



Oregon

Tina Kotek, Governor



Department of Consumer
and Business Services

Date: Oct. 1, 2024

Subject: Building Evaluation Support Agreement Informational Backgrounder

Background:

In response to industry needs for increased resources for building official, plan review and inspection services, the Oregon Building Codes Division (BCD) has created an interagency agreement that will make it easier for jurisdictions to share resources directly with each other. The Building Evaluation Support Agreement (BESA) will be a voluntary, multilateral mutual aid agreement (Multilateral Agreement) that building departments may use to request and share Building Official services between departments, such as plan review and inspection services.

By using BESA, the requesting building department and the service provider department ("Joining Parties") will agree to the basic terms outlined in the Agreement. All building departments signatory to the agreement will be able to share staff resources with each other. BESA promotes efficiency by eliminating the need to negotiate and execute new interagency agreements every time mutual aid is requested or required. Being able to offer mutual aid allows jurisdictions to keep their projects moving, while not having to carry the added expense of unused labor capacity.

Questions:

1. What are the costs for using BESA?
2. How does a building department begin using BESA?
3. How long is the agreement valid for?
4. Is the agreement limited to specific services?
5. What is the effect of the BESA on any preexisting mutual aid agreements that a jurisdiction may have with other building departments?

Answers:

1. As stated in section V of the agreement, the requesting party agrees to pay the service provider on a quarterly basis, at a rate that involves one of the following options:
 - a) Ninety percent (90%) of the plan review fee collected by the requesting party for plan reviews completed under this agreement.
 - b) Ninety percent (90%) of the permit fee collected by the requesting party for permitted work where BCD will conduct all associated inspections with the permit.
 - c) Eighty-five dollars (\$85.00) per hour for work not identified in (a) or (b).
 - d) For each month that service provider provides interim building official services, but no inspection or plan review services, 10% of all building code related fees collected by requesting party.

2. To begin receiving and / or providing services, each party must agree to the terms as outlined in the BESA by executing an “Undertaking to Join” form. BCD will have a current list of joining parties, along with their signed undertakings, publicly available on the BCD website. This will allow for joining parties to communicate directly with each other.
3. Agreements will be valid from the time a joining party executed and delivered it's Undertaking to Join form. Undertakings will expire on June 30, 2034.
4. As described within Section IV “Statement of Work” of the agreement, the only services that will be provided under the agreement are those requested by the requesting party and as service provider has available staff to complete the requested work.
5. None. The intent is not to limit options for building departments. The intent of the language at Section XVIII of the agreement is that execution of the BESA “...supersedes any and all prior or contemporaneous negotiations or agreements between the Joining Parties, or any of them, whether written or oral, concerning the subject matter of this Agreement...”. BESA only supersedes any prior multilateral mutual aid agreements between the participating jurisdictions. Execution of the BESA is not intended to supersede any other bilateral mutual aid agreements that a jurisdiction may have with other building departments. If a building department has mutual aid agreements with other departments, it may choose to continue to operate under those agreements or it may choose to operate under the terms of BESA. It can choose on a case-by-case basis which agreement to use.

For additional information, please visit the BESA webpage by scanning the QR code:

