
CITY OF CHICAGO RULES



DRAFT RULE

STRUCTURAL PEER REVIEW PROGRAM



Mayor Brandon Johnson

Commissioner Matthew W. Beudet

City of Chicago Department of Buildings
Rules for the Structural Peer Review Program

BY AUTHORITY VESTED IN THE COMMISSIONER OF BUILDINGS PURSUANT TO SECTIONS 14A-1-104.2 AND 14A-1-104.4 AND THE GENERAL PROVISIONS OF THE MUNICIPAL CODE OF CHICAGO, THE FOLLOWING RULES FOR THE STRUCTURAL PEER REVIEW PROGRAM ARE ADOPTED AND SUPERSEDE ALL PRIOR RULES.

BY ORDER OF THE COMMISSIONER:

_____, 2024
MATTHEW W. BEAUDET DATE

Published: 1 / 5 / 2024

Effective: __ / __ / 2024

DRAFT RULE

CONTENTS

Overview 3

Part I: General Provisions..... 3

 A. Definitions 3

 B. Scope and Effect..... 4

Part II: Structural Peer Review Process..... 4

 C. Eligible Projects..... 4

 D. RSPR Selection..... 5

 E. Scope of Review by RSPR..... 6

 F. Content of Report..... 7

 G. Validity of Report..... 9

 H. Phased Submission..... 9

 I. Review by the Department 9

 J. Audit by the Department..... 10

 K. Use of Report 10

 L. Responsibility 10

Part III: Professional Registration 11

 M. Eligibility 11

 N. Duration of Registration..... 12

 O. Training Class 12

 P. Initial Application Procedure 13

 Q. Renewal Procedure..... 14

 R. Suspension and Revocation of Registration in the Program 14

DRAFT RULE

OVERVIEW

The Structural Peer Review Program is designed to expedite the permitting process by reducing the time and effort required for conventional structural plan examination by Department personnel. Under the Department's Standard Plan Review program, use of Structural Peer Review is voluntary. Use of Structural Peer Review is required for some types of work under the Self-Certified Permit Application program. In all cases, the permit applicant may select any Registered Structural Peer Reviewer (RSPR) to prepare a Structural Peer Reviewer's Report, so long as the RSPR has sufficient experience with the type of work to be reviewed. The permit applicant is responsible for the entire cost of using Structural Peer Review. The use of Structural Peer Review instead of conventional structural plan review does not affect the building permit fee or inspection process.

PART I: GENERAL PROVISIONS

A. Definitions

In these Rules, the following words and terms have the meanings shown:

CHICAGO CONSTRUCTION CODES. As defined in the Chicago Construction Codes Administrative Provisions together with any rules or formal interpretations issued pursuant to the Chicago Construction Codes.

CHICAGO CONSTRUCTION CODES ADMINISTRATIVE PROVISIONS. Title 14A of the Municipal Code.

COMMISSIONER. The Commissioner of Buildings or the Commissioner's designee.

CONVENTIONAL STRUCTURAL PLAN REVIEW. A technical review of the proposed structural design of a project conducted by a Department employee or person performing contractual services for the Department.

CURRENT PERMIT DRAWINGS. The most current version of structural and architectural drawings, calculations, and other documents uploaded to E-Plan as part of the building permit application.

DEPARTMENT. The City of Chicago Department of Buildings.

E-PLAN. The Department's web-based system for the electronic submission and review of construction documents and other documents related to building permit applications.

MUNICIPAL CODE. The Municipal Code of Chicago.

PERMIT APPLICATION. An application for a building permit or similar permit, including the associated construction documents and all other supporting information, submitted to the Department or prepared for submission to the Department, together with all revisions or additional related information submitted to the Department prior to permit issuance.

PREPARED BY. Personally prepared by the RSPR; or, if the RSPR is an Illinois-licensed architect, prepared by a person over whom the RSPR exercises responsible control within the meaning of Section 14 of the Illinois Architecture Practice Act of 1989; or, if the RSPR is an Illinois-licensed structural engineer, prepared by a person over

whom the RSPR exercises personal supervision and control within the meaning of Section 12 of the Illinois Structural Engineering Act of 1989.

PROFESSIONAL OF RECORD. The Illinois-licensed structural engineer or architect responsible for the structural design of the project.

PROJECT LEAD. An individual, other than the professional of record, who is licensed to practice structural engineering and exercises substantial responsibility for the structural engineering of a project that was not permitted using the Self-Certified Permit Application program. For example: an individual who prepared more than half of the structural drawings and/or structural calculations for a project under the control of the professional of record.

PROJECT. The work identified in a permit application, or, with respect to a phased permitting process, the work identified in all related permit applications.

REGISTERED STRUCTURAL PEER REVIEWER or RSPR. A natural person currently registered and eligible under Part III of these Rules.

STRUCTURAL PEER REVIEWER'S REPORT or REPORT. A written report prepared by an RSPR in accordance with the requirements of Part II of these Rules.

SUITABLE FOR PERMITTING. Containing all information that is required to be included by the Chicago Construction Codes and is necessary to convey the structural design for the project to a reasonable person employed in the construction industry.

B. Scope and Effect

1. These rules are prospective only.
2. Nothing in these Rules is intended to limit the power or authority of the City of Chicago, the Commissioner, the Department, or any other City department or official; nor are these Rules intended to relieve any person or entity from full compliance with any provision of the Municipal Code, or any other rules promulgated by any City official or agency.
3. The Commissioner reserves the right to amend these Rules at any time in accordance with law.
4. The provisions of these Rules are severable. If part of these Rules is declared invalid or unconstitutional, that declaration does not affect any part that remains valid.

PART II: STRUCTURAL PEER REVIEW PROCESS

C. Eligible Projects

1. A permit applicant may submit a Report in connection with any plan-based permit application submitted to the Department under the Standard Plan Review program (SPR) or Self-Certified Permit Application program (SC) or any other permit application review program designated by the Commissioner.

2. A Report may be required as part of the permit application for some projects under the Department's Self-Certified Permit Application program, as specified in the rules for that program.
3. A Report may only be used with the Developer Services (DS) or Direct Developer Services (DDS) program with the written preapproval of the Commissioner.
4. If a Report, meeting all requirements of these Rules, is submitted in connection with a permit application, the Department will usually waive conventional structural plan review for that application. However, use of the Structural Peer Review Program instead of conventional structural plan examination is a privilege and not a right. The Department retains the right to require conventional structural plan review, on a random or judgmental basis, in connection with any permit application or project. The Commissioner has sole and final authority over whether conventional structural plan review is required for any project or with respect to any permit application.

D. RSPR Selection

1. The permit applicant may select any RSPR from the current list maintained by the Department. The permit applicant is responsible for any and all costs associated with retaining the RSPR.
2. The RSPR must have demonstrable technical expertise in projects similar in scope and complexity to the project to be reviewed.
3. The RSPR must be selected and retained prior to initial submission of the permit application. Use of an RSPR must be indicated in the project description on the initial permit application.
4. The RSPR (and the RSPR's firm) must be independent of the applicant and the design and construction team.
 - a. The RSPR (and the RSPR's firm) must not have any involvement in the project before, during, and within 18 months after the review, except in a review capacity.
 - b. The RSPR (and the RSPR's firm) must not have a financial or other interest in the design, construction, installation, manufacture, or maintenance of structures or components that they are reviewing.
5. The RSPR must serve through completion of the project and may only be terminated for failure to perform the duties specified in these Rules.
6. When a RSPR is terminated or resigns, both the RSPR and permit applicant must notify the Department in writing within 10 business days.
7. The Department must consent, in writing, to the replacement or substitution of the RSPR after substantive review activities have commenced.
8. Preapproval by the Department of an RSPR's qualifications to review a specific

project is not required, however a permit applicant may request preapproval by submitting to the Department, in writing:

- a. The name of the proposed RSPR;
- b. The proposed RSPR's resume or curriculum vitae;
- c. A list of at least 3 projects of similar scope and complexity to the current project where the proposed RSPR served as professional of record, structural peer reviewer, or project lead;
- d. The project name and address; and
- e. A description of the proposed work and existing conditions, including the existing and proposed occupancy classification, structural system, height, and span.

E. Scope of Review by RSPR

1. In conducting the review, the RSPR must exercise the level of skill and care used by an Illinois-licensed structural engineer practicing in the greater Chicagoland area acting as a structural peer reviewer on a project of similar scope and complexity.
2. In preparing the Report, the RSPR must, at a minimum, review all materials necessary to fully address all topics listed in Rule G, including, as applicable: documentation of existing conditions, inspection and testing reports (including methods of sampling), analyses prepared by the engineer of record and consultants, preliminary structural designs, and current permit drawings. These materials must be provided by the professional of record.
3. If, following initial review of materials provided by the professional of record, the RSPR is unable to fully address any topic listed in Rule G, the RSPR must submit written comments to the professional of record.
4. The professional of record must revise the permit drawings or provide additional information to address each comment by the RSPR. The professional of record must provide a single document detailing the response to each comment from the RSPR, including citation to each relevant revision. After all of the RSPR's comments have been addressed, the professional of record must provide a copy of current permit drawings to the RSPR.
5. The RSPR must review and base the Report on the current permit drawings.
6. The RSPR must review all structural aspects of the project, including earth retention systems (if applicable).

EXCEPTION: When a project involves an earth retention system, the Report submitted to the Department may be a single document consisting of two parts prepared by different RSPRs. Each part must independently meet the requirements for a Report. Each page of both parts must be labeled in the left

margin in vertical 14-point boldface type with either “PART I: STRUCTURAL PEER REVIEW-EXCLUDING ERS” or “PART II: STRUCTURAL PEER REVIEW-EARTH RETENTION SYSTEM ONLY,” as applicable.

F. Content of Report

1. The top of the first page of the Report must state the permit application number to which it applies, as well as the exact project address used on the permit application.
2. The first page of the Report must contain the following statement, signed and sealed by the RSPR:

I, _____, hereby certify that I have performed a structural peer review and prepared this report in accordance with the Structural Peer Review Program Rules effective [date], 2024.

I possess professional experience and expertise in projects of similar scope and complexity. I performed these services consistent with the standard of care applicable to the performance of structural engineering peer review services on projects of similar size and complexity in the greater Chicagoland area.

The peer review was limited to a review of the extent to which the design in question complies with [CODE EDITION] structural requirements. I have further determined that the structural design is in substantial compliance with the [CODE EDITION].

I further certify that neither I nor any firm with which I am affiliated has a financial or other interest in this project other than as structural peer reviewer.

Signature: _____
Date: _____
IL License No.: _____

Any modification to this statement, except for insertion of the RSPR’s name and [CODE EDITION] will result in rejection of the Report by the Department.

3. The Report must NOT include any conditions, limitations or unresolved issues. All issues between the RSPR and engineer of record must be resolved prior to completion of the Report.
4. The Report must document the RSPR’s professional expertise with projects of similar scope and complexity to the project under review by listing the name, location, and approximate date of such other projects, and the RSPR’s role in such projects. In general, to demonstrate the minimum level of expertise required by these Rules, the RSPR must identify at least 3 projects of similar scope and complexity where the RSPR served as professional of record, structural peer reviewer, or project lead.
5. The Report must include a statement that the RSPR holds professional liability

City of Chicago Department of Buildings
Rules for the Structural Peer Review Program

insurance as required by these Rules, including the name and address of the insurer and expiration date of the policy.

6. The Report must include a statement that the RSPR's current license to practice structural engineering issued by the State of Illinois is in good standing.
7. The Report must include all correspondence required by Rule E between the RSPR and professional of record.
8. At a minimum, the Report must:
 - a. List all codes and standards used in the design of the project, and verify that these are appropriate;
 - b. List all structural design criteria, including loads and performance requirements, and verify that these are appropriate;
 - c. List the technical basis for design criteria that are not specified directly in applicable codes and standards, including, as applicable, reports by specialty consultants such as wind tunnel study reports and geotechnical reports, and verify that these are appropriate;
 - d. Describe the documented investigation of existing site conditions performed by the professional of record, and verify that the scope of investigation is appropriate;
 - e. Verify that the proposed design conforms to existing site conditions, as documented;
 - f. Identify the title, sheet number, and revision date of each structural and architectural drawing for the project used to complete the Report, either individually or by reference to dated set(s);
 - g. Verify that the structural drawings are in general conformance with the architectural drawings regarding load conditions and other conditions that may affect the structure;
 - h. Verify that major mechanical items are indicated in the structural drawings and accounted for in the structural design;
 - i. Verify that the structural drawings are suitable for permitting;
 - j. Verify that the structural calculations documenting the design are suitable for permitting;
 - k. Verify that the notes on materials, loadings, design criteria, and conditions in the current permit drawings are suitable for permitting; and
 - l. Verify that the structural design conforms to the Chicago Construction Codes by specifically reviewing:

DRAFT RULE

- (1) Overall design concepts and methods, including methods of resisting gravity and lateral loads and methods of providing for lateral stability;
- (2) Computer programs used and the appropriateness of their application; and
- (3) Structural analysis used to determine member forces and performance parameters, such as wind-induced deformation (either by examining methods and computer input and output or by independent analysis by RSPR);

and performing:

- (4) A general review of the reasonableness of the design of all structural systems; and
 - (5) A complete check of the design of at least 2 selected components.
9. Required information must be presented in substantially the order listed in this Rule.
10. Each page of calculations performed by the RSPR must be clearly marked to distinguish such calculations from calculations performed by the professional of record or others (if any) included in the Report.

G. Validity of Report

1. The Report must be based upon the current permit drawings.
2. Any substantive revision to the current permit drawings requires additional review and preparation of a revised report by the RSPR.
3. Instead of a revised Report, the RSPR may issue a dated, signed and sealed letter, addressed to the professional of record and Department specifically listing the title and date of all revised permit documents which have been reviewed by the RSPR and stating that the revisions identified in those documents have no impact on the previously completed Report. This “no impact” letter may be uploaded to the E-Plan system with the original Report instead of a revised Report, where applicable.

H. Phased Submission

1. A Report submitted in connection with a permit application for phased construction (e.g. foundation-only) must be similarly phased. The RSPR must be provided with sufficient information upon which to prepare a Report for the phased submission.

I. Review by the Department

1. The Report must be submitted to the Department through the E-Plan system. The current permit drawings (including structural calculations) reviewed by the

RSPR must also be uploaded to the E-Plan system before the review will occur.

2. The Department will review a submitted Report for completeness and compliance with these Rules.
3. The Department may require the RSPR and/or professional of record to meet or confer with the Department to address any questions or deficiencies.
4. The Department may reject a Report that does not fully comply with these Rules and require conventional structural plan review for the project.
5. Substantial errors, omissions, or noncompliance with these Rules may result in suspension or revocation of the RSPR's eligibility to participate in this program, as detailed below.
6. Submission of a Report which results in waiver of conventional structural plan review will not result in an increase or decrease in the permit fee.

J. Audit by the Department

1. The Department may select any permit application for which a Report has been submitted and require conventional structural plan review, on either a random or judgmental basis.
2. The Department may also audit Reports after the associated permit has issued on a random or judgmental basis, including but not limited to as a result of deficiencies identified during a field inspection.
3. The result of such auditing will be used to assure compliance with the structural provisions of the Chicago Construction Codes to evaluate this program, and to initiate discipline under Rule R.

K. Use of Report

1. A Report submitted under this program will be retained by the Department as part of the permit application materials.
2. A Report submitted under this program may be reproduced and distributed by the Department, in whole or in part, for training purposes. If used for such purposes, information identifying the project address, RSPR, and professional of record will be redacted.

L. Responsibility

1. The professional of record retains sole responsibility for the structural design. The activities and reports of a RSPR do not relieve the professional of record of this responsibility.

PART III: PROFESSIONAL REGISTRATION

M. Eligibility

1. To be eligible for RSPR registration or renewal, an individual must:
 - a. Currently be licensed by the State of Illinois to practice structural engineering;
 - b. Have been licensed by any jurisdiction for at least 6 years to practice structural engineering, civil engineering, professional engineering, or architecture;
 - c. Have been licensed by the State of Illinois for at least 3 years to practice structural engineering;
 - d. Have acted as professional of record, project lead, or RSPR (*renewal only*) on 5 or more permits issued by the Department in the prior 60-month period;
 - e. Have successfully completed the Structural Peer Review Program training class offered by the Department, as evidenced by a certificate of completion;
 - f. Maintain current contact information, including an e-mail address, on file with the Department; and
2. An individual is ineligible for RSPR status if the individual is subject to active discipline or disciplinary proceedings by the Department, the State of Illinois, or any other municipality or state licensing authority, or has been subject to such discipline during the preceding 5-year period.
3. An individual is ineligible for RSPR status if, during the preceding 5-year period, the individual has been convicted or found liable of:
 - a. Knowingly making a false statement of material fact on or in connection with any permit application or other submission to a government entity;
 - b. Knowingly submitting any document containing false or fraudulent information in support of a permit application or other submission to a governmental entity; or
 - c. Knowingly affixing a false signature or seal to any permit application or other submission to a governmental entity.
4. Only natural persons (not firms, sole proprietorships, partnerships, corporations, limited liability companies or other legal entities) are eligible for RSPR status.
5. A RSPR must continuously maintain professional liability insurance, issued by an insurer authorized to insure in the State of Illinois, with limits of not less than \$500,000.00 per claim and \$1,000,000.00 in the aggregate for all claims made

during the policy period. This requirement may be met with professional liability coverage applicable to the RSPR as owner, member or employee of a sole proprietorship, firm, partnership, corporation, limited liability company, or similar entity, so long as the coverage is applicable to structural peer review services.

6. A RSPR must notify the Department in writing within 10 business days of any event which may cause the RSPR to no longer be eligible for RSPR status under these Rules.

N. Duration of Registration

1. For a RSPR who first registered prior to the effective date of these Rules, and has not renewed under these Rules, his or her registration will expire on June 30 of the latter of:
 - a. the sixth year after the most-recently-attended training class; or
 - b. 2020.
2. For a RSPR who registers or renews after the effective date of these Rules, his or her registration will expire on June 30 of the latter of:
 - a. The sixth year after such registration; or
 - b. The sixth year after the scheduled expiration of the prior registration.
3. A report from a RSPR whose registration status is expired may not be submitted by any permit applicant and will not be accepted by the Department.
4. The responsibility to maintain RSPR status is on the registered professional and not on the Department. The Department is under no obligation to extend registration pending renewal or offer additional training classes to accommodate renewal by individuals who have allowed a prior registration to expire.
5. The Commissioner may periodically require RSPRs to submit written acknowledgement of significant changes in the structural provisions of the Chicago Construction Codes or these Rules. It will be grounds to suspend or revoke the registration of any RSPR if the RSPR fails to acknowledge such a change within 60 days of an official notice sent to the e-mail address on file with the Department.

O. Training Class

1. The Department will periodically offer a training class for individuals seeking or renewing RSPR status. The class will provide attendees with an overview of the structural provisions of the Chicago Construction Codes, and instruction on the substantive and administrative requirements of the Structural Peer Review program.
2. The training class will be open to any individual who has been licensed to practice engineering or architecture by any jurisdiction for at least 6 years;

licensed to practice structural engineering by the State of Illinois for at least 3 years; has paid the training class fee, and is otherwise eligible under Rule M. Space in each training class is limited and placement in a training class is on a first come basis upon full payment of the training class fee.

3. The training class fee will be periodically established by the Commissioner but shall not be less than \$2,000.00. The training class fee is nonrefundable. Payment of the training class fee and attendance at the training class does not guarantee RSPR status if other eligibility requirements are not met.
4. The Department will issue a certificate of completion to each attendee who successfully completes the training class. Successful completion requires:
 - a. In-person attendance at all portions of the training class. An individual who is absent for more than 30 minutes of the scheduled training class sessions, without advance permission from the Department, has not successfully completed the training class.
 - b. Active participation in the training class. An individual who is present at the training class but engaged in unrelated activities during the class has not successfully completed the training class.
 - c. Substantial comprehension of materials covered in the training class. The Department may administer one or more written evaluations as part of the training class. An individual must receive satisfactory results on each such evaluation to successfully complete the training class.
5. The Department may allow individuals who do not meet RSPR registration requirements to audit the training class if space is available. Such individuals are required to pay one-half the training class fee prior to attendance. Such individuals will not receive a certificate of completion.

P. Initial Application Procedure

1. An initial application must be submitted in writing in a form and format established by the Department.
2. If the applicant did not serve as professional of record for at least 5 projects for purposes of Rule M(1)(d), the Department may require the applicant to submit one or more letters signed by the professional of record describing the applicant's role.
3. An initial applicant who meets the minimum training class eligibility requirements will be notified by e-mail of the next available training class date and the procedure for payment of the training class fee.
4. The Department will make every effort to review other qualifications of initial applicants prior to requiring payment of the training class fee, however, admission to the training class is not a determination by the Department that all eligibility criteria are met or that the applicant has sufficient expertise in any area to act as a RSPR. Any questions about eligibility should be discussed with the

Department prior to payment of the training class fee, which is nonrefundable.

5. For each applicant who successfully completes the training class, the Department will conduct a final review of eligibility and notify each qualified individual in writing.
6. The Department will maintain a list of RSPRs and make it available to the public. RSPRs may provide a written list of areas of specialization, which may be included in this list at the discretion of the Department.

Q. Renewal Procedure

1. Renewal applications must be made in writing in a form and format established by the Department.
2. A renewal application must be accompanied by a training class certificate of completion issued within the past 365 days.
3. For each renewal applicant who meets all eligibility requirements, the Department will renew the RSPR's registration.

R. Suspension and Revocation of Registration in the Program

1. The process for suspending or revoking RSPR status will be the process established in the Department's Rules Regarding the Suspension and Revocation of Licenses, Registrations and Certifications.

The grounds for suspending or revoking RSPR status will be as set forth in Section 14A-3-305 of the Municipal Code.