

Bulletin 5: Change of Design Professional

Date: June 30, 2015
Effective Date: June 30, 2015
Amended: November 3, 2023 To: All Staff
From: Fred Clum, Chief Building Official
Subject: Change of Engineer/ Architect requirements

In conjunction with State Statutes (F.S. 471, 481) and the Florida Administrative code (61G1, 61G15) the following procedure will be required when a permit is in need of a change for the associated design professional (i.e., engineer or architect) of record.

Permits applied for and under review:

1. Owner's acknowledgement of change and/ or letter of removing original professionals' service.
2. Documentation indicating that the original professional has been informed by means of certified mail (green card), written response or approved equivalent (i.e. tracking information from FedEx, UPS).
3. Signed and sealed acknowledgement from successor design professional that they take full responsibility for the drawings submitted and on file as their own or provide a complete new set of drawings.
4. This will be processed as a correction in which all trades will review documents again.

Permits issued:

1. Owner's acknowledgement of change and/ or letter of removing original professionals' service.
2. Documentation indicating that the original professional has been informed by means of certified mail (green card), written response or approved equivalent (i.e. tracking information from FedEx, UPS).
3. Signed and sealed acknowledgement from successor design professional that they take full responsibility for the drawings submitted and on file as their own or provide a complete new set of drawings.
4. A revision will be required in which all trades will review documents again.

61G15-27.001 Procedures for a Successor Professional Engineer Adopting As Their Own the Work of Another Engineer.

(1) A successor professional engineer seeking to reuse already sealed plans, prints, engineering specifications, and/or engineering calculations under the successor professional engineer's seal shall do so in compliance with Section 471.025(4), F.S. In other words, calculations, site visits, research and the like must be documented and producible upon demand. Plans, prints, engineering specifications, and/or engineering calculations need not be redrawn by the successor professional engineer; however, justification for such action must be available through well kept and complete documentation on the part of the successor professional engineer as to their having rethought and reworked the entire design process. A successor professional engineer must use their own title block, seal and signature and must remove the title block, seal and signature of the original professional engineer before reusing any sealed, prints, engineering specifications, and/or engineering calculations used for permitted works.

(2) Prior to sealing and signing such work a successor professional engineer shall be required to notify the original professional engineer, their successors, or assigns of the successor's intention to use or reuse the original professional engineer's work. Notification shall be by certified letter or other verifiable communication to the last known physical or electronic address of the original professional engineer.

(3) A professional engineer's reliance upon and legal use of another's engineering work, in the normal course of providing original service, is not reuse or adoption of such other engineer's work as contemplated by Section 471.025(4), F.S., and the professional engineer relying upon such work is not a "successor engineer" as used in that section. Such engineering work includes but is not limited to, geotechnical reports, soil investigation reports, legal surveys, and other works that may be sealed, but which are used to support the professional engineer's work and are not adopted as the professional engineer's original service or work product.

Rulemaking Authority 471.033(2) FS. Law Implemented 471.025(4), 471.033(1)(j), 471.005(6) FS. History—New 8-25-87, Amended 4-21-88, 8-3-88, Formerly 21H-27.001, Amended 8-8-18, 12-29-19.

61G1-18.002 Procedures for a Successor Architect Adopting as His Own the Work of Another Architect.

(1) A successor registered architect seeking to reuse already sealed contract documents under the successor registered architect's seal must be able to document and produce upon request evidence that he has in fact recreated all the work done by the original registered architect. Further, the successor registered architect must take all professional and legal responsibility for the documents which he sealed and signed and can in no way exempt himself from such full responsibility. Plans need not be redrawn by the successor registered architect; however, justification for such action must be available through well kept and complete documentation on the part of the successor registered architect as to his having rethought and reworked the entire design process. A successor registered architect must use his own title block, seal and signature and must remove the title block, seal and signature of the original registered architect before sealing, signing and dating any sealed contract documents.

(2) Prior to sealing, signing and dating work, a successor registered architect shall be required to notify the original registered architect, his successors, or assigns by certified letter to the last known address of the original registered architect of the successor's intention to use or reuse the original registered architect's work. The successor registered architect will take full responsibility for the drawing as though they were the successor registered architect's original product.

Rulemaking Authority 481.2055, 481.221(6) FS. Law Implemented 481.221(6) FS. History—New 1-16-86, Amended 5-16-89, Formerly 21B-18.002.

History: Updated 61G15 language.