FLORIDA BUILDING COMMISSION

PRODUCT APPROVAL VALIDATION WORKGROUP MEETING VI

REPORT AND RECOMMENDATIONS TO THE FLORIDA BUILDING COMMISSION

JUNE 1, 2006

Tampa, Florida

Meeting Design & Facilitation By

Florida Conflict Resolution Consortium

Report By Jeff A. Blair
Florida State University

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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.
Overview
Raul L. Rodriguez, AIA, Chair of the Florida Building Commission, made appointments to the Product Approval Validation Work Group and they are listed below. Members are charged with representing their stakeholder group’s interests, and working with other interest groups to develop a consensus package of recommendations for submittal to the Florida Building Commission.

The revised scope for the Workgroup, based on the Commission’s December 2005 vote that the State is not served by a single validation entity for state approval, is to work with stakeholders to review and develop consensus recommendations regarding the validation requirements/details for each of the four compliance methods, the degree of technical review required for the compliance options, and review the validation requirements for the certification agency compliance method.

Members and Representation
Architects
Larry Schneider

Contractors
Ed Carson

Evaluators
Jon Hill and Sig Valentine

Building Officials
Bill Dumbaugh and Herminio Gonzalez

Engineers
Jimmie Buckner

Product Manufacturers
Craig Parrino and Randy Shakleford

Insurance
Do Kim
REPORT OF THE JUNE 1, 2006 MEETING

Opening and Meeting Attendance
Jeff Blair, Commission Facilitator, opened the meeting at 9:25 AM, and the following Workgroup members were present:

DCA Staff Present
Joe Bigelow, Rick Dixon, Mo Madani, and Betty Stevens.

Meeting Facilitation
The meeting was facilitated by Jeff Blair from the Florida Conflict Resolution Consortium at Florida State University. Information at: http://consensus.fsu.edu/

Project Webpage
Information on the project, including agenda packets, meeting reports, and related documents may be found at the project webpage: http://consensus.fsu.edu/FBC/pavwg.html

Agenda Review
Jeff Blair reviewed the agenda with members and the public. The Workgroup voted unanimously, 6 - 0 in favor, to approve the agenda as presented. Following are the key agenda items approved for consideration:

• To Approve Regular Procedural Topics (Agenda and Report)
• To Review Product Approval Validation Options Worksheet
• To Identify Any Additional Options for Evaluation
• To Evaluate Options for Acceptability
• To Consider Public Comment
• To Adopt Package of Consensus Recommendation to the Commission
• To Discuss Next Steps and Recommendations Schedule

Approval of the May 3, 2006 Facilitator’s Summary Report
Jeff Blair reviewed the Report with members and the public. The Workgroup voted unanimously, 6 - 0 in favor, to approve the May 3, 2006 Report as presented.

Work Group’s Decision-Making Procedures and Meeting Guidelines
Jeff Blair reviewed the Workgroup’s decision-making procedures found on page 3 of the agenda packet.

Evaluation of Options—Ranking and Refinement of Options
Full results are found starting on page 8 of this Report.
General Public Comment
Members of the public were invited to address the Board. In addition, the public was encouraged to provide written comments on the form provided in the agenda packets. The Facilitator noted that all written comments would be included in the Facilitator’s Summary Reports.

Consensus Testing and Agreement on Product Approval Validation Recommendations
The Workgroup voted unanimously, 7 – 0 in favor, to recommend that the Florida Building Commission adopt the following package of recommendations:

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
• 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 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 an 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.

Adjournment
The Workgroup voted unanimously, 7 – 0 in favor, to adjourn at 2:30 PM.
OPTIONS ACCEPTABILITY RANKING EXERCISE RESULTS

During the meeting, Workgroup members were asked to consider the range of issues identified by the Workgroup’s building officials and to propose options to address the issues. For each issue in turn, the Workgroup was asked to propose the full range of options, to propose additional options, to seek clarification on the intent of each option, and then to evaluate each option using a four-point acceptability scale, where a 4 is acceptable, a 3 is minor reservations, a 2 is major reservations, and 1 is not acceptable.

Following the initial and additional evaluations, Board members were requested to explain their range of concerns, and to identify any additional information they need in order to further consider the issue and/or option. The Facilitator explained that in general a 4 or 3 represents support for the option, and a 2 or 1 represents a lack of support for the option.

The following scale was utilized for the ranking exercises:

<table>
<thead>
<tr>
<th>Acceptability Ranking Scale</th>
<th>4 = acceptable, I agree</th>
<th>3 = acceptable, I agree with minor reservations</th>
<th>2 = not acceptable, I don’t agree unless major reservations addressed</th>
<th>1 = not acceptable</th>
</tr>
</thead>
</table>
1. CERTIFICATION METHOD

Validation Checklist
• 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.

<table>
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<tr>
<th></th>
<th>4=acceptable</th>
<th>3= minor reservations</th>
<th>2=major reservations</th>
<th>1= not acceptable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial Ranking 6/1/06</td>
<td>5</td>
<td>0</td>
<td>1</td>
<td>0</td>
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</table>

Add the following to Above Proposal:
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.

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<td>5</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Revised</td>
<td>6</td>
<td>0</td>
<td>1</td>
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</table>
Validation of Certification Method shall be an administrative and limited technical review as follows. Technical review consists of reviewing test(s) performed to determine if they are the correct tests as required by the Florida Building Code.

- Verify the Certification Agency is approved by the Florida Building Commission.
- 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 compliance documentation is current, not expired, suspended or revoked.
- Verify Testing Standards on the application and the uploaded Certification Certificate match, and are those required by the Building Code for evaluation of a product within the listed category and subcategory.
- Verify the application lists the code sections and reference standards for which the certification demonstrates compliance.
- 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.

No vote taken on above proposal in favor of the “Validation Checklist” proposal.

Add to Validation Checklist Proposal:
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.

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<tbody>
<tr>
<td><strong>6/1/06</strong></td>
<td>6</td>
<td>1</td>
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</table>

- Verify Testing Standards on the application and the uploaded Certification Certificate match, and are those required by the Building Code for evaluation of a product within the listed category and subcategory.
- Verify the application lists the code sections and reference standards for which the certification demonstrates compliance.

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.
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. This review would be limited to:

- Verifying that the certification is for the products listed and described on the online application as that the products are within the scope of Rule 9B-72.
- Verifying that the online application has the Code sections and reference standards for which the certification demonstrates compliance.
- Verifying that the certification is for the products listed on the online application as described on the application and that the products are within the scope of Rule 9B-72.
- Verifying that the limitations on the use of the product as stated on the online application match the limitations stated in the certification documents.

No vote taken on above proposal in favor of the “Validation Checklist” proposal.

Only allow one certification agency per application.

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<tbody>
<tr>
<td>Initial Ranking 6/1/06</td>
<td>3</td>
<td>1</td>
<td>2</td>
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Certification agencies must respond to administrator’s request(s) for verification of information/documents related to an application.

Require certification agencies to verify that the application meets their certification.

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<tbody>
<tr>
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Certifications should not be required to be validated.

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Remove the option of certification agencies validating installation instructions.

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<tr>
<td>Initial Ranking 6/1/06</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>6</td>
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Products approved by certification agencies shall require product validation as required by the other methods in Rule 9B-72.

The members voted 7 – 0 in favor to remove this proposal from consideration since this issue is already resolved by previous action(s).
Allow multiple certification agencies per application provided there is a third party validation of the application.

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<td>4</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Revised to add third party requirement</td>
<td>5</td>
<td>2</td>
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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).

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2. EVALUATION REPORT FROM AN ARCHITECT OR ENGINEER

Validation Checklist for Evaluation Report by 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, the product, method, or system described in this application meets or exceeds the Florida Building Code requirements and reference standards listed in the application.

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<td></td>
<td>7</td>
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Revised
Add reference to Engineers Rule(s).

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Validation of Evaluation Report by Architects and Engineers where test and evaluation standards exist in the Florida Building Code shall be an administrative and limited technical review as follows. The limited technical review is to see if the correct tests and calculations required by the code were performed, but not to determine whether they were done correctly or not.

- Verify the evaluator is a Florida Registered Architect or Florida Professional Engineer
- 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 demonstrating compliance were performed at a test lab that is accredited by an approved accreditation body
- Verify that all tests required by the Florida Building Code for evaluation of the product category and subcategory were performed.
- Verify that any rational analysis demonstrating performance was performed utilizing current code requirements.
- Verify that all data, test reports and calculations, are referenced in the report.
- Verify that the application includes the Code sections and reference standards for which the evaluation demonstrates compliance.
- Verify that the application includes the limitations of use as indicated by the evaluation report.
- Verify that the evaluation report includes a statement that the product complies with the Florida Building Code.
- 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.

No vote taken on above proposal in favor of the “Validation Checklist” proposal.
Add to Validation Checklist Proposal:
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.

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Validation of Evaluation Report by Architects and Engineers where test and evaluation standards do not exist in the Florida Building Code shall be an administrative and technical review as follows. Technical review consists of reviewing tests and/or rational analysis used to determine if it does show that the product meets the Florida Building Code.

- Verify the evaluator is a Florida Registered Architect or Florida Professional Engineer
- 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 any test reports, if any, demonstrating compliance were performed at a test lab that is accredited by an approved accreditation body
- Review the test reports and/or rational analysis used to prove code compliance to determine if they indicate code compliance for the product category and subcategory.
- Verify that the code does not contain required standardized tests and/or rational analysis for the product category and subcategory.
- Verify that all data, test reports and calculations, are substantiated on the report.
- Verify that the application lists the Code sections and reference standards for which the evaluation demonstrates compliance.
- Verify that the application includes the limitations of use as indicated by the evaluation report.
- Verify that the evaluation report includes a statement that the product complies with the Florida Building Code.
- 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.

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Products approved by Evaluation Report by a Florida PE/RA should have the online form and submitted Evaluation Report reviewed to insure that the information presented is appropriate and supported by the evaluation report. The technical accuracy of the evaluation report is the responsibility of the PE/RA who signs and seals the report. This review would be limited to:

Verifying that the evaluator is a Florida Registered Architect or Florida Professional Engineer.
Verifying that the evaluator's certification of independence is online.
Verifying that the evaluation report is for the products listed and described on the online application and that the products are within the scope of Rule 9B-72.
Verifying that tests reports demonstrating compliance were performed by an accredited test lab.
Verifying that the test reports and/or rational analysis are required by the Building Code as a component of a product approval for the product category and subcategory.
Verifying that rational analysis demonstrating performance was 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.
Verifying that the online application has the Code sections and reference standards for which the evaluation report demonstrates compliance.
Verifying that the limitations on the use of the product as stated on the online application match the limitations stated in the evaluation report.
Verifying that the manufacturer installation instructions, including attachment, are provided.
Verifying that the quality assurance agency listed on the online application has a current contract in place with the manufacturer.

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<th>4=acceptable</th>
<th>3= minor reservations</th>
<th>2=major reservations</th>
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<tr>
<td>Initial Ranking 6/1/06</td>
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Architects and Engineers validating shall sign and seal hardcopy of validation checklist.

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<td>Initial Ranking 6/1/06</td>
<td>7</td>
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</table>
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.

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<th>1= not acceptable</th>
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<td>Revised include RA’s</td>
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If validation is defined as a technical review, then the evaluation engineer does not need to be an independent third-party from the manufacturer. Manufacturer’s engineer can do the evaluation.

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<td>Revised to a: Florida Licensed PE or RA who has taken core course</td>
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PAVWG June 1, 2006 Report 16
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. as tested.
☑ 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, the product, method, or system described in this application meets or exceeds the Florida Building Code requirements and reference standards listed in the application.

<table>
<thead>
<tr>
<th>Initial Ranking</th>
<th>4=acceptable</th>
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<td>Revised, to add bullet</td>
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Validation of Test Report shall be an administrative and technical review as follows. Technical review consists of reviewing test(s) performed to determine if they show that the product meets the Florida Building Code.

- 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 tests submitted are those required by the Building Code for evaluation of a product within the listed category and subcategory.
- Verify that the data on the test reports indicates that the product meets the Florida Building Code.
- Verify the application lists the code sections and reference standards for which the test report demonstrates compliance.
• Verify that additional rational analysis is not required by the Building Code.
• Verify that the application includes any limitations of use as indicated by the test report, and that the test report indicates any limitations on the use of the product.
• 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.

No vote taken on above proposal in favor of the “Validation Checklist” proposal.

Add to Validation Checklist Proposal:
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.

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<th>4=acceptable</th>
<th>3= minor reservations</th>
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<tr>
<td>Initial Ranking 6/1/06</td>
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Verify no rational analysis is conducted under this method. Otherwise must use alternate method to comply.

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<th>4=acceptable</th>
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<tr>
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Testing laboratories shall not validate their own test report applications.

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<td>Initial Ranking 6/1/06</td>
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Test labs should not be allowed to conduct validations.

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<td>Initial Ranking 6/1/06</td>
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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.

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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 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 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, the product, method, or system described in this application meets or exceeds the Florida Building Code requirements and reference standards listed in the application.

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<td>Revised #4 “Test reports referenced...” and “rational analysis references”</td>
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For evaluation reports issued by an approved evaluation entity, the certificate of independence is not required for each application.

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<td>Revised</td>
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Validation of Evaluation Report by Approved Evaluation Entity shall be an administrative review as follows:

- 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 application lists the Code sections and reference standards for which the evaluation demonstrates compliance.
- Verify that the application includes the limitations of use as indicated by the evaluation report.
- Verify that the evaluation report includes a statement that the product complies with the Florida Building Code or equivalent model building code.
- 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.

No vote taken on above proposal in favor of the “Validation Checklist” proposal.

Add to Validation Checklist Proposal:
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.

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Evaluation reports issued by approved evaluation entities (NOAs and ICC evaluation reports) should not require validation.

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5. OPTIONS FOR ALL (4) COMPLIANCE METHODS

Validator shall retain all documentation on application (test reports, calculations, samples, etc.) for the time required by law for documents retention.

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<tbody>
<tr>
<td>Revised &quot;...for state law as long as the document remains approved based on their validation.&quot;</td>
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POC shall be proactive and discuss the referral to licensing boards and accreditation entities complaints on improper evaluations and validations.

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Establish 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. A system for accountability of the validator (i.e., certification or contract with validator).

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Define validation as a limited technical review. List the specific items required (i.e., the correct test was done, calculations done to correct standards) but it is required to check every calculation. If there is no standard in the code, then validation shall be a technical review of all substantiating documents by an architect or engineer.

The members voted 7 – 0 in favor to remove this proposal from consideration since this issue is already resolved by previous action(s).
Eliminate the conditional approval status.

Develop penalties for validators that incorrectly validate applications.

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<td>for incorrect</td>
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<td>validations.</td>
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Establish time limits for State approval of products.

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The validator should submit the application to the system for the applicant.

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</table>
ATTACHMENT 1

PRODUCT APPROVAL VALIDATION WORKGROUP

June 1, 2006—Tampa, Florida

Meeting Evaluation Results

Average rank using a 0 to 10 scale, where 0 means totally disagree and 10 means totally agree.

1. Please assess the overall meeting.

9.0 The background information was very useful.
9.3 The agenda packet was very useful.
9.2 The objectives for the meeting were stated at the outset.
9.5 Overall, the objectives of the meeting were fully achieved.
9.2 Identification and Evaluation of Validation Options.
10.0 Adoption of Workgroup’s Product Approval Validation Recommendations.

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

9.3 The members followed the direction of the Facilitator.
9.8 The Facilitator made sure the concerns of all members were heard.
9.5 The Facilitator helped us arrange our time well.
9.0 Participant input was documented accurately.

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

9.5 Overall, I am very satisfied with the meeting.
9.5 I was very satisfied with the services provided by the Facilitator.
9.7 I am satisfied with the outcome of the meeting.

4. What progress did you make?

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

5. Member’s Written Evaluation Comments.

• Facilitation is much needed in the process.
• We accomplished a lot thanks to Jeff Blair, who handled all the meetings in a professional manner.
• Nice job of covering all the items in less than the allotted time.
• Good pizza!
• It seems we are rushing discussions in order to leave early.