

**To the Mayor and Members of the City Council****March 31, 2026**

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SUBJECT: THIRD PARTY BUILDING PLAN REVIEW AND INSPECTION PROGRAM

The purpose of this Informal Report is to provide information about the City of Fort Worth's Third Party Building Plan Review and Inspection Program. Additionally, this report highlights recent legislative bills that sought to enable third party plan review and inspections statewide. Though the bills did not pass in the most recent legislative session, staff anticipates that there will be future interest in the next session.

City of Fort Worth Third Party Plan Review and Inspection Program

In 1999, the City of Fort Worth introduced the first third party plan review and inspection program in Texas. The program allows applicants to hire approved third party organizations to complete plan reviews and inspections for compliance with the Fort Worth Building Administrative Code. The use of third party plan review and inspections organizations is authorized by Chapter 7-1, Section 117.1 of the City Code. Approved third party organizations are authorized to perform plan review and/or construction inspections associated with building permits on private property within the City of Fort Worth in place of city personnel.

When a customer chooses to utilize the City's third party program, the customer contracts directly with a pre-approved third party organization of their choice. The third party organization then serves as the agent for permit applications and interactions with the City regarding the building permit(s). Compensation for services rendered by a third party organization is between the customer and the third party organization. The City does not regulate or control the fees charged by third party organizations.

When a third party organization is engaged for plan review services, the third party reviews supporting documentation such as plans, plats, documents, designs, developments, reports, studies, surveys, etc. prepared by persons or entities other than the third party organization for compliance with the adopted codes (Building, Residential, Mechanical, Electrical, Plumbing, Energy, and Existing Building Codes as applicable). These documents are provided to the third party organization by the customer directly and independently of the City. The third party organization is responsible for plan reviews to ensure compliance with the City's adopted codes as well as packaging and submitting all plans and documents to the City for permitting and additional reviews outside the scope of the third party process.

When a third party organization is engaged for construction inspections, the third party is responsible for performing all prescribed on-site inspections of the project to ensure compliance with the adopted codes. Contractors are responsible for requesting inspections through their third party organization. The third party organization is then responsible for documenting and reporting the inspections in the City's system of record - currently Accela Automation. For commercial building projects, the City of Fort Worth inspectors perform a final inspection of all building and trade permits prior to project close-out and Certificate of Occupancy issuance.



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The City has stringent requirements for approval of third party organizations including reporting, minimum insurance, indemnification, prohibition of conflict of interest, and qualifications for personnel. Additionally, the City retains the right to conduct quality control reviews and, as appropriate, take corrective action regarding the third party organizations or their employees, including temporary suspension or complete revocation of approval to operate in Fort Worth.

State Legislature Past and Potential Future Interest

During the 89th Texas Legislative Session, multiple bills were introduced that would have required cities statewide to allow third party plan review and inspections. While these bills did not pass the legislature, staff anticipates similar bills will be introduced in future sessions. Notably, the proposed bills lacked many of the safeguards that have helped the City of Fort Worth’s Third Party Program succeed since 1999. The following provides a comparison of the City’s current program and key differences from the generally proposed legislation.

	City of Fort Worth	Proposed Legislation
Reporting	Detailed Report Required	Reasonable report requirement allowed
Timing	Inspections documented in real time in the City’s system of record	Within 15 days after the review or inspection
Insurance	\$1M per occurrence, \$2M aggregate	\$500K per occurrence, \$1M aggregate
Indemnification	Yes	Yes
Conflict of interest	Detailed restrictions including limits on how much income can be derived from a single entity	Limited to applicant/owner or a person whose work is the subject of the review or inspection
Qualifications	ICC certifications and applicable state license specific to work being inspected	ICC certified to inspect buildings, though certification not specific to work being inspected
Quality control	Allowed (currently 10%5 follow up)	Prohibited
Discipline	Suspension and/or termination of contract	Termination after 5 violations

The most concerning aspects of the previously proposed bills are the lack of specificity in the qualifications, insufficient conflict of interest prevention, and vague/weak quality control provisions.

The previously proposed bills would have allowed any “individual certified to inspect buildings” to inspect any building within a jurisdiction. This would create significant life safety concern. For example, under this language someone with an ICC certification as a masonry inspector could approve gas piping or electrical work. An individual certified as a residential plumbing inspector could approve high rise structural inspection. The potential for conflicts is extensive. In contrast,

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Fort Worth's third party program already includes trade specific certifications and licensure as a condition of approval to provide plan review and inspection services.

Another weakness in the proposed legislation is insufficient conflict of interest protection. While the previously proposed legislation prohibits plan review or inspection of work by the applicant, the owner, or the person who did the work, it does not prohibit family, relatives, a subsidiary or sister company from providing approvals. Additionally, it does not account for inspection companies who derive 100% of their revenue from a single builder or construction company allowing said company undue leverage over the review process. Fort Worth's ordinance already includes protection against all of these potential issues.

For these reasons, Development Services and Fort Worth Fire staff worked with the City's legislative partners and stakeholder groups to educate lawmakers. Staff testified at hearings, wrote white papers, and met with lawmakers to highlight staff's concerns and provide potential solutions based on Fort Worth's extensive experience with third party plan review and inspection programs. In future legislative sessions, staff will continue to advocate for provisions that are similar to what Fort Worth adopted in order to maintain the health, safety, and welfare of the Fort Worth community.

For questions regarding this information, please contact D. J. Harrell, Development Services Director, at 817-392-8032.

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