



**Request for City Council Committee Action
From the Department of Regulatory Services, Inspections Division**

DATE: April 3, 2003

TO: Public Safety and Regulatory Services Committee

Subject: Execute a joint powers agreement with the City of St. Paul for fire protection engineering code review services

Recommendation: To execute a joint powers agreement with the City of St. Paul by which St. Paul will make available to Minneapolis from January 1, 2002 through December 31st 2003, the services of its fire protection engineer to conduct peer code reviews of plans and specifications for alternate fire protection engineering methods for the performance design portions of the design of the Walker Art Center and other building projects. Compensation for these services is sixty-five dollars per hour plus reimbursable expenses for a total amount not to exceed five thousand dollars.

Prepared or Submitted by: Daniel Callahan, Supervisor Plan Review, 673-5832

Approved by

Merwyn Larson, Director, Inspections

John Bergquist, Asst. City Coordinator & Director
Operations and Regulatory Services

John Moir, City Coordinator

Presenters in Committee (name, title)

Financial Impact (Check those that apply)

No financial impact - or - Action is within current department budget.
(If checked, go directly to Background/Supporting Information)

Background/Supporting Information Attached

The International Codes Council Performance Code for Buildings and Facilities is a reference document that outlines a procedure for peer specialist review of performance based designs that are proposed as equally adherent to, but not the same as, standard prescriptive code regulations. The Performance Code enables a municipality to employ a specialist to evaluate portions of a proposal that are beyond the expertise of the staff. For building projects, such as the Walker Art Center, that propose to use this procedure, we recommend that peer specialist reviews be conducted by a fire protection engineer from St. Paul through a joint powers agreement.

A fire protection engineer is able to evaluate fire-modeling proposals and report on their suitability to a specific project design. To our knowledge, the fire protection engineer employed by the City of St. Paul is the only such person employed by a local (or State of Minnesota) government agency.

To recoup the costs of these reviews, we recommend that the architectural firms that propose performance-based designs reimburse the City. As such, we would offer this peer review service to project architects only where an agreement is established with the project architect that all charges for peer specialist review would be reimbursed by the architectural firm. The Inspections Division has an agreement with the project architects for the Walker Art Center that obtains full reimbursement of the fees.