements as they relate to construction, inspections, and all of the professions involved in the process. Many feel there is a disconnect between the various professional and licensing boards, and some coordinating effort should be made to ensure consistency and afford the consumer with predictable protections.

Construction Practices

Another general theme expressed is that a well trained and educated construction workforce is required to ensure proper installation and compliance with the requirements of the building code. Some of the options favored are training for construction managers, however many felt this is a business decision and should not be mandated but encouraged.

There were numerous recommendations for considering requiring additional licensing, with minimum education and qualification requirements, for the licensure of additional key trades such as drywall, framing, masonry, and concrete contractors/installers. In short, require licensing for all of the major subcontractor specialties in the home building construction process.

There was a strong support for ensuring the proper installation of products, with the realization that not all aspects of installation can be detected during the course of the inspection process.

Options for addressing this, in addition to training, include requiring more detailed installation instructions and construction details, such as are required in commercial construction.

Another suggestion involves developing and requiring a contractors handbook with key aspects of the building code highlighted. Building officials in some jurisdictions have worked with homebuilders to identify the code areas and issues that have proven to be historically problematic.

There were some advocates for requiring additional levels of quality assurance, beyond the local building inspection process. Others feel that this should again, be optional and is a market decision. In fact, some homebuilders employ private inspection and plans review providers, and others hire a “parallel provider” who does additional and redundant inspections on key structural aspects of homebuilding to ensure strict compliance with the code and that certain standards of quality are met, as defined by the builder.

Inspection Practices

In general, interviewees expressed respect for the efforts of local building officials while understaffed, underfunded, and overworked. In some cases design professionals and contractors rely on the building official to ensure that homes are designed and built to the code. This requires extra work by plans reviewers and additional re-inspections by building inspectors.

The issue of standardizing certain aspect of building inspections services, beyond compliance with the code, comes up against the issue of home rule, and the varying requirements, expertise, and resources of local building departments.

Building officials are required to provide an education and training function, and are successful to the extent that they have adequate resources to do this in addition to their permitting and inspection functions, which in a rapidly growing State, are extensive.

Again, some builders have hired private providers and third party professionals to provide additional levels of quality assurance for their projects.

Due to a heavy workload, and inability to maintain quality personnel as a result of inadequate resources, some interest groups expressed the believe that the potential exists for some buildings to be permitted and constructed without meeting all of the requirements of the Code. Again, funding is a critical issue expressed by all, and any additional duties for building departments will require additional resources.

Education

A central theme from all interest groups, as previously discussed, is that of education. Interviewees expressed a believe that there should be an effort to enhance the education of the public on building code and related issues, on licensing and enforcement issues, and on providing accurate updates on developments related to the work of the Florida Building Commission.

There was widespread agreement that an educated and well trained construction workforce would aid with the correct installation of products and compliance with the building codes. Many stated that an effort should be undertaken to work with the various licensing boards and regulating agencies to coordinate training and education needs, to ensure reasonable and appropriate qualifications are in place, and to foster a knowledge of the building codes and the role they play in construction quality and life-safety.

Another element discussed by many, is that there should be some attempt at restoring a sense of craftsmanship, as exemplified in the past by apprenticeship programs. Again, the workforce should have the appropriate training and skills to undertake their respective trades.

IV. ANALYSIS OF FINDINGS

There is a spectrum of views, on a range of issue related to construction quality generally, and construction and inspection practices specifically. Views range from a desire to regulate more protections to all that is required is already in place. It should be noted that, there are many interrelated issues and interest groups affected by the quality of construction and construction practices review issue, and no single process or option will adequately address the issue. Rather, a coordinating role will be required where issues of education, training and qualifications, licensing, building codes, inspection functions, public and private roles and responsibilities, construction professionals from design through installation trades, consumer interests, and executive and legislative policy decisions can be considered in a holistic and systematic manner.

To that end, most would agree that education and coordination should be the primary focus, as opposed to additional regulations. There are some building code issues, that should and indeed for the most part, are already under review by the Florida Building Commission. In addition, some products should be reviewed for suitability for some applications in Florida, especially those related to weatherproofing a home, and those whose structural integrity is easily compromised by moisture. The issue of workforce training was in the original plan for the development of the Florida Building Code system. In order to pursue this issue, consensus would have to be built between the various interest/stakeholder groups and additional funding and staffing would be required. This would require a policy decision between the Governor and legislators and implementation from state agency heads.

To a large extent quality as related to the durability and safety of homes, is an issue of using the correct materials and products, and installing them according to the installation instructions and in conformance with the requirements of the Florida Building Code. To the extent that contractors decide to do more than this, is a question of their personal commitment to their “product” and a business decision related to their desire to respond to market demands and expectations.

To the extent that the public is well educated on issues related to building codes including weatherproofing, mold, proper use of products and other consumer issues, the expectations for quality will be driven by their demands. The homebuilding industry will always respond to the requirements of the consumer, and an educated public may be willing to pay for a certain level of quality above that required. However, a consumer has every right to expect a home will be built to meet the Florida Building Code, and thus ensure a reasonable level of structural integrity, water tightness, correct use and installation of products, and life safety.

The homebuilder desires and requires a trained and qualified workforce, this is prerequisite to building a quality home that meets the Florida Building Code. In some cases, building officials have become the defacto educators to the requirements of the Code for the design professional, builder, and trade subcontractors. There are several provisions currently in place such as the private provider system authorized by Section 553.791, F.S. The Florida Building Commission is proposing changes to the private provider statute in their Report to the Governor and 2005 Legislature, that should provide additional enhancements to the system. Considerations should be given to providing relief in terms of resources to local building departments. Homebuilders should be encouraged to consider the use of third party quality assurance on their projects and to have properly trained and qualified job site supervisors. Additional subcontractor specialties should be reviewed and considered for licensure with minimum training and qualifications appropriate to their areas of specialty.

Finally, the issue of roles and responsibilities will have to be addressed. The Florida Building Commission is an existing forum with broad stakeholder representation and a proven commitment to consensus-building on important policy issues of impact to the entire State of Florida. To this end, the Commission could convene a process to fully air the issues and options, and develop a package of recommendations for consideration by the Governor and Legislature. Some of the recommendations could be implemented immediately by a consensus of the Commission. In certain ways, the finding of this assessment correlate well with those of the original Building Code Study Commission—which found an inconsistency of interpretation and enforcement, as well as a multitude of different building codes used around the State—in that there is a disconnected system and lack of coordination between the various professions, trades, associations, industries, regulating and licensing entities, and educational efforts related to construction and inspection practices.

V. RECOMMENDATIONS

Recommendation 1

Stakeholder Workgroup Process. The Commission convene a stakeholder workgroup process, similar to the product approval and private provider workgroups, to work with stakeholders to identify the issues, evaluate alternatives, and develop recommendations for enhancing coordination between the various entities charged with the education, licensing, enforcement, and code and standards development functions related to the construction and inspection of residential homes.

Recommendation 2

Building Code Enhancements. The Commission proceed with its assessment and evaluation of issues identified from hurricane research and effect any code changes deemed appropriate. In specific, the Commission should review flashing and water infiltration/intrusion issues, roofing products, the suitability for use of certain products based on the research findings, and the required minimum inspections schedules for enhancements. These and additional weatherproofing aspects of home construction products, such as stucco, should have their standards reviewed, and then the Commission should determine whether to require additional installation details in the Code.

Recommendation 3

Coordination and Education. After recommendation 1 is complete, and depending on the outcomes, the Commission should consider forming another Program Oversight Committee (POC) whose function is to serve as a liaison between the various groups charged with the education, licensing, and enforcement of construction and inspection practices. In addition, the POC would make recommendation to the Commission for providing practical, understandable, and accurate consumer information regarding codes and standards related to home construction and the work of the Florida Building Commission, including updates on the latest developments and efforts to enhance the Florida Building Code.

The POC could further function as an “advisory council” with the role of coordinating education, licensing, and education requirements of design and construction professionals and construction subcontractors. If funding and resources are not available for this function within the Department of Community Affairs, then consideration should be made to forming an advisory council to deal with the coordination issues.

Recommendation 4

Licensing. The entities responsible for the licensing of critical subcontractor trades should review the various trades and determine whether to require licensing, qualifications, and training of additional subcontractor specialties associated with home construction. This issue should first be evaluated by the stakeholder workgroup outlined in Recommendation 1.

Recommendation 5

Private Provider Recommendations. The Commission has submitted a package of recommendations to the Governor and 2005 Legislature with proposed enhancements to the private provider system authorized under Section 553.791, F.S. These recommendations should be considered, and additional programs proposed to work in conjunction with local building departments by providing additional levels of review for compliance with the code, such as third party quality assurance, should also be encouraged.

Recommendation 6

Binding Interpretations. Consideration should be given to granting the Commission statutory authority to issue binding interpretation on the Florida Building Code. Proponents expressed a believe that this will provide a level of consistency for the interpretation of matters related to the Building Code and prevent inconsistent interpretations and enforcement at the local level.

Recommendation 7

Funding. At the conclusion of a stakeholder recommendation process the issue of funding will need to be assessed and resources provided for the implementation of those recommendations that enjoy a high level of agreement. At a minimum, additional funding should be considered in order to assist the Commission with identifying research gaps, developing consensus on research needs and priorities, commissioning needed technical research, and providing a reasonable level of consumer education related to the Building Codes and the work of the Florida Building Commission.

Recommendation 8

Priority of Recommendations. These recommendation should be considered as preliminary, and it is highly recommend that a thorough vetting of all the recommendation in this report be provided through the implementation of Recommendation 1. Namely, by convening a stakeholder workgroup overseen by the Florida Building Commission.

APPENDIX I

Interview Participants

In conducting the assessment, the interviewer sought individual and group interviews with those stakeholder/interest groups who are affected by issues related to quality of construction. Below is a list of persons participating in the interview process and their affiliations. Many of the interviewees represent multiple stakeholder/interest groups but are listed under only one of their affiliations.

1. FLORIDA BUILDING COMMISSION

Raul L. Rodriguez, AIA
Richard Dixon

2. LEGAL

Jim Richmond

3. PUBLIC/CONSUMER

Barry Ansbacher
Steve Dwinell
Robert Jones
Paula Stich

4. ARCHITECTS

Raul L. Rodriguez, AIA

5. ENGINEERS

Gary Elzweig

6. LOCAL GOVERNMENT

George Wiggins

7. BUILDING OFFICIALS

Nick D'Andrea
Dale Greiner

8. HOME BUILDERS

Dick Browdy
Jack Glen
Bing Hacker
Bob White

9. INSURANCE

Jim Goodloe
Do Kim

10. FIRE PROTECTION

John Calpini

11. BUILDING TRADES

Don Brown

Sean Morgan

Brian Meadows

12. PRODUCT MANUFACTURERS

Dave Olmstead

13. PRIVATE PROVIDERS

Frank O'Neill

APPENDIX II

Feasibility Assessment Interviewer



"The purpose of the Consortium is to serve as a neutral resource to assist citizens and public and private interests in Florida to seek cost-effective solutions to public disputes and problems through the use of alternative dispute resolution and consensus building." --F.S. 240.702

Our mission is to bring Floridians together to learn to transform unproductive conflict into cost-effective, sustainable solutions. The Consortium serves as a catalyst to create supportive policies and to help educate statewide on the appropriate use of mediation, facilitation and other collaborative problem-solving approaches to resolve a wide range of public policy issues.

With the support of Florida State University and the Florida Legislature, the Consortium provides dispute resolution service, education, training and research to build a broader understanding of the value of collaborative approaches and create a cadre of citizens, leaders, professionals and students skilled in using collaborative consensus building and conflict resolution processes.

The Consortium offers neutral technical assistance to a wide range of professionals, agency staff and private citizens and organizations engaged in public problems throughout Florida. We help to design and implement efforts for intergovernmental collaboration, community and public problem-solving, and land-use and environmental dispute resolution. We also provide referral services connecting stakeholders and potential users with trained dispute resolution professionals.

Jeff Blair is faculty at Florida State University, and serves as Associate Director for the Florida Conflict Resolution Consortium. His work for the Consortium has included facilitation, process design, strategic planning, and consensus-building on multiple public policy initiatives. He has worked with state and local government representatives to design and implement collaborative approaches to planning, rule making, and dispute resolution with an emphasis on public participation in the design and implementation of policy. He has facilitated hundreds of rule development workshops and conducted negotiated rulemakings for various state agencies. In addition, he teaches numerous classes and conducts trainings in various dispute resolution topics for FAU, FIU, MDCCC, and various local governments. During the past six years he has served as the Consortium's project director for the Florida Building Commission, a 23 member Governor appointed stakeholder group who successfully created, implemented, and maintains the new statewide Florida Building Code. Other ongoing projects include serving as facilitator and conflict resolution consultant for state agency stakeholder advisory boards such as the Pest Control Enforcement Advisory Council and the Florida Coordinating Council on Mosquito Control. Mr. Blair has provided facilitation, planning, and process design for numerous non-profit organizations since 1977.