

FIRE DEPARTMENT • CITY OF NEW YORK



**STUDY MATERIAL FOR THE EXAMINATION FOR
THE CERTIFICATE OF FITNESS FOR**

**CERTIFICATION OF PROFESSIONAL VERIFYING FIRE ALARM
SYSTEM FUNCTIONALITY
(Citywide) S-99**

**CERTIFICATION OF CORRECTED FIRE ALARM SYSTEM DEFECTS
(Citywide) S-89**

This book is provided to the public for free by the FDNY.

ALSO INCLUDED IN THIS BOOKLET YOU WILL FIND THE FOLLOWING:
ALTERNATE ISSUANCE PROCEDURES (AIP)

EXAM SPECIFIC INFORMATION FOR S-99/S-89 CERTIFICATE OF FITNESS

Save time and submit application online!

S-99/S-89 applicants must submit and pay the COF application online.

It can take about 30 minutes to complete. Completing application and paying online will eliminate waiting outside in the long lines.

Simplified instructions for online application and payment can be found here:
<http://www1.nyc.gov/assets/fdny/downloads/pdf/business/fdny-business-cof-individuals-short.pdf>

Create an Account and Log in to:
<http://fires.fdnyccloud.org/CitizenAccess/>

REQUIREMENTS FOR CERTIFICATE OF FITNESS APPLICATION

General requirements:

Review the General Notice of Exam:

<http://www1.nyc.gov/assets/fdny/downloads/pdf/business/general-notice-of-exam-cof.pdf>

Special requirements for the S-99/S-89 Certificate of Fitness:

- S-99/S-89 can only be obtained by qualifying for an exemption on the basis of education, experience or other qualifications. **S-99 and S-89 are only issued via Alternate Issuance Procedures (AIP) after submitting the required documents.**

Application fee (Cash is NO LONGER ACCEPTED):

Pay the **\$25** application fee online by one of the following methods:

- Credit card (*American Express, Discover, MasterCard, or Visa*)
- Debit card (*MasterCard or Visa*)

A convenience fee of 2% will be applied to all credit card payments.

For fee waivers submit: ***(Only government employees who will use their COF for their work-related responsibilities are eligible for fee waivers.)***

- A letter requesting fee waiver on the Agency's official letterhead stating applicant full name, exam type and address of premises; **AND**
- Copy of identification card issued by the agency

REQUIREMENTS FOR ALTERNATIVE ISSUANCE PROCEDURE **(AIP)**

These two Certificate of Fitness can only be obtained by the alternative issuance procedure. Qualified applicants should review and complete the S-99/S-89 Certificate of Fitness Alternative Issuance Procedure Application Affirmation Form:

S-99

<https://www1.nyc.gov/assets/fdny/downloads/pdf/business/cof-s99-application-form.pdf>

S-89

<https://www1.nyc.gov/assets/fdny/downloads/pdf/business/cof-s89-application-form.pdf>

The AIP applicants must submit the application, required documents and payment on **FDNY Business**:

<http://www1.nyc.gov/assets/fdny/downloads/pdf/business/fdny-business-cof-individuals-short.pdf>

WEBSITE

Please always check for the latest revised booklet at FDNY website before you apply, the Certificate of Fitness Study Material link, below:

<https://www1.nyc.gov/assets/fdny/downloads/pdf/business/cof-s99s89-noe-study-materials.pdf>

RENEWAL REQUIREMENTS

General renewal requirements:

Review the General Notice of Exam:

<http://www1.nyc.gov/assets/fdny/downloads/pdf/business/general-notice-of-exam-cof.pdf>

Special renewal requirements. S-89/S-99 Certificate of Fitness: None

QUESTIONS?

FDNY Business Support Team: For questions, call 311 and ask for the FDNY Customer Service Center or send an email to FDNY.BusinessSupport@fdny.nyc.gov

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INTRODUCTION

The New York City Fire Department is responsible for approving the installation of fire alarm systems, including inspecting and witnessing an acceptance test of such systems. If, upon such inspection and testing, Fire Department personnel finds that the fire alarm installation is not in compliance with the New York City Building Code, New York City Fire Code, NFPA Standard 72 or other applicable laws, rules, regulations or approvals, a Notice of Defects is issued to the owner and applicant setting forth such defects. Such defects are not Fire Code violations because the fire alarm system is only in the installation and approval process and is not required to be fully code-compliant because the building or space is not yet occupied.

In many cases, the defects are relatively minor and can be corrected by the applicable licensed professional – a fire alarm system installer or an electrician – without undue delay. The S99/S89 Certificates of Fitness have been developed by the FDNY to permit the certification of the correction of certain fire alarm system defects by Licensed Professional. The certifications will be filed with and reviewed by the Fire Department, and if accepted, will eliminate the need for a re-inspection and expedite issuance of a Letter of Approval.

The FDNY rule 104-04 sets forth the standards, requirements and procedures for certification of correction of defects in the design and installation of newly-installed and altered fire alarm systems, when such defective conditions are cited by the Fire Department upon inspection of such a system.

The Certification of corrected defects will require to be corrected and verified by different licensed professionals

- (1) certification by the fire alarm system installer who personally corrected the defect. Such person shall either be
 - (A) a principal of an FDNY approved fire alarm company who holds an S-97 Certificate of Fitness and an S-89 certificate of fitness for certification of corrected defects; or

- (B) a technician employed by an FDNY approved fire alarm company and holds an S-98 Certificate of Fitness and an S-89 certificate of fitness for certification of corrected defects;

and

- (2) if correction of the defect necessitated the installation of electrical wiring or other work requiring the services of a licensed electrician, certification by the licensed master electrician or licensed special electrician who holds a S-89 certificate of fitness for certification of corrected defects who personally corrected the defect or supervised the work of a qualified electrical technician under such licensed electrician's direction and control;

and

- (3) the licensed professional who personally verified the functionality of the fire alarm system following correction of the defect. Such person shall hold a S-99 certificate of fitness for verification of corrected fire alarm system defects. Such person shall not be one of the licensed professionals who certified correction of the fire alarm system defects.

DEFINITIONS

Emergency Alarm System. A system to provide indication and warning of an emergency condition involving a release of hazardous materials or other hazardous material incident.

APPLICABILITY

In lieu of Fire Department re-inspection, owners may elect to certify correction of defects in newly-installed or altered fire alarm system installations that have not yet been approved by the Department, when all of the following conditions have been met:

- (1) **Approved design documents.** The owner submitted design and installation documents with the FDNY and obtained FDNY approval of the design of the system;
- (2) **Acceptance test.** The owner's representatives conducted the required acceptance test of the system before FDNY representatives;

- (3) **System defects.** The FDNY identified defects in the design and installation of the system, including whether it operates as designed, as set forth in a Notice of Defect or other FDNY documentation issued;
- (4) **Ineligible defects.** The Notice of Defect does not identify more than 10 fire alarm system defects in a low-rise building or more than 20 fire alarm system defects in a high-rise building, and/or does not identify any defect in the design and installation of any of the following system components (where required), including whether these components operating as designed:
 - (A) Emergency alarm systems;
 - (B) Emergency power switchover;
 - (C) Firefighter service (Phase 1 and Phase 2), including elevator recall operation;
 - (D) Fan shut down affecting the operation of more than 20% of fan systems;
 - (E) Fire shutter operation;
 - (G) Power riser (including fire rating requirements);
 - (H) Primary power supply connection (including connection after building disconnect);
 - (I) Smoke control operation;
 - (J) Sprinkler water flow switches and other non-sprinkler fire extinguishing system activation devices;
 - (K) Stair pressurization; and
 - (L) Central station connection.

SCOPE OF CERTIFICATION OF LICENSED PROFESSIONAL CORRECTING DEFECTS

Certification of corrected defects constitutes a representation by the licensed professional correcting the defects, made under the authority granted to the licensed professional by his or her professional license and the applicable FDNY certificate (S-89), that the defect in the design or installation of the fire alarm system, identified in the applicable notice of defect, has been corrected, in accordance with the applicable requirements of the Building Code, Fire Code,

Electrical Code, NFPA 72 and/or other law, rule, regulation, standard or component listing, as follows:

- (1) **Types of defects.** Certification of corrected defects constitutes a representation that each defect has been corrected as follows:
 - (A) **Missing component.** If the defect was a system component that was not installed, the component has been installed and connected to the requisite power source, and operates as designed.
 - (B) **Non-approved component.** If the defect was a system component that was not listed or otherwise not approved for use in New York City, the component has been replaced with a listed or approved component, and operates as designed.
 - (C) **Non-working component.** If the defect was a system component that was not working or not working properly, the condition has been corrected, and the component is in good working order and operates as designed.
- (2) **Operates as designed.** For purposes of certification of corrected defects, “operates as designed” means that the system component performs the function for which it has been designed and installed, in accordance with the manufacturer’s specifications and the approved design and installation documents for the system, as amended by any as-built design and installation documents and (with respect to electrical work) any A-433 form, including activating or shutting down all devices the system component is designed to activate or shut down.
- (3) **Minimum duration of testing.** Certification of corrected defects of a system component shall be based on operation of the device for the period of time necessary to assure its proper operation.
- (4) **Inspection of other system components.** Certification of corrected defects includes a representation that other system components, within the scope of work performed, have been inspected and tested, including inspection and testing of devices that activate such component and devices activated or shut down by the component. The certification does not include a

representation that wiring and/or other inaccessible components have been inspected and tested, except for certifications by the licensed professional who, to correct the defect, installed such wiring and/or performed work on such other inaccessible components.

SCOPE OF CERTIFICATION OF LICENSED PROFESSIONAL VERIFYING SYSTEM FUNCTIONALITY

Certification of corrected defects constitutes a representation by the licensed professional verifying the functionality of the fire alarm system following correction of defects, made under the authority granted to the licensed professional by his or her professional license and the applicable FDNY certificate (S-99), that a defect involving a missing or non-working component has been corrected and the fire alarm system is operating as designed in accordance with the approved plans for the fire alarm system, as amended by any as-built design and installation documents, including the Input/Output programming matrix that defines the sequence of operation (as set forth in Annex A to Section A.14.6.2.4 of NFPA Standard 72 (2010 edition)).

The licensed professional (S-99 COF holder) shall also ensure that other system components, within the scope of work performed, have been inspected and tested, including inspection and testing of devices that activate such component and devices activated or shut down by the component.

The licensed professional (S-99 COF holder) is not required to visually verify if the wiring and/or other inaccessible components are installed or corrected. These components must be inspected and tested by the licensed professional who, to correct the defect, installed such wiring and/or performed work on such other inaccessible components.

SUBMISSION AND ACCEPTANCE OF CERTIFICATION OF CORRECTED DEFECTS

Certification of Corrected Defects shall be submitted using the Certification of Corrected Defects Form. The form will be provided on the FDNY website:

The Certification of Corrected Defects form shall be personally signed by all parties required for the certification. As such, it shall bear the signatures of up to three separate licensed professionals: the signature of the one or two licensed professional(s) who corrected the defect(s) and the signature of the licensed professional who verified the functionality of the fire alarm system following correction of defects.

To complete a fire alarm system application, any changes to a fire alarm system from the original approved design must be reflected on the applicable Department A-433 form, as-built design and installation documents and/or other required documentation and submitted to the Department prior to, or at the time of, the Department inspection. When a notice of defect directs the filing of an A-433 form, as-built design and installation documents and/or other documentation, such documentation shall be submitted together with a certification of corrected defects. If there are no defects in the design or installation of the fire alarm system and the notice of defect requires submission of the applicable A-433 form, as-built design and installation documents or other documentation solely to complete the application, the certification of corrected defects requires only a single signature, that of the licensed or certified professional verifying the functionality of the fire alarm system.

Completed certification of corrected defects must be submitted to the FDNY within 90 days of the date the notice of defect was issued. The required materials include:

- The completed Certification of Corrected Defects Form (Form FA-26)
- A copy of Notice of Defect
- Any associated documentation requested in Notice of Defect
- Required fees:
 - Certification of defects with or without documentation: \$210.00
 - Certification of required documentation only: \$105.00

Follow the submission procedure indicated in the Form FA-26.

<https://www1.nyc.gov/assets/fdny/downloads/pdf/business/fa-26-corrected-defects-form.pdf>

Upon acceptance of certification of corrected defects, including, where required, acceptance of the as-built design and installation documents, A-433 forms and/or other documentation, the Department will deem the defective condition corrected. If there are no other outstanding defects or other considerations preventing its issuance, a letter of approval will be issued for the fire alarm system.

FALSE CERTIFICATION AND MISCONDUCTS

All certifications of corrected defects are subject to audit. Any licensed professional and certificate holder found to have submitted false or fraudulent certification shall be subject to the penalties provided therefor in the Fire Code and rules, and any other applicable law, rule or regulation, including the penalties for misconduct.

In addition to any other penalties provided by law, misconduct on the part of an applicant or holder of a certificate of fitness shall be grounds for denial, non-renewal, suspension or revocation of a certificate, and denial of an application for a certificate or the opportunity to take a certificate examination. Such misconduct includes, but is not limited to:

- (1) the failure of a certificate holder to properly discharge his or her duties;
- (2) any false and fraudulent conduct in connection with an application for a certificate or the duties of a certificate holder, including:
 - (A) any false or fraudulent statement or submission;
 - (B) any unauthorized alteration or use of a certificate or possession of any fraudulent certificate;
 - (C) cheating on an examination; and
 - (D) impersonating another or allowing oneself to be impersonated;
- (3) the failure to promptly notify the Department of any change in the applicant's or certificate holder's residence address, work location when such location is required for and/or indicated on such certificate, and such other information as the FDNY may require.
- (4) any other unlawful or unsafe conduct that bears on the integrity or reliability of an applicant or certificate holder; and

(5) compromising the integrity or confidentiality of an FDNY examination.

False certification of corrected defects may also be considered in connection with the false certifier's fitness to hold other certificates of fitness or company certificates.

The professional licenses issued by the New York State will also be subject to Rules of the Board of Regents. To ensure public protection in New York State, the New York State Education Department's Office of the Professions (OP) investigates and prosecutes professional misconduct. Professional misconduct is the failure of a licensed professional to meet expected standards of practice.

Professional misconduct is defined in Education Law and in the Rules of the Board of Regents which includes the following:

- Engaging in acts of gross incompetence or gross negligence on a single occasion, or negligence or incompetence on more than one occasion
- Permitting or aiding an unlicensed person to perform activities requiring a license
- Refusing a client service because of race, creed, color, or national origin
- Practicing beyond the scope of the profession
- Releasing confidential information without authorization
- Being convicted of a crime
- Failing to return or provide copies of records on request
- Being sexually or physically abusive
- Performing unnecessary work or unauthorized services
- Practicing under the influence of alcohol or other drugs

A range of penalties that includes censure and reprimand, fines (up to \$10,000 for each violation), suspensions and/or probationary terms may be imposed on licensees who have committed misconduct.