

Standard Operating Procedure (SOP)

Private Provider Audit Procedures

Pursuant to FS 553.791(20)

1. Purpose and Scope

This Standard Operating Procedure (SOP) establishes uniform procedures for auditing the performance of Private Providers who conduct plan review and inspection services under the authority of Florida Statute 553.791 within the jurisdiction of the City of Cape Coral Building Division.

These procedures are designed to ensure:

- Code compliance with the Florida Building Code (FBC) and local amendments;
- Transparency and accountability in delegated code enforcement;
- That auditing does not interfere with the continuity of permitted work.

This SOP applies to all construction projects permitted under FS 553.791 where Private Providers are used for plan review, inspections, or both.

2. Audit Criteria

Audits are conducted to evaluate:

- Compliance with FS 553.791, FS 468, and the Florida Building Code (8th Edition – 2023);
 - Proper use and submission of required documentation:
 - Notice to Building Official (NTBO)
 - Private Provider Affidavits and Plan Compliance Statements
 - Professional Licensure verification
 - Inspection logs, reports, and affidavits
 - Accuracy and sufficiency of plan review and inspections against applicable FBC standards
 - Adherence to permit scope and construction sequencing
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3. Audit Types and Frequency

- **Routine Audits:** Conducted on a scheduled or random basis. No Private Provider or firm may be audited more than **four (4) times per calendar year**.
- **For-Cause Audits:** May occur more than four times if the Building Official issues a written finding that a condition exists constituting an **immediate threat to public safety and welfare**.

Project audits are selected based on:

- Project type and risk level
 - History of performance or prior findings
 - Public or internal complaints
 - Random selection protocols
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4. Audit Process

4.1 Notification: The Private Provider will receive written notice of the audit and a list of required documentation.

4.2 Review: The audit will include:

- Review of all submitted documentation
- Comparison of approved construction plans with Private Provider markups
- Field inspection validation (if applicable)

4.3 Documentation:

- Findings will be recorded in an official **Audit Findings Report (AFR)**
- All code references and observations will be clearly documented

4.4 Response Opportunity:

- Private Providers will have **10 business days** to respond to audit findings with corrections, clarifications, or objections.
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5. Deficiencies and Corrective Actions

If deficiencies are found:

- A deficiency notice will be issued citing specific code violations or process issues

- Corrective actions will be required within a designated timeframe
 - Repeat or significant violations may be referred to DBPR for review
 - Temporary suspension of new work acceptance may occur upon legal review and Building Official approval
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6. Public Access and Transparency

- This SOP will be **posted on the City of Cape Coral website** and **available in print** at the Building Division front counter.
 - **Audit results for the prior two quarters** will be published online and updated quarterly.
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7. No Work Delay Provision

Per FS 553.791(20):

"Work on a building or structure may proceed after inspection and approval by a private provider. The work may not be delayed for completion of an inspection audit by the local building code enforcement agency."

Audits are retrospective in nature and shall not interfere with active construction unless a verified public safety issue arises.

Effective Date: July 30, 2025

Approved by: Shane Kittendorf

Title: Building Official

City of Cape Coral – Building Division