



# APPROVED AGENCIES Raising Construction Standards

Approved Testing Agency, Concrete Testing Laboratories,  
Approved Inspection Agency and Approved Progress Inspection Agency

## Overview

The New NYC Construction Codes advance the safety and integrity of New York City's buildings and are supported by a new Department Approved Agencies [Rule](#) that enhances requirements third-party agencies must meet in order to test or inspect materials, equipment, construction-related activities and periodic maintenance. Approved Agencies must be established and recognized as regularly engaged in conducting test or furnishing inspection services. Third-party agencies failing to meet these new standards will not be authorized to conduct testing or inspections.

This Code Compass focuses on four types of agencies that test and inspect material, equipment and construction-related activity: Approved Testing Agencies, Concrete Testing Laboratories; Approved Inspection Agencies; and Approved Progress Inspection Agencies. (An upcoming Code Compass will focus on approved agencies that conduct elevator, boiler and exterior wall inspections. Please read [Buildings News](#) and the [Code Compass](#) section of the Department's website.)

## Approved Testing Agency

Testing agencies must be qualified to test and evaluate the performance of materials and equipment regulated by the 2008 Building Code. Testing agencies currently approved by the Buildings Department (legacy MEA-approved labs) will still be accepted on an interim basis under the 2008 Building Code, but must be accredited by the International Accreditation Service ([IAS](#)), or its equivalent, by July 1, 2010. Agencies failing to meet this accreditation deadline will no longer be an Approved Testing Agency.

## Concrete Testing Laboratories

Concrete Testing Laboratories must be licensed to test and inspect concrete to be used in construction. The laboratory must have a registered architect or professional engineer who is responsible as the director in charge. The laboratory must be accredited by [AASHTO](#) Accreditation Program (AAP), or its equivalent, accrediting to the standards set forth in [ASTM Designation E 329-07](#) or by a federal agency, by July 1, 2010. Agencies failing to meet this accreditation deadline will no longer be an Approved Concrete Testing Laboratory, unless they apply for and are granted an extension by the Buildings Commissioner.

## Additional Resources

For information about Approved Agencies, visit the [OTCR](#) or [New Codes Rules](#) web pages in the NYC Construction Codes section of our website or email questions to [OTCR@buildings.nyc.gov](mailto:OTCR@buildings.nyc.gov).



View individual chapters of the New NYC Construction Codes. On the Codes homepage, select the NYC Construction Codes link, then click [item-by-item](#).

Sign up for [Buildings News](#) and read the [Code Compass](#) section of our [website](#) for other technical facts about the New Codes.

Visit the Department on the Internet at: [www.nyc.gov/buildings](http://www.nyc.gov/buildings).



### **Approved Inspection Agency**

Inspection agencies must be qualified to conduct periodic, unannounced, follow-up factory inspections. Inspection agencies ensure that building products continue to comply with applicable standards through the listing period. An Approved Inspection Agency has the authority to list and label products according to [ISO guide 65](#). Agencies must be accredited by the International Accreditation Service (IAS), or its equivalent, by July 1, 2008. Agencies failing to meet this deadline will not be considered an Approved Inspection Agency.

### **Approved Progress Inspection Agency**

Progress inspection agencies must be qualified to perform inspections required by the [Rules](#) of the Department, Title 28 of the Administrative Code, and/or the 2008 Building Code (Chapter 1 – [BC 109](#)). The following types of progress inspections are required beginning July 1, 2008:

- Preliminary
- Footing and Foundation
- Lowest Floor Elevation
- Frame Inspection
- Energy Code Compliance Inspections
- Emergency Lighting (Public Assembly)
- Fire Resistant Rated Construction
- Final

Inspections must be performed by a registered design professional with relevant experience, or a person under his or her direct supervision. Progress inspectors must also verify that Special Inspections, required prior to the Progress Inspection, have been completed and documented. Agencies failing to meet the qualifications of this Rule will no longer be an Approved Progress Inspection Agency.

### **Insurance Requirements**

By July 1, 2008 all Approved Agencies must obtain general liability and New York State Workers' Compensation and Disability Insurance. In addition, Approved Progress Inspection Agencies must obtain an *occurrence-based* professional liability/errors and omissions insurance policy by July 1, 2008.

### **Accreditation**

Testing and inspection agencies (other than Progress Inspection Agencies) must diligently pursue appropriate accreditation by the timeframes prescribed by the new Rule. They must also be in good standing with the Buildings Department and possess the requisite licensing.