

Cayman Islands  
Department of Planning  
Special Inspection Agreement

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**BUILDING**

**INSPECTED**

**MECHANICAL**

**APPROVED**

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**DEPARTMENT OF PLANNING**

Cayman Islands Government

[www.planning.ky](http://www.planning.ky)

133 Elgin Avenue

Government Administration Building

George Town, Grand Cayman





# Cayman Islands Department of Planning Special Inspection Agreement

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## **Special Inspections forms:**

**Schedule of Inspection and Testing Agencies**

**Quality Assurance Plan**

**Daily Reports Form**

**Weekly Report Form**

**Discrepancy notice**

**Final Report**

**Conflict of Interest Affidavit**



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## Scope of Program

There are several areas of construction requiring mandatory special inspections that are regulated by Section 1704 of the Cayman Islands Building Code (CIBC) as amended. Special Inspection is the review, observation or monitoring of materials, alternate materials and methods (complexed or uncommon construction), and workmanship that are critical to ensure life, safety, and the integrity of the overall building structure and systems. Additionally, the program is set out to review the work of the contractors and their employees to ensure that the approved plans, specifications and systems are constructed in accordance with relevant codes and standards.

Special inspections are required to be continuous whereby the Special Inspector is present when and where the work is being performed when using construction methods that require special observation as specified by the Cayman Islands Building Code. Inspections may be periodic whereby the Special Inspector is intermittently present where the work to be inspected has been or is being performed, provided a periodic schedule for inspection is outlined in the project plan and specification.

Notwithstanding, special inspections observation is required in addition to the typical inspections specified by the Department of Planning and Section 110 of the Cayman Islands Building Code.

## Special Inspector

A Special Inspector is an individual with specialized skills who observes critical building or structural features; the individual shall be a registered professional with the Department of Planning who may conduct inspections for the type of construction or operation requiring special inspection subject to Sections 110 and 1704 of the Cayman Islands Building Code.

***1704.1 General. Where application is made for construction as described in this section, the owner or the registered design professional in responsible charge acting as the***



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*owner's agent shall employ one or more approved agencies to perform inspections during construction on the types of work listed under Section 1704. These inspections are in addition to the inspections identified in Section 110.*

Before conducting any special inspections, written approval shall be obtained from the Director of Planning.

It is critical that good communication occurs between the Project Owner, Special Inspector, Designer, Contractor and the Department of Planning to promote project quality assurance. This agreement clearly defines the responsibility of the Project Owner, the Contractor, the Special Inspector and the Department of Planning.

## **Application and Qualification Process for use of Special Inspection**

An applicant must provide the following documentation in support of the Special Inspection application:

- Signed Special Inspection Agreement
- A copy of a current Cayman Islands Trade and Business License.
- A copy of Professional Indemnity Insurance enforceable in the Cayman Islands.
- A resume for the Design Professional in Responsible Charge and Special Inspectors including copies of relevant certifications , qualifications and experience.
- A completed Conflict of Interest Affidavit by each Design Professional in Responsible Charge and Special Inspector.
- Two professional reference letters for all Design Professional in Responsible Charge and Special Inspector.

Upon approval of the application by the Department of Planning, the Project Owner, or Design Professional in Responsible Charge will be issued an Approval Certificate for each project requiring special inspection.

The Design Professional in Responsible Charge must inform the Department of Planning in writing, within five (5) business days, of any material change to the information previously submitted in his or her application. Changes to the



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approved Special Inspector will require approval of a new Special Inspection Agreement.

## **Qualification of the Design Professional in Responsible Charge and Special Inspector**

It is the responsibility of the Design Professional in Responsible Charge to ensure that his/her staff is proficient and competent in the application of the Cayman Islands Building Codes, general engineering/construction practices, and that certifications are current for their respective disciplines.

The Design Professional in Responsible Charge and Special Inspector must meet the qualifications for each discipline as set forth in the table shown on the following page:



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<b>Minimum Qualifications</b>	<p><b>Design Professional as required by the Cayman Islands</b></p> <p><b>Department of Planning Registry of Engineers</b></p> <ul style="list-style-type: none"> <li>• <i>PE/SE Structural Engineer – a licensed SE or PE specializing in the design of building structures minimum of 3 years practicing in the field.</i></li> <li>• <i>PE/GE Geotechnical Engineer – a licensed PE specializing in soil mechanics and foundation)</i></li> <li>• <i>Or Minimum of Four (4) Year experience in the field of engineering or construction Project design, construction management or Inspections.</i></li> </ul> <p><b>American Concrete Institute (ACI) Certification</b></p> <p>ACI-CFTT: Concrete Field Testing Technician – Grade 1 ACI-CCI: Concrete Construction Inspector</p> <p>ACI-LTT: Laboratory Testing Technician – Grade 1&amp;2 ACI-STT: Strength Testing Technician</p> <p><b>American Welding Society (AWS) Certification</b></p> <p>AWS-CWI: Certified Welding Inspector AWS/AISC-SSI: Certified Structural Steel Inspector</p> <p><b>American Society of Non-Destructive Testing (ASNT) Certification</b></p> <p>ASNT: Non-Destructive Testing Technician – Level II or III.</p> <p><b>International Code Council (ICC) Certification</b></p> <p>ICC-SMSI: Structural Masonry Special Inspector ICC-SWSI: Structural Steel and Welding Special Inspector ICC-SFSI: Spray-Applied Fireproofing Special Inspector ICC-PCSI: Pre-stressed Concrete Special Inspector ICC-RCSI: Reinforced Concrete Special Inspector</p> <p><b>National Institute for Certification in Engineering Technologies (NICET)</b></p> <p>NICET-CT: Concrete Technician – Levels I, II, III &amp; IV NICET-ST: Soils Technician - Levels I, II, III &amp; IV NICET-GET: Geotechnical Engineering Technician - Levels I, II, III &amp; IV</p> <p><b>Exterior Design Institute (EDI) Certification</b></p> <p>EDI-EIFSEIFS: Third Party Inspector</p>
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	<p>ICC Certification in at least 3 Commercial Trades or Certified Building Official.</p>
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## **Duration of Approval**

The Special Inspection approval will be valid through the duration of the project life.

## **Insurance**

The Design Professional in Responsible Charge shall provide proof of Professional Indemnity Insurance (enforceable in the Cayman Islands) for a minimum of USD\$3,000,000.00 for each occurrence. The Design Professional in Responsible Charge and inspectors who are principals in a Cayman Islands Engineering Firm or who are employed by, or under contract with the firm, shall be covered by the company's insurance.

The insurance policy shall provide coverage for twenty-four (24) months following the completion of the contract to provide coverage for the hold harmless provisions in the policy in the event a claim is made.

Any cancellation of the required insurance without providing the Department of Planning thirty (30) days advance written notice will result in the termination of Special Inspection Approvals effective on the date of the insurance cancellation.

If the Design Professional in Responsible Charge changes insurance providers, the agency must submit updated insurance coverage to the Department of Planning within fifteen (15) calendar days of such change. Failure to do so shall result in the Agency's removal from the Program.

## **Conflicts of Interest**

Special Inspectors shall remain free of conflicts of interests and maintain independence from any person or firm for which inspections are being conducted.

The following are considered a conflict of interest:

- Special Inspector own or control any entity associated with the Project for which inspections are being conducted.
- Special Inspector is a part of a Third Party Inspection Agency, or Third Party Plan Review Agency.



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- Special Inspector has financial or personal relationship with the property owners, designers, permit holders, contractors, Third Party Plan Review or Inspection Agency, or sub-contractors for which inspections are being conducted.

Any other circumstances or activities not listed above that the Director of Planning may reasonably prove, to constitute an actual, potential, or apparent conflict of interest.

If the Director determines that a conflict of interest exists, the party may be disqualified from participating in the program.

## **Duties and Responsibilities of each Party**

### **Duties and Responsibilities of the Department of Planning**

Subject to Sections 104.4 and 110 of the Cayman Islands Building Code (2016), The Department of Planning (Building Control), is responsible for the inspection and approval of all construction projects in the Cayman Islands.

***110.1 General. Construction or work for which a permit is required shall be subject to inspection by the building official and such construction or work shall remain accessible and exposed for inspection purposes until approved.***

The Department of Planning has the responsibility to ensure that all plans and construction meet the requirements of the Cayman Islands Building Codes. This includes establishing guidelines for qualifications for participation in the Special Inspection Program and to monitor performance by approved Agencies.

Responsibilities are as follows:

- Maintain the Special Inspection Agreement Manual and update it as required.
- Review, approve or disapprove all Special Inspection Applications and re-certification applications.
- Rescind the approval of all Project assigned to Special Inspection program after determining non-compliance with this Agreement or violations of the



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Cayman Islands Building Codes.

- Perform compliance review and audits of the Special Inspector.
- Review Inspection Reports for quality assurance.
- Create and maintain a current and accurate list of all Special Inspectors to be made publicly available on the Department of Planning website.
- Issue disciplinary actions based on the process outlined in this Agreement.
- Conduct periodic and random compliance inspections to ensure that Special Inspectors are performing their duties when work requiring special inspection is in progress.
- Issue Stop Work Order for work found to be in contradiction to the code, specification and general construction or engineering standards.
- Perform Final Inspection and issue Certificate of Occupancy or Certificate of Completion after all special inspection reports and final reports and Departmental inspections have been approved.

## **Disciplinary Process**

The Director of Planning may suspend or revoke the inspection privileges of a Special Inspector for any of the following violations:

- An ethical violation by any inspector such as acceptance or offering of a bribe or making a threat.
- Altering or falsifying any reports, documents, or plans on a project.
- Misrepresentation of information required for qualification or certification.
- Performing inspections while on suspension.
- Failure to abide by the conflict of interest provisions as contained in this agreement.
- Failure to fully document inspection results and submit to the Department of Planning within a reasonable time frame.
- Failure to perform proper inspections according to the Cayman Islands



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Building Codes and ensure compliance with the approved drawings.

- Failure to maintain current certifications or licenses.
- Failure to maintain the required insurance.
- Failing to ensure that the project has a current Building Permit.
- Failing to obtain the approved Agreement of Special Inspection from the Project Owner prior to commencing the special inspection.

## **Investigation**

Upon receipt of a complaint or as part of its compliance oversight, the Department of Planning may investigate to determine if the Special Inspector acted improperly.

The Department of Planning shall issue a written letter via Registered/Certified mail and/or e-mail to the Design Professional in Responsible Charge and/or Special Inspector and the Project Owner stating the basis for the investigation.

If after investigation the party/parties is/are found to be in breach of any of the requirements of this document, the Department of Planning shall issue a written letter via Registered/Certified mail and/or e-mail to the said party or parties and the Project Owner stating the outcome of the investigation.

## **Appeal**

The Special Inspector may appeal the decision within ten (10) business days of the date of official notification of impending disciplinary action to the Director of the Department of Planning and may submit evidence supporting its position to the Director of Planning. Failure to file a written appeal within the ten (10) business days will result in the issuance of disciplinary action.

All appeals shall be heard by the Director of Planning who shall issue a final decision on the appeal within ten (10) business days.



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## **Duties and Responsibilities of the Project Owner**

The Project Owner or his/her Agent (Design Professional in Responsible Charge /Architect) is responsible for the execution of the Special Inspection Agreement and hiring of the Special Inspector.

The special inspection agreement/schedule shall be submitted to the Director of Planning for review/approval along with the Building Permit. The Director of Planning shall review the Statement of Special Inspection to ensure compliance with this Manual and shall grant approval or disapproval within five (5) business days. If the Statement of Special Inspection is incomplete or incorrect, the application will be rejected and may be resubmitted with the additional information.

## **Payments to Special Inspector Agencies**

The Owner or his/her authorized representative is responsible for all payment for services rendered to the Special Inspection entity. The Department of Planning is not a party to the contract between the Project Owner and the Special Inspector or Special Inspector Agency. All fees and costs associated with the performance of special inspections are the sole responsibility of the Project Owner.

Utilization of a Special Inspector or Special Inspection Agency does not entitle the Project Owner to a refund of any portion of the fees required by the Department of Planning. Any monetary claims that arise from incomplete, inaccurate, or defective Building Inspections provided by the Special Inspector or Special Inspection Agency shall be remedied without cost to the Department of Planning.

## **Duties of the Design Professional in Responsible Charge**



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The Design Professional in Responsible Charge is either an Architect or Professional Engineer and his/her responsibilities are as follows:

Prepare Statement of Special Inspection for items requiring Special Inspection and shall indicate which items requires periodic and /or continuous inspection. The Statement of Special Inspection shall be submitted along with the construction document at the time of permitting.

The content of the statement shall contain the following information, but is not limited to the following:

1. Arrange Pre-Submission meeting to discuss/highlight areas requiring special inspection.
2. Materials, systems, components and work required to have special inspection.
3. Type and extent of each special inspection and the name of individuals or firms performing the inspections.
4. Type and extent of each test.
5. Special inspection of required seismic-resistant systems and components.
6. Special inspection of required wind-resistant systems and components.
7. The Professional in Responsible Charge is responsible for ensuring that each Special Inspector is approved to conduct inspection for each applicable discipline.
8. Respond to Special Inspection Reports of uncorrected and uncompliant items and approve remedial measures.
9. Submit revised drawings to the Department of Planning for code compliance review.

As per section 1704 of the Cayman Islands Building Code the Design Professional in Responsible Charge can be both the designer and the special inspector provided that the requisite qualifications are met.

## **Duties and Responsibility of the Special Inspector**

The following are the duties and responsibilities of the Special Inspector:



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1. Special Inspector shall review all construction documents, specification for special inspection requirements.
2. Shall notify contractor of presence on the job
3. Shall observe all work requiring special inspection
4. Shall report all work that is non-compliant to the immediate attention of the contractor and the Design Professional in Responsible Charge
5. Maintain a daily, weekly and final report which shall be submitted to the Department of Planning via Online Permitting System (OPS).
6. The special inspector shall be physically present onsite to conduct the inspection.
7. Special inspector shall certify all works performed are in compliance with Cayman Islands adopted codes and Standards, reviewed for code compliance construction documents as specified in the Cayman Islands Building Code Regulation.

## **Duties and Responsibility of the Contractor**

The Contractor shall sign and agree to the Special Inspection Program prior to commencement of the project. It is the Contractor's responsibility to:

1. Provide access to approved construction plans on site.
2. Acknowledge awareness of Special Inspection Program and system(s) requiring special inspection.
3. Provide onsite access to the Building Inspector, Special Inspector and all special inspection reports.

## **Occupancy Categories Requiring Special Inspection**

Commercial Structures and Multi -Family Dwellings falling into Occupancy Category II & III up to Ten (10) Story in height shall be subject to Special Inspections by the Department of Planning as amended.





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Occupancy Category	Nature of Occupancy
II	Commercial, Multi- Family, other Occupancies (4-5 Story)
III	Commercial, Multi- Family, other occupancies (6-10 story)

Note: Refer to Table 1604.5, Cayman Islands Building Code for detailed occupancy types.

## Types of Special Inspection

1. Reinforced Concrete - Includes the ability to perform special inspections for proprietary anchors and shotcrete
2. Prestressed/Post-Tensioned Concrete
3. Structural Masonry
4. Structural Steel and Bolting
5. Structural Steel –Welding
6. Spray-applied Fireproofing
7. Soils Construction
8. Smoke Control Systems
9. Medical Gas Installation

The Cayman Islands Building Code Tables 1704.5.1 and 1704.5.3 requires Masonry Construction to obtain Level 1 or Level 2 inspections:

**Level 1** – these requirements provide a periodic type inspection for engineered masonry used in non-essential facilities and for empirically designed masonry, glass unit masonry and masonry veneer used in essential facilities. Key inspection items include assurance that required reinforcement, anchor ties and connectors



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are in place and that appropriate grouting procedures are used.

**Level 2** – the most comprehensive inspection procedures are required for essential facilities that are designed by engineered design methods. Items inspected for quality assurance are similar to level 1 above with added requirements that inspection be continuous during all phase of the masonry construction.

## Inspection Reports

The Cayman Islands Building Codes provide the Building Official with the authority to accept reports of approved inspections from persons or entities that are authorized to perform Special Inspections and to certify that such work complies with the Code.

*110.4 Inspection agencies. The Building Official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.*

The Special Inspector shall submit an inspection report to the Department of Planning for each inspection and shall indicate if compliance was achieved based on the approved plans, applicable codes, Laws and regulations.

1. The report shall be certified by the Special Inspector or responsible agency representative.
2. Photographs, videos or other sources of pertinent data or information shall be included in the reports.
3. The Inspection Report will include the requirements outlined in the statement of special inspection.
4. A statement that reads, "This inspection report is subject to review and approval by the Department of Planning."



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All inspection reports shall be submitted through the departments' Online Planning System (OPS) under inspections. The report is to include specific floors, gridlines and type of inspection etc.

**NOTE:**

- If any changes to the approved plans occur during the construction phase the revisions must be submitted to the Department of Planning for review and approval.
- If changes to the exterior of the building, location or any major changes to the interior occur approval must be sought from the Department of Planning.



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## ACKNOWLEDGMENTS

I /we the undersigned have read and agree with the terms and conditions as set out in this Special Inspection Program and Special Inspection requirements as per Chapter 17 of the Cayman Island Building Code (2016).

Project Name: \_\_\_\_\_

Block \_\_\_\_\_ Parcel \_\_\_\_\_ Permit /Project # \_\_\_\_\_

Print Name:

		Date _____
Owner	Signature	

		Date _____
Architect	Signature	

		Date _____
Structural Engineer	Signature	

		Date _____
Soil Engineer	Signature	

		Date _____
Special Inspector/Discipline	Signature	

		Date _____
Special Inspector/Discipline	Signature	



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OFFICIAL USE:

APPROVED | DISAPPROVED

COMMENTS:

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Haroon Pandohie  
Director of Planning

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Date