



Business Legal Name:

[Click to enter text](#)

Business DBA, if applicable:

[Click to enter text](#)

Business Address:

[Click to enter text](#)

Business Owner's Name: [Click to enter text](#)

Business Owner's Phone: [Click to enter text](#)

Business Owner's Email: [Click to enter text](#)

Does this business hold a business license in the State of Utah? Yes ☐ No ☐

Name of Owner, Partner, or Officer with Signature Authority: [Click to enter text](#) **Title:** [Click to enter text](#)

(This should be the person completing this application)

Public Directory Information:

Please provide the following details exactly as you wish them to appear publicly on the DFCM Modular Building Program website:

Primary Contact Person: [Click to enter text](#)

Business Website: [Click to enter text](#)

Public Email Address: [Click to enter text](#)

Public Phone Number: [Click to enter text](#)

Third-party Inspection Agency Application Requirements

The third-party agency shall prepare and submit the following to DFCM via email at modular@utah.gov:

1. A list of all office locations with complete addresses.
2. A list of key personnel indicating their primary roles and responsibilities, including:
 - a. Names of third-party agency officers;
 - b. All employees that shall be responsible for plan review and approval work, and in-plant inspections. For these employees, provide the following:
 - A copy of the professional license and certification for all employees that shall be performing **plan review**. The plan reviewer must only review plans and specific disciplines in the area in which they are certified or licensed.
 - A copy of the professional license or certifications for personnel that shall be performing **in-plant inspections**. The inspector shall only inspect in areas in which they are licensed or certified.
 - a description of qualifications of personnel and their responsibilities, including an assurance that personnel involved in system analysis, design and plan review, and compliance assurance inspections and their supervisors comply with the requirements of the American Society for Testing and Material (ASTM) Standard Number E541- 22 - Standard Specification for Agencies Engaged in System Analysis and Compliance Assurance for Manufactured Building or shall have International Code Council (ICC) certifications in the appropriate subject area and maintain such certifications in an active status.
3. A copy of the accreditation certificate, issued by an ISO/IEC 17011-compliant accreditation body, that establishes the ability to provide services in accordance with the ISO/IEC 17065 standard for product evaluation or the ISO/IEC 17020 standard for inspection service, as appropriate.

4. Proof of independence and absence of conflict of interest. Complete and submit the **DFCM Modular Building Program Third-party Agency Conflict of Interest Certification form**.

5. Proof of the third-party agency's certificate of insurance compliant with the following:

A third-party inspection agency shall carry professional errors and omissions insurance in an amount of at least \$2,000,000 per claim or annual aggregate with a deductible or self-insured retention of not greater than \$100,000 unless different amounts are authorized by DFCM in writing.

Unless covered by the professional errors and omissions insurance of a third-party inspection agency under the previous sentence, a third-party inspector shall carry professional errors and omissions insurance in an amount of at least \$2,000,000 per claim or annual aggregate with a deductible or self-insured retention of not greater than \$100,000, unless different amounts are authorized by DFCM in writing.

6. The agency shall prepare and submit a document including the following:

- a. A statement indicating the number of years the agency has actively engaged in the business of plan review, inspections, or both; and
- b. A statement that the agency shall adhere to the requirements of the regulations of the AHJ.

Third-party Inspection Agency Performative Requirements

The third-party agency shall review each design as required for plan approval and identify deficiencies on a corrective action report item by item with citations to the standards. The third-party agency shall verify that deficiencies have been corrected prior to issuing acceptance. The third-party agency shall signify approval of a design by placing its stamp of approval or authorized signature on each page and submit a copy to the AHJ and a copy to the AHJ and manufacturer.

The third-party agency shall perform an initial plant certification and document a written certification report to the manufacturer and the AHJ. The initial plant certification shall require 100 percent inspection of the aspects of construction on not fewer than one module or modular component and verify that the manufacturer has a functioning quality assurance process. This inspection shall be made by a qualified inspector. If the initial module or modular component fails with the design or standard, additional modules or modular components shall be inspected until the third-party agency is satisfied that the manufacturer complies to the approved design, approved design, the standards and the quality assurance manual.

For ongoing inspections, the third-party agency shall inspect each module in a phase of construction to verify that the quality assurance process is in compliance with the initial manufacturing plant certification. If the third-party agency finds deficiencies, additional action shall be taken to verify the quality assurance process is in compliance with the initial manufacturing plant certification.

For ongoing inspections, the third-party agency shall determine the frequency of inspection of a modular component or panelized system as necessary to verify the quality assurance certification. If the third-party agency finds deficiencies, additional action shall be taken to verify the quality assurance process is in compliance with the initial manufacturing plant Certification.

The third-party agency shall provide to the manufacturer a written or electronic inspection report after each inspection identifying each deficiency to the standard or approved designs. The third party shall only issue labels after all deficiencies have been corrected.

I certify that all statements, answers, and information provided as a part of the application process for third-party inspection agency plan review and inspection are accurate to the best of my knowledge. I agree to comply with all Third-party Inspection Agency Performative Requirements and understand that noncompliance may lead to disqualification and removal from the Approved Third-party Inspection Agency list. I understand that giving false or misleading information may be cause for rejection of this application or revocation of subsequent approval.

Name of Authorized Signer: Name

Signature of Authorized Signer: _____

Date: Today's date



Administrative Rule R23-34. Modular Buildings, requires DFCM to regulate third party inspection agencies and third party inspectors by way of the legislative directive in Section 15A-1-308. R23-34-5. Freedom from Conflict of Interest, requires all third party inspection agencies and third party inspectors to certify to the following:

Third-party inspection agency name, hereby affirms that;

- It is not affiliated with, nor influenced or controlled by, any modular manufacturer in any manner which might affect its capacity to create reports of findings objectively and without bias;
- It has no managerial affiliation with modular manufacturers, nor is engaged in the sale or promotion of modular building units;
- Its work as a third party inspection agency accrues no financial benefits through stock ownership of, or other similar affiliation to, any modular manufacturer;
- It receives no stock option or other financial benefit from any modular manufacturer;
- It has sufficient business that the loss or award of a specific contract to determine compliance of a particular modular manufacturer's modular building unit with the State Construction Code applicable to modular building units and this rule would not be a determining factor in its financial well-being;
- Its business security status is free of influence or control by any modular manufacturer.

Name of Authorized Signer: Name

Signature of Authorized Signer: _____

Date: Today's date