

**WALSH ENGINEERING INC.**  
P.O. BOX 933, BOCA RATON, FL 33429  
(561) 362-0237 362-7414 (FAX)

DAWM-DEC-004

FILED AND ACKNOWLEDGEMENT

Agency Clerk, receipt of which is hereby

acknowledged

Miriam Snipes  
Deputy Agency Clerk

Date  
1/10/07

January 10, 2007

State of Florida  
Department of Community Affairs  
Building Codes and Standards  
Tallahassee, FL

"Petition for Declaratory Statement before the Florida Building Commission"

Mo Madani,

Does Section 553.79(5)(a) FS. prohibit the use of authorized representatives performing inspections of shoring and reshoring? The statute says "The special inspector shall determine that a professional engineer who specializes in shoring design has inspected the shoring and reshoring for conformance with the shoring and reshoring plans submitted to the enforcing agency." I have been retained to perform this service on the Kimble Towers project and this will affect my ability to perform my services.

The Board of Professional Engineers' Rule 61G15-35.001, F.A.C. contains nearly the same language as 553.79(5)(a). This rule states "the engineer shall determine that a professional engineer who specializes in shoring design has inspected the shoring and reshoring for conformance with shoring and reshoring plans submitted to the enforcing agency. The Board of Professional Engineers has interpreted this rule at their meeting last February to include the use of an authorized representatives to perform these inspections. A copy of this interpretation is included with this letter.

If I can be of further assistance to you please feel free to call.

Sincerely,

Stephen R. Walsh P.E.  
01/10/07

STRUCTURAL ENGINEER, P.E. #33915 - SPECIAL INSPECTOR, S.I. #0290

# FLORIDA BOARD OF PROFESSIONAL ENGINEERS

SIMONE MARSTILLER, SECRETARY  
DEPARTMENT OF BUSINESS  
AND PROFESSIONAL REGULATION

JEB BUSH, GOVERNOR

April 18, 2006

Stephen R. Walsh, P.E.

711 NE 36<sup>th</sup> Street

Boca Raton, Florida 33431

RE: Use of Qualified Representatives in Shoring and Reshoring Inspections

Dear Mr. Walsh:

Mr. Walsh, the Board at its latest meeting in St. Augustine reviewed your e-mail memo to Carrie Flynn wherein you asked the following question:

The Board's Rule 61G15-35.001, F.A.C., mandates that the Threshold Building Inspector shall determine that a professional engineer who specializes in shoring design has inspected the shoring and reshoring for conformance with the shoring and reshoring plans submitted to the enforcing agency. Is it acceptable under the Board's rule for the professional engineer who specializes in shoring design to perform said inspections of the shoring and reshoring for such conformance through the use of qualified representatives, similar to those representatives used in performing threshold inspections? Or, does the professional engineer in this instance have to personally do the inspection of the shoring and reshoring?

The Board discussed your inquiry and determined that the professional engineer who specializes in shoring design is not compelled to do the inspections himself and that it would be consistent with threshold building inspections being performed through qualified representatives under the responsible charge of the Special Inspector. In the Board's opinion, as long as the professional engineer who specializes in shoring design performs the mandatory inspections of the shoring and reshoring through qualified representatives, qualified per Rule 61G15-35.004(2), F.A.C., under his/her responsible charge, there would be no violation of the Board's responsibility rules. Please let me know if you have any other questions in response to this opinion of the Board.

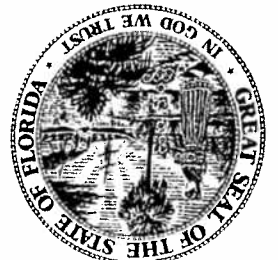
Sincerely yours,

Paul J. Martin

Executive Director

Florida Board of Professional Engineers

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Paul J. Martin, Esquire  
EXECUTIVE DIRECTOR