



## CONSTRUCTION PERMIT CRITERIA

### Introduction:

**In order to complete construction in Puerto Rico (PR), Tenant's must obtain a Construction Permit prior to the start of construction.** Once construction is completed, each Tenant is required to obtain a Unique Permit prior to the start of business. This Unique Permit contains the Certificate of Occupancy, Fire Prevention Certificate and Sanitary License.

Every Tenant is required to hire an Architect or Engineer of Record who is registered and licensed by the College of Architects & Landscape Architects of PR, or the College of Engineers & Surveyors of PR. They also have to be registered with the State Department of PR. Construction drawings will only be accepted by the Authority Having Jurisdiction (AHJ) if signed and sealed by a licensed & registered architect or engineer.

- College of Surveyors & Engineers of Puerto Rico  
Web Page: <http://www.ciapr.org>  
Phone Number: (787)758-2250
- College of Architects and Landscape Architects of Puerto Rico  
Web Page: <http://www.caappr.org/>  
Phone Number: (787)724-1213  
Fax: (787)-724-3295

If a Tenant does not have an Architect / Engineer of Record, please contact Taubman's Tenant Coordination Department for a list of available professionals.

### **Tenant Coordination**

Randy Tambourine  
Sr. Tenant Coordinator  
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***Taubman has retained a local Permit Specialist for use by all Tenants. This expediting firm will work directly with each tenant at no cost to the Tenant in order to facilitate submitting and obtaining the required Construction Permit and Use permit from the local authorities having jurisdiction. Authorization needs to be given to the Permit Expeditor by each Tenant in order to manage this process.***

### **Permit Expeditor**

Eng. Miguel A. Bonilla, P.S.C  
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**Information needed by Permit Expeditor:**

1. Tenant shall email Permit Expeditor to introduce themselves.
2. Permit Expeditor shall respond to Tenant with a list of information and documents needed from Tenant. It is important that the Tenant entity that executes the lease with Landlord must be registered with the Puerto Rico State Department, otherwise a permit cannot be issued by the AHJ. Information needed from Tenant.
  - a. Tenant contact info.
  - b. Copy of fully executed lease.
  - c. (EIN) Employee Identification Number for entity that signed the lease.
  - d. Certificate of Good Standing from the Puerto Rico State Department. This document can be obtained online through the P.R. State Department website, <https://prcorpiling.f1hst.com/>
  - e. Corporate Authorization Letter for Permit Expeditor. A draft of the authorization letter shall be emailed to Tenant for their signature and affidavit. This authorization letter will allow the Permit Expeditor permission to file all documents and forms to obtain the Construction Permit and Unique Permit from the Permits Management Office (PMO).
3. **Tenant shall obtain the service of an Architect of Record (AOR) or Engineer of Record (EOR) who is currently registered with the College of Architects and Landscapers of Puerto Rico (CAAPPR) or with the College of Engineers and Surveyors of Puerto Rico (CIAPR).** This AOR or EOR must also be registered with the Puerto Rico State Department. The AOR or EOR shall assume responsibility of construction plans and permit documents filed at the PMO. Tenant will provide the AOR or EOR's contact info to Permit Expeditor to start the permit submittal process. Permit Expeditor will request certain information from AOR or EOR to prepare all permit forms for AOR's or EOR's signature and professional seal. This includes,
  - a. CAAPPR or CIAPR Professional license card. This card will contain the architects or engineer's professional license #. Professional card cannot have expired.
  - b. Architect's or Engineer's State Department Certificate. State Department certificate cannot have expired.
  - c. Corporate Authorization Letter from Tenant to Architect or Engineer of Record. A draft of the authorization letter shall be emailed by the expeditor to Tenant for their signature and affidavit.
4. AOR or EOR shall provide Permit Expeditor with names and license numbers of each engineer who will act as SMEP (Structural, Mechanical, Electrical & Plumbing engineers). SMEP's shall email Permit Expeditor the following.
  - a. CIAPR card



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### b. State Department Certificate

#### **Preparation of Permit Documents**

1. After all information is provided to the Permit Expeditor, all permit forms will be prepared and emailed to the AOR or EOR. The Expeditors email shall clearly explain each permit form that needs to be signed and sealed by each, the AOR/EOR and SMEP's.
2. AOR or EOR shall be responsible to distribute the permit forms to all SMEP engineers.
3. AOR or EOR shall then return by email all permit forms with their signature and valid professional seal to the Permit Expeditor. The Permit Expeditor shall constantly remind the AOR/EOR of pending permit forms not returned by email. Tenant shall always be copied on all emails to keep them up to date on the permit document process.

#### **Construction Plans:**

1. AOR/EOR shall email a complete set of signed and stamped plans to Expeditor. Plans shall include the following sections. SMEP's shall sign and seal only plans that they prepared.
  - i. Architectural
  - ii. Structural (if needed)
  - iii. Mechanical
  - iv. Plumbing
  - v. Electrical
  - vi. Fire Protection (Sprinkler System)
  - vii. Fire Alarm

#### **Technical Specifications:**

1. Expeditor recommends that technical specifications be included on drawings. If technical specification will be provided separately from plans, they must be signed and stamped with the professional seal by the AOR or EOR. If a manual ink seal stamp will be used, then the first and last pages must be stamped and signed. If a digital professional seal is used, then all pages must contain the digital seal.

#### **Environmental Exclusion:**

1. Expeditor will obtain an Environmental Exclusion from the PMO needed as part of permit submittal.

#### **Recycling Plan:**

1. Expeditor will obtain the required Recycling Plan or an exclusion to a Recycling Plan as required for permit submittal.



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### **Fire Department & Health Department Recommendations:**

1. For restaurants, barber shops, beauty salons or spaces with a large square footage, the PMO will require all plans related to fire protection, fire alarm, toilet-rooms, and kitchens and bar areas be submitted for review and issuance of recommendations from the Fire and Health Departments of Puerto Rico.
  - a. Recommendations are filed through the PMO's SBP portal.
  - b. Recommendations are needed as part of the permit submittal. Therefore, Recommendations need to be issued before the construction permit is filed.
  - c. Recommendations can take up to 30 days for issuance. Therefore, they must be filed during the early stages of the permit submittal process.
  - d. Permit Expeditor will file the Fire and Health Recommendations and pay the PMO filing fees.

### **Construction Cost Estimate:**

1. A construction cost estimate will be needed as part of the permit submittal.
2. AOR or EOR shall prepare, sign, stamp and email the construction cost estimate, broken down into general sections, to the Expeditor.
3. Estimate must include all construction related materials, equipment, labor and Owner provided items.
4. Estimate shall be emailed to Expeditor.
5. It is important to understand that the cost estimate is required to file the construction permit. Nevertheless, a General Contractor's executed contract is only needed to lift the construction permit. With this in mind, the PMO will use the cost estimate to calculate their filing fees, but they will use the GC's executed contract to compare with the cost estimate. Whichever is higher will be used to calculate the municipal construction excise tax and municipal patente. In addition, if the GC's executed contract is higher than the cost estimate, a permit amendment will have to be filed during the construction phase to pay pending filing fees. Therefore, it is recommended that the cost estimate not be under the GC's executed contract.

### **Permit Fees:**

1. Expeditor will use the construction cost to prepare a permit fee table and email to Tenant. Tenant will be responsible for providing required permit fee payment as shown below.
2. **Payment made by credit card on PMO's online permit SBP portal.**
  - a. **Filing fee:** 0.35% of construction cost. Minimum filing fee is \$35.
  - b. **CIAPR Stamps:** \$1.00 for every \$1,000 of fraction of the construction cost estimate. (Ex. for a construction cost of \$200,000. The cost of the College of Engineers and Surveyors stamps would be  $[(\$200,000/\$1,000) * \$1.00] = \$200.00$ ).



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- c. **Municipal Duty (“Aranceles”)**: \$5.00 for every \$1,000 or fraction of the construction cost estimate. (Ex. for a construction cost of \$200,000. The cost of Municipality Stamps would be  $[(\$200,000/\$1,000) * \$5.00] = \$1,000.00$ .)

### 3. **Payment made with Certified Cashier’s Checks.**

- a. **Municipal Construction Excise Tax**: 5% of the construction cost.
- b. **Municipal Patente**: \$25 for a construction cost  $\leq$  \$100,000. 0.2% for a construction cost between \$100,001 and \$299,999. 0.5% for a construction cost  $\geq$  \$300,000.

### **Permit Filing and Review Process:**

- a. Permit is filed through the PMO’s online SBP portal, <https://ogpe.pr.gov/freedom/>
- b. All permit forms and documents are uploaded.
- c. Once filed, 10% of filing fee, CIAPR stamps and Municipal “Aranceles” are paid.
- d. The PMO then reviews the permit documents for completeness. This process takes between 1 to 2 weeks.
- e. PMO allows Expeditor to pay the remaining 90% of filing fee, CIAPR stamps and Municipal “Aranceles”.
- f. PMO transfers the permit submittal to the Municipality of San Juan for their review. This process can take between 1 to 2 weeks.
- g. Municipality of San Juan issues a Conditioned Notice of Approval. This documents states that the construction permit will be approved, conditioned that the construction excise tax and patente be paid, General Contractor obtains their policy from the Puerto Rico State Insurance Fund Corporation (CFSE-0766), and a project sign is installed at the construction site. This process depends on how fast the Tenant can provide the excise tax and patente certified cashier’s checks and GC’s CFSE policy.
- h. Excise Tax & Patente are paid by Permit Expeditor using the certified cashier’s checks provided by Tenant. Receipts of the excise tax, CFSE-0766 form provided by GC and project sign photos are uploaded on the PMO’s SBP portal. PMO verifies all uploaded documents and transfers the permit to the Municipality of San Juan for their approval. This process can take 1 to 2 weeks.
- i. Municipality of San Juan approves the construction permit. Permit is downloaded by Expeditor and email to Tenant and GC.
- j. GC must post a copy of the construction permit at the project site.



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### **Inspections during Construction: (Required by AHJ)**

1. The PMO require Tenant to hire a Designated Inspector to perform inspections throughout the construction process in order to verify the work is being completed in accordance with the architect/engineers plans. The Permit Expeditor shall act as the Designated Inspector, at no cost to Tenant since Landlord will cover the Inspector's expenses. The Inspector shall perform thorough inspections of all work performed, compile inspection reports and submit their reports to the PMO (Permits Management Office). The PMO shall not issue a Use Permit to the Tenant unless the Inspector submits his reports and certifies that the work complies with filed construction plans.
2. Although the tenant's architect/engineer is not required to perform inspections during construction as part of the Use Permit requirements, they may choose to do so to verify the work is being completed in accordance with their plans.

### **Construction Permit Amendments:**

1. If for any reason, construction plans are modified or additional scope of work is added to the original construction permit scope, a construction permit amendment must be filed and fees paid for the increase in construction cost.
2. The permit, filing and review process for a construction permit amendment is the same as for the original construction permit.
3. Permit Expediter will request from Tenant and GC a certified final construction cost letter to verify if a construction permit amendment is required prior filing a Unique Permit.

### **MUNICIPALITY of SAN JUAN BUSINESS LICENSE - REMINDER:**

All Tenants must obtain a Municipality of San Juan Business License prior 30 calendar days after the Tenant opens for business. The Municipal Business License is obtained through the Municipality Financial Office and the following documents must be presented. In order to obtain your **Municipality of San Juan Business License** you will need to work with your attorney/accountant to complete the following items:

- a. P.R. Department of State Entity Registration
- b. Certificate of Good Standing from the P.R Department of State
- c. Employee Identification Number (EIN)
- d. Merchant Registry Certificate from the Treasury Department of PR.
- e. Copy of Executed Lease
- f. Use Permit

Tenant can contact Landlords Expeditor for obtaining the Municipal Business License. (Please note, Liquor License expediting is **not** included in the Landlord Expediting Services but may be contracted directly with the Landlord Expeditor under a separate agreement between the Tenant and Landlord Expeditor):



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**LIQUOR LICENSE - REMINDER:** In order to obtain your **Liquor License** you will need to work with the Landlord Expeditor to complete the following items (please note, Liquor License expediting is **not** included in the Landlord Expediting Services but may be contracted directly with the Landlord Expeditor under a separate agreement between the Tenant and Landlord Expeditor):

**The Mall of San Juan Tenant Restaurant Liquor License.**

**1. Bureau of Alcoholic Beverages and Licenses requirements.**

- a. Liquor License Application Form SC 2309 (Puerto Rico Treasury Department):
- b. This form will be filled out by the Permit Expeditor and signed by the Owner or Managing Partner or equivalent. (If the Owner, Managing Partner or equivalent does not reside in Puerto Rico, the individual assigned by the Corporation to be in charge of the business and residing in Puerto Rico shall sign the document.)

**2. Owner or Managing Partner or equivalent shall provide a Certificate of Criminal Record from the Puerto Rico Police Department.** (If the Owner, Managing Partner or equivalent does not reside in Puerto Rico, the information required shall be for the person in charge of the business who resides in Puerto Rico.)

- a. If required, the Permit Expeditor will accompany the Tenant representative to the Puerto Rico Police Department to obtain the required certificate.

**3. Statement of Projected Sales Volume :**

The Tenant must provide this document which must be either signed by a certified accountant or signed as a sworn statement by the Owner or Managing Partner or equivalent. (If the Owner, Managing Partner or equivalent does not reside in Puerto Rico, the individual assigned by the Corporation to be in charge of the business and residing in Puerto Rico shall sign the document.)

**4. Certificate of Filing Income Tax Return:**

- a. If the Tenant Corporation has less than one year registered with the Puerto Rico State Department then, a copy issued by the Puerto Rico State Department showing the date the Tenant Corporation was registered will be provided.

**5. Certificate of Debts from the Puerto Rico Department of Treasury for the Tenant Corporation and Owner or Managing Partner or equivalent.**

- a. If the Owner, Managing Partner or equivalent does not reside in Puerto Rico, the information required shall be for the person in charge of the business residing in Puerto Rico:
  - i. If the Tenant Corporation is new, the Puerto Rico Treasury Department will issue a Certificate that the Corporation does not show up on their system.
  - ii. If the Corporation, Owner or Managing Partner or equivalent has an existing debt with the Puerto Rico Treasury Department a certificate issued by the Treasury Department indicating that the corporation or individual are under a payment plan duly authorized and approved by the Department and that the



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Corporation and/or individual are in compliance with said payment plan. (If the Owner, Managing Partner or equivalent does not reside in Puerto Rico, the information required shall be for the person in charge of the business residing in Puerto Rico.)

- b. If authorized by the Tenant, the Permit Expeditor can carry out the process to obtain the required certificate.

**6. Certificate of Negative Debt from the Administration for Child Support (ASUME):**

- a. The Owner or Managing Partner or equivalent shall provide this document from ASUME. (If the Owner, Managing Partner or equivalent does not reside in Puerto Rico, the information required shall be for the person in charge of the business residing in Puerto Rico.)
- b. If authorized by the Tenant, the Permit Expeditor can carry out the process to obtain the required certificate.

**7. Copy of Tenant Lease Contract or legal document evidencing ownership/interest with Taubman.**

**8. Copy of Tenant Corporation's Federal Employers ID # (EIN)**

**9. Negative Debt Certificate from the Center of Municipal Revenue Collection (CRIM):**

- a. Certificate must be provided for the corporation and Owner or Managing Partner or equivalent. (If the Owner, Managing Partner or equivalent does not reside in Puerto Rico, the information required shall be for the person in charge of the business residing in Puerto Rico)
- b. If authorized by the Tenant, the Permit Expeditor can carry out the process to obtain the required certificate.

**10. Tenant Unique Permit:**

- a. Permit Expeditor will provide the Unique Permit.

**11. Provide copy of Puerto Rico Department of Treasury Merchant's Registry (IVU):**

- a. If authorized by the Tenant, the Permit Expeditor can carry out the process to obtain the required certificate.

**12. P.R. Department of Treasury (Bureau of Alcoholic Beverages and Licenses) Endorsement Letter:**

- a. Landlord to provide a copy of the Endorsement letter by the bureau stating that there are no impediments regarding the distance between the Mall of San Juan and the Cesário Rosa de Rio Piedras School.





## USE PERMIT CRITERIA

### Narrative:

When opening a new business and completing construction in Puerto Rico (PR), Tenant's must obtain a Construction Permit prior to the start of construction. **Once construction is completed, each Tenant is required to obtain a Unique Permit prior to the start of business.** This Unique Permit contains the Certificate of Occupancy, Fire Prevention Certificate and Sanitary License.

Every Tenant is required to hire an Architect / Engineer of Record who is registered and licensed by the College of Architects & Landscape Architects of PR, or the College of Engineers & Surveyors of PR. They also have to be registered with the State Department of PR.

If a Tenant does not have an Architect / Engineer of Record, please contact Taubman's Tenant Coordination Department for a list of available professionals.

### **Tenant Coordination**

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248-258-7625

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***Taubman has retained a local Permit Specialist for use by all Tenants. This expediting firm will work directly with each tenant at no cost to the Tenant in order to facilitate submitting and obtaining the required Construction Permit and Use permit*** from the local authorities having jurisdiction. Authorization needs to be given to the Permit Expeditor by each Tenant in order to manage this process.

### **Permit Expeditor**

Eng. Miguel A. Bonilla, P.S.C

Mr. Miguel Bonilla

315 Winston Churchill Ave.

San Juan, PR 00926

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### **Unique Permit Submittal Process:**

Once the General Contractor is substantially finished and all life safety work is completed and tested, the Permit Expediter will request several documents from the General Contractor and Architect/Engineer of Record. General Contractor will provide the following to Permit Expediter.

1. Use Permit form:
  - a. Expeditor will complete the form once work is substantially completed for GC's signature.
  - b. Form must be notarized. The original document must be provided to the Permit Expediter.
2. General Contractor's Certification form:
  - a. Expeditor will complete the form once work is substantially completed for GC's signature.
  - b. Form must be notarized.
3. Master Plumber Certificate form:
  - a. Permit Expeditor will complete the Certificate form once work is substantially completed and GC's Licensed – Master Plumber will sign the Certificate.
    - i. Master Plumber must be registered with the College of Plumbers of PR.
  - b. Form must be notarized.
4. Electrician's Certificate Form:
  - a. GC's Licensed Electrician certification letter stating that all work has been performed in accordance with pertinent codes and regulations.
    - i. Licensed Electrician must be registered with the College of Electricians of PR.
5. Permit Narrative by Architect/Engineer of Record.
  - a. The permit narrative shall be prepared by Permit Expediter and emailed to the Architect or Engineer of Record for his/hers signature and professional seal.
6. Environmental Health Certificate - required by PMO (Permits Management Office):
  - a. Required for ALL Tenants with Restrooms and / or Kitchens.
  - b. Forms to be completed once work is substantially complete.
  - c. Permit Expeditor (Authorized Professional) will complete form, pay fees and submit at no cost to Tenant.
7. Fire Prevention Certificate - verification of Life Safety measures:
  - a. Permit Expeditor (Authorized Professional) will complete form and pay fees as needed at no cost to Tenant.



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- b. Forms to be completed once systems are substantially completed and the certification of proper installation from the installer is obtained.
8. Compile Inspection Reports:
    - a. Designated Inspector will be provided (at no cost to the tenant) to perform inspections and submit required reports throughout the construction process.
    - b. Inspection reports will be compiled and submitted to the PMO.
    - c. Designated Inspector will certify that all construction work has been built as per filed construction plans.

### **Unique Permit Filing and Review Process:**

1. Permit is filed through the PMO's online SBP portal, <https://ogpe.pr.gov/freedom/>
2. All permit forms and documents are uploaded.
3. Once filed, 10% of filing fee, Sanitary License fee, Fire Department fee, Storefront Sign fee and Use Permit fee are paid. Permit Expediter can pay the fees in advance, but Tenant must reimburse immediately once the Unique Permit is issued. Fees can range from \$20 to \$60. Restaurants will have higher filing fees.
4. The PMO then reviews the permit documents for completeness. This process takes between 1 to 2 weeks.
5. PMO allows Expeditor to pay the remaining 90% of filing fee, Sanitary License fee, Fire Department fee, Storefront Sign fee and Use Permit fee. Permit Expediter can pay the fees in advance, but Tenant must reimburse immediately once the Unique Permit is issued. Fees can range from \$180 to \$540 for mercantile tenants. Restaurants will have higher filing fees.
6. PMO transfers the permit submittal to the Municipality of San Juan for their review. This process can take between 1 to 2 weeks.
7. Unique Permit is issued by the PMO. Permit is emailed to Tenant.
8. Tenant must print the Unique Permit and post near the POS visible to the public.



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