



Position Paper Regarding Third Party Administration for the Inspection, Testing, and Maintenance of Water-Based Fire Suppression Systems and Backflow Preventers (NFPA-25)



The State of Florida mandates the inspection, testing, and maintenance of water-based fire protection systems in the Florida Fire Prevention Code and specifically in Florida Statute 633.082. In addition, the state has adopted requirements regulating who may perform certain inspections, tests, and maintenance and has created a system for ensuring compliance to the mandates of the statutes and the referenced NFPA standards in FAC 69A-46.041.

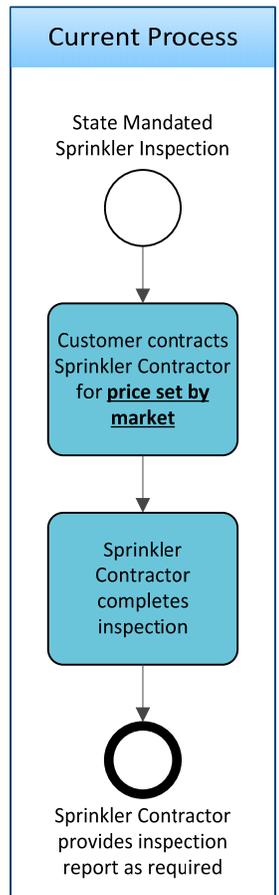
Recently a number of private companies have emerged offering administrative services to ensure compliance on behalf of the local governing agencies. The business model for these third party administrators is essentially the same while aspects of the software, reporting methods, ITM reports and fees differ among the providers.

The Florida Chapter of the American Fire Sprinkler Association and the Florida Fire Sprinkler Association chapter of the *NFSA* are jointly communicating their **opposition** to the use of these third party administration services by local governmental jurisdictions. There is grave concern regarding the impact that these services have on all stakeholders involved in the mission of ensuring life safety and property protection. Our opposition is founded in short on the following:

- The State of Florida has adopted a uniform and comprehensive compliance program with specific enforcement vehicles in Florida Statute 633.082, the Florida Fire Prevention Code, and FAC 69A-46.041, wherein are found the requirements for IT&M, compliance tagging, deficiency reporting, licensing, inspector competency and training, and more. Florida has a uniform and comprehensive system that works and is getting stronger by the day.
- While the third party administration programs are similar among the administrators, there are great differences in reporting formats, procedures, required information, and more creating additional layers to the ITM process and undermining the uniform procedure for the State.
- The cost of using third party administrators will be passed through to an already financially strained business community. The costs are not simply those charged by the administrator but the additional overhead costs generated by the ITM service provider for setting up internal procedures to meet reporting requirements and the associated costs that come with paying before getting paid.

For example: The direct fees paid to the administrator(s) and the costs incurred by the ITM service provider will be passed on to the building owner. These additional costs could range from \$20 annually for a facility with only a single fire system to several thousand dollars annually for a property with multiple systems, water storage tanks, fire pumps, extinguishers, fire alarm systems, special hazard systems, backflow preventers, fire hydrants, and standpipe systems as found in high rise buildings, apartment complexes, and large facilities.

- The number of administrators and their programs are unlimited. In the State of Florida, it is conceivable that a service provider and owners with properties in multiple jurisdictions will have to set up multiple compliance procedures – meaning even more costs to the property owners.





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- Reports and system databases are built by the service provider on the administrator’s site creating the opportunity for multiple entries on the same property, creating an inaccurate database for the jurisdiction and a potential public relations nightmare for the Jurisdiction and Municipal Board. (i.e. 1645 22nd Street North vs. 1645 22nd Street – same building with multiple entries into the database). Oversight by the Jurisdiction will be required to verify an accurate database meaning additional costs to the Jurisdiction and property owners.
- The third party administration programs force the contractor to become the perceived enforcer for the local jurisdiction. It further strains the relationship between the service provider, property owner, and Jurisdiction which is already fragile with the current system for ensuring compliance and economic times.
- The local enforcing agency delegates its control for how compliance is enforced. The administrator operates a “checklist” process which has no allowance for adjusting enforcement decisions based on real world scenarios faced by all enforcers. It is a potential public relations nightmare.

The list of reasons for opposition by the fire sprinkler industry in Florida is extensive. However, in the end there are three overriding issues that must be considered by each enforcing agency before contracting with an administrator:

- Third Party Providers will add costs in way of fees, service provider administrative overhead, and Jurisdictional oversight to fix something that is not broken. Florida’s current uniform and comprehensive compliance program is the best in the country and it works. Adding additional layers of administration with higher compliance costs is never good policy particularly in the current economic conditions.
- Let these administration programs be sold to the property owner not the enforcing agency. Many property owners currently use third party administrators to manage their maintenance programs. If the services have value, the property owners will buy the product.
- Personal interaction and communication by the local Fire Jurisdiction are important to public relations and the enforcement process. Enacting Third Party Administrators places a barrier between the Jurisdiction and the consumer. These programs create unnecessary complexity to the current uniform and comprehensive compliance program throughout the State. Ensuring accurate data entry for ALL properties and their fire safety systems rests solely with the Fire Jurisdiction and Municipal Board. Inaccurate databases sending multiple or inaccurate notices will add unnecessary strain to the relationship between property owners, the Jurisdiction, and service providers.

Thank you in advance for your consideration of the views of the Florida fire sprinkler industry and property owners before making a decision to engage a third party administration program for the inspection, testing, and maintenance of water-based suppression systems and backflow preventers.

