October 8, 2012

Volume 1, Issue 3





Linking You with the Florida Board's Latest Engineering News & Information

# Connection





# What You Need to Know About LICENSURE RENEWAL

icenses for all current and active Florida engineers are set to expire on February 28, 2013. Licensure Renewal will officially open on November 1, 2012, and to make it easier for the license holder to renew their license, we have provided the following guidelines and explanations of some changes that have recently been made.

- 1. You must use "Internet Explorer" as your internet browser as the renewal system **WILL NOT** accept other browsers such as "Mozilla Firefox" or "Google Chrome."
- 2. You will go to www.myfloridalicense.com, and either select "Renew Your License" or "Licensee Login." If you have not accessed your account since January 15, 2011, you will be prompted to "Create an Account." You need a PIN Number or Activation Code, which is the last four digits of your social security number, to successfully create your account. If your social security number will not work, you should contact the Florida Board of Professional Engineers at (850) 521-0500 and select "Renewal" to update your record. Once you have established your account, you may change your contact information, if necessary, then continue the process to renew your license.
- 3. In previous years, continuing education was reported by the provider or by supplying the certificates of completion to the Board office for inclusion in your record. Beginning
- with this renewal period, there is no longer a reporting requirement for continuing education. However, **you still must complete** the required four (4) hours of Area of Practice and four (4) hours of Laws and Rules, and you must keep proof of completion for four (4) years (two renewal cycles) after renewal. You will execute an "Attestation Statement" that you have completed the required continuing education for renewal. All licensees are subject to a random audit for compliance with continuing education requirements. If you are selected for the audit, you must then submit proof of completion of the credits to the Board. The new rule change for 61G15-22.006, Demonstrating Compliance can be located on the Statutes and Rules page under the Legal section at <a href="http://www.fbpe.org/legal/statues-and-rules">http://www.fbpe.org/legal/statues-and-rules</a>.
- Postcard notices and electronic reminders will be distributed beginning in October 2012 and January 2013.
   We recommend that you access your account information



#### FLORIDA BOARD OF Connection

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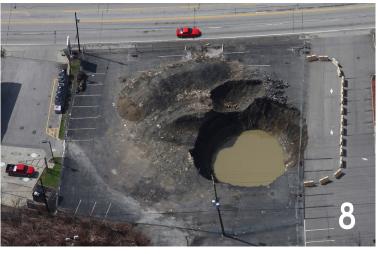
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now and validate that your mailing address and email on file are current to ensure receipt of these notices. You can also verify that your social security number is on record so that your PIN can be activated prior to renewal. Again, if you cannot access your record contact FBPE at (850) 521-0500 and select "Renewal" to speak to a representative to correct your record.

5. All information pertaining to renewal can be found on our website in the *Licensure* Section under *License Renew* or at http://www.fbpe.org/licensure/license-renew. A presentation outlining the renewal process step by step will be available in this section of our website at the end of October 2012.

We strongly encourage license renewal on-line because it is both immediate and secure; although, as an alternative, you can submit your renewal request via U.S. mail. If you prefer to send in your renewal request, go to the FBPE website at www.fbpe.org, select "Renew Your License" from the Homepage and you will be directed to the section where you can print the appropriate form, which will be available November 1, 2012. Complete the form and return it with a check for the renewal fee to the FBPE office address located on the form. Be sure to make the check payable to FBPE in the EXACT amount or your renewal form and check may be returned and delay the processing of your request. PLEASE NOTE: You must allow at least 6 weeks to process your renewal request using this method, which means your request must be received by FBPE no later than January 17, 2013, to ensure that your license does not lapse and become delinquent.

#### FROM THE EXECUTIVE DIRECTOR

### Fall Happenings for 2012

This is always a busy time of year with Board members attending the NCEES Annual Meeting and with staff getting ready for the fall F.E. and P.E. exams. This fall will be particularly hectic as FBPE prepares for the upcoming renewal season.



We were fortunate to be able to have several Board members attend the 91<sup>st</sup> Annual Meeting for the National Council of Examiners for Engineering and Surveying (NCEES), held in St. Louis, Missouri from August 22 - 25, 2012. I attended this meeting along with Board Chair, John Burke, P.E., and Board Members, William Bracken, P.E. and Kenneth Todd, P.E. As first time attendees, Mr. Bracken and Mr. Todd had an opportunity to learn about the efforts of the

national council, including matters related to professional licensure, examination policies and procedures, law enforcement, and duties of specific committees.

FBPE is also preparing for the Fundamentals (F.E.) and Principles and Practice (P.E.) exam administrations, scheduled to take place in various locations across Florida on October 26 and 27, 2012. Examinees for this exam should have already had their applications approved by FBPE and registered with NCEES. If you are planning to take either examination, please read your instructions from NCEES carefully. Make sure you arrive early, have your valid picture ID and use only approved calculators. Leave your cell phones at home and good luck!

As FBPE gears up for the 2013 renewal period, we want to be sure that P.E.s know to take advantage of the online renewal procedures. If have not updated your account in the past few years, you will need to have your social security number entered in the FBPE database in order to log into your account. You can visit www.myfloridalicense.com to verify your license account information. Please contact our office at (850) 521-0500 if you have any problems logging into your licensure account.

On a final note, you will no longer be required to have your continuing education (C.E.) hours reported to renew your license. You will still need to complete the eight (8) hours of education, but will instead digitally sign an Attestation Statement, swearing that you have completed the C.E.

requirements. All P.E.s will be subject to a random audit of their C.E. credits following the end of renewal – after February 28, 2013.

Feel free to contact our office if you have any questions about renewing your license. All licensees can expect to receive a postcard reminder about renewal in the month of October 2012.



FBPE Executive Director

#### **NSPE 2012 PEGASUS AWARD WINNER**

he National Society of Professional Engineers (NSPE) held its annual conference in San ■ Diego, California, July 13, 2012, where the Professional Engineers in Government (PEG) recognized Florida Engineers Management Corporation (FEMC) Board Member, Shannon LaRocque, P.E. PEG administers its annual PEGASUS (Professional Engineer in Government Achievement and Service in the United States) award program, in which they recognize the engineer who has made the most outstanding contribution to the advancement and practice of engineering and is employed by a state, regional, county, special district, or municipal government.

The PEGASUS awardee is selected by a panel of judges established by NSPE-PEG who consider their civic/humanitarian activities; education (formal and continuing); engineering achievements; professional/technical society activities; and registration.

We congratulate Ms. Larocque on this recent accomplishment and her positive contributions to the practice of engineering!





NSPE, in partnership with the State Societies, is the organization of licensed Professional Engineers (PEs) and Engineer Interns (EIs). Through education, licensure advocacy, leadership training, multi-disciplinary networking, and outreach, NSPE enhances the image of its members and their ability to ethically and professionally practice engineering. For more information, visit their website at NSPE www.nspe.org.

#### FLORIDA ENGINEERING SOCIETY RECOGNIZES KENNETH TODD, P.E.

t the 96th Annual FES/FICE Summer Convention, the Florida Professional Engineers in Government (FPEG) presented FBPE Board member Kenneth Todd, P.E. with the 2012 Government Engineer of the Year Award.





The FPEG Government Engineer of the Year Award recognizes the nominated engineer who has made the most outstanding contribution to the advancement of engineers in government.

The panel, appointed by FPEG, considers the nominee's professional and technical society activities, engineering achievements, civic/ humanitarian activities, and education. Individuals nominated for this award must also be employed by federal, state, regional, county or municipal government in the State of Florida.

We commend Mr. Todd on this distinguished honor and his continued efforts in promoting the practice of engineering in government!

For more information about FPEG's awards and recognition, go to www.fleng.org/FPEG.

FPEG is a practice section of the Florida Engineering Society (FES), whose mission is enhancing humanity and communities through public service and meeting public needs. FES supports engineering education, advocates licensure, promotes the ethical and competent practice of engineering and enhances the image and well-being of all engineers in the State of Florida.

## **Chairman's Corner**

# Coming April 2013...New Software Engineering NCEES Exam

Beginning in April of 2013, NCEES will begin offering the new software engineering exam as its latest Principles and Practice of Engineering exam discipline. This new exam will be used by engineering licensing boards across the United States including Florida. The Florida Board is currently accepting applications for this new exam and is prepared to begin scheduling exams with NCEES shortly. The exam will be administered yearly following the initial offering. In addition to the new software engineering exam, NCEES currently offers the following exam disciplines:



John C. Burke, P.E. FBPE Chair

Agricultural; Architectural; Chemical; Civil to include specialties in Construction, Geotechnical, Structural, Transportation, and Water Resources and Environmental; Control Systems; Electrical and Computer to include specialties in Computer Engineering, Electrical and Electronics and Power; Environmental; Fire Protection; Industrial\*, Mechanical to include specialties in HVAC and Refrigeration, Mechanical Systems and Materials and Thermal and Fluids Systems; Metallurgical and Materials; Mining and Mineral Processing; Naval Architecture and Marine, Nuclear; Petroleum; and Structural (16-hour exam)

NCEES has partnered with IEEE-USA as a co-sponsor of the exam, along with assistance from the IEEE Computer Society, the National Society of Professional Engineers, and the Texas Board of Professional Engineers.

Groups representing software engineers have long maintained that software engineering should be licensed because it is increasingly practiced in areas that reach into the everyday lives of the general public, such as traffic control systems and the electrical grid. An IEEE Computer Society survey of software engineers indicated that two-thirds of those employed in the industry support a licensure exam for their profession.

For more information on the PE Software exam, visit <a href="www.ncees.org/exams">www.ncees.org/exams</a>. Applications for the April 2013 exam administration are already being accepted by the Board and NCEES expects to begin scheduling registrations in mid-December 2012. The exam specifications—the test blueprint of knowledge areas to be tested and their relative weights of emphasis—are also available online at <a href="www.ncees.org/exams">www.ncees.org/exams</a>. IEEE is planning to publish study materials for the exam later this year.

For more information about applying for the exam through FBPE, feel free to contact the *Licensure* department at (850) 521-0500.

## Mark Your Calendar!

#### October 2012

**10** FEMC Board Meeting

**10-11** FBPE Board Meeting

**26-27** NCEES F.E. & P.E. Exams

#### November 2012

FBPE Office Closed—Veteran's Day

13 Application Review & PCP Meeting

**16** FEMC Board Ops Conference Call

**22-23** FBPE Office Closed—Thanksgiving

**26** Ratification Conference Call

#### December 2012

**5** FEMC Board Meeting

**5-6** FBPE Board Meeting

**24-25** FBPE Office Closed—Christmas

#### January 2013

1 FBPE Office Closed—New Year's

**8** Application Review & PCP Meeting

11 FEMC Board Ops Conference Call

**18** Ratification Conference Call

Board meetings and other scheduled activities can also be found on our calendar located on the *Home* page of *www.fbpe.org*.

<sup>\*</sup> Beginning in 2013, the PE Industrial exam will be given in the spring. October 2012 will be the last fall administration for the exam.

# **Construction Certifications**

## vs. SUCCESSOR ENGINEER

In our June 2012 issue, we premiered the first article in this series, Construction Certifications by Way of Misleading Statements. This piece, second in the series, is intended to address the practice of engineers providing illegitimate construction certifications. This particular article focuses on engineers providing construction certifications on projects that were based in part or in whole on another engineer's work that the second engineer chose to alter or deviate from during construction.



he scenario in this case is similar to the one in the previous article but differs in that this situation includes much greater participation by the second engineer. In this scenario contractors are obtaining plans and/or reports prepared by one engineer then hiring a second engineer to "oversee and certify construction." With the plans and/or reports, used in part or in whole, from the first engineer and a cover letter from the second engineer, contractors are obtaining permits to perform work. Once the permit is issued the contractor and/or second engineer then proceed to deviate from the original engineers work during construction. Whether throughout construction or simply at the close of the project, the second engineer issues a letter "certifying the work" that was performed. Setting aside the efficacy of the situation, this article is intended to address the statutory requirements of the second engineer based on the role that he or she played.

#### **Engineer of Record**

In the situation described above, who is the Engineer of Record (EOR)? According to the Florida Administrative Code (F.A.C.) **61G15-30**, *Definitions Common to All Engineer's Responsibility Rules*, the Engineer of Record is defined as follows:

FAC 61G15-30.002(1) Engineer of Record. A Florida Professional Engineer who is in responsible charge for the preparation, signing, dating, sealing and issuing of any engineering document(s) for any engineering service or creative work.

FAC 61G15-30.002(4) Engineering Documents. Engineering documents are designs, plans, specifications, drawings, prints, reports, or similar instruments of service in connection with engineering services or creative work that have been prepared and issued by the Professional Engineer or under his responsible supervision, direction or control.

So while at first glance it would appear that the first engineer becomes the EOR without even knowing that his or her plans are being used by a contractor for permitting, **F.A.C. 61G15-30** goes on to state:

FAC 61G15-30.002(6) Public Record. An engineering document is "filed for public record" when said document is presented with the Engineer of Record's knowledge and consent to any federal, state, county, district, authority, municipal or other governmental agency in connection with the transaction of official business with said agency.

FAC 61G15-30.002 (7) Engineering Documents Prepared for Public Record. Are those documents filed for public record with the Authority Having Jurisdiction (AHJ) to determine compliance with Codes and Standards and to be used for execution of the project. These documents are required to be signed and sealed.

Therefore, **F.A.C.** 61G15-30 does not recognize the first engineer as the Engineer of Record if the documents, plans and/or

reports, were filed for public record without the first engineer's knowledge and consent. However, while the F.A.C. may not recognize the first engineer as the Engineer of Record, the building official and the AHJ issuing the permit may, especially if the contractor lists the first engineer on the permit application as the engineer of record.

## Construction Modifications & Deviations

Whether recognized as the engineer of record or not, a permit has been issued based in whole or in part on the work of the first engineer. It then follows that as the work progresses any conflicts or departures from the permitted plans and/or reports require that the Engineer of Record be consulted and the AHJ notified. This point is reinforced within Chapter 1 Section 107 of the Florida Building Code.

FBC 107.4 Amended Construction
Documents. Work shall be installed in
accordance with the approved
construction documents, and any changes
made during construction that are not in
compliance with the approved
construction documents shall be
resubmitted for approval as an amended
set of construction documents.

On smaller projects or on projects where the conflicts or departures are of a minor nature, this notification can take the form of a "Construction Certification" or a "Final Certification."

#### **Construction Certifications**

The "Construction Certification" that is sought by the contractor is required to satisfy the permit requirements of Chapter 1 of the Florida Building Code for the purpose of closing out the contractor's permit. As discussed previously, an engineering certification constitutes an affidavit under the Florida Building Code and as such the engineer issuing it has an obligation to: clearly state whether the work has been installed in accordance with the approved construction documents; clearly state the limits on his or her scope, as well as, any matters that the engineer does not intend to accept responsibility for; avoid untruthful, deceptive, or misleading statements; and has an obligation to avoid omitting relevant and pertinent information that would lead to a fallacious conclusion on the part of the building department.

So the permit was issued in whole or in part based on the work of the first engineer, the contractor has proceeded with the work and has departed from the work of the first engineer (the work that the permit was based on), and the second engineer has issued a certification of the work performed so that the contractor can close out his or her permit. The question now becomes, if the first engineer is not the Engineer of Record is the second engineer the Engineer of Record? The answer is most likely **NO** because the second engineer was clearly not in responsible charge of the preparation, signing, dating, sealing or issuing of the work of the first engineer. So then is the second engineer a Successor Engineer?

#### Successor Engineer

A Successor Engineer is an engineer who uses and/or relies upon the work, findings, and/or recommendations of a previous engineer. When a licensed engineer working on a project here in Florida steps in to take over for another engineer, the second engineer or successor engineer must comply with F.A.C. 61G15-27 Procedures For The Adoption Of Another's Work. Passages of particular note include:

61G15-27.001(1). A Successor Professional Engineer seeking to reuse already sealed contract documents under the successor Professional Engineer's seal must be able to document and produce upon request evidence that he has in fact recreated all the work done by the original Professional Engineer... Further, the successor Professional Engineer must take all professional and legal responsibility for the documents which he sealed and signed and can in no way exempt himself from such full responsibility...

A successor Professional Engineer must use his own title block, seal and signature and must remove the title block, seal and signature of the original Professional Engineer before reusing any sealed contract documents.

Given that only the Engineer of Record can direct changes to permitted reports and/or plans, the second engineer must become the Engineer of Record when he or she elects to deviate from or authorizes changes to the work of the first engineer. Therefore, at this point the second engineer must first become the Successor Engineer to the first engineer if the second engineer wishes to serve as the Engineer of Record. If, however, the second engineer fails to recreate all the work done by the first engineer so as to authorize changes then the second engineer has violated F.A.C. 61G15-27.001(1). Further, if the second engineer fails to notify the first engineer before stepping in as the EOR then the second engineer has violated F.A.C. **61G15-27.001(2)** which reads:

61G15-27.001(2). Prior to sealing and signing work a Successor Professional Engineer shall be required to notify the original Professional Engineer, his successors, or assigns by certified letter to the last known address of the original Professional Engineer of the successor's intention to use or reuse the original professional engineer's work. The Successor Professional Engineer will take full responsibility for the drawing as though they were the Successor Professional Engineer's original product.

#### **Conclusion**

Simply put, when an engineer is hired to "oversee and certify construction" of a project based on the plans and/or reports from another engineer knowing that the contractor intends to or may be forced to deviate from the original engineer's work during construction, it is incumbent upon the second engineer to fulfill his or her statutory obligation to become the Successor Engineer. This would hold true even in cases where the second engineer, never originally planning to, is forced to take over a project from the first engineer.

For the second engineer to issue a certification stating that the work outlined

within a permit (based on the first engineer's work) has been completed, knowing that deviations had occurred without the first engineer's knowledge and without the second engineer properly assuming the role of Successor Engineer, will most likely result in the engineer having committed misconduct in the practice of engineering.



#### **Postscript**

While doing research for this article I once again found cases where this scenario played out within the sinkhole remediation industry. More specifically, due to the nature of the work, subsurface grouting requires that engineering decisions be made throughout the course of it (i.e. adequate depths of casing or underpin depths, pressures, etc.).

In one such example, the first engineer was shown as the Engineer of Record on the permit application by the contractor. The second engineer directed and/or certified substantive changes to the work of the first engineer that ultimately failed. After the work had failed and because the first engineer was listed as the Engineer of Record on the permit documents, a complaint was filed against the license of the first engineer. That engineer was forced to expend time, money and emotion to address and ultimately clear the complaint against his license.

When contacted, he stated: "Unfortunately, most of the completion reports that are issued by these third party engineers are deceptive, in that they typically don't state that the work was completed in accordance with the original engineer's recommendations, but rather summarize whatever work was performed."

This article was submitted by FBPE Board member William C. Bracken, P.E., S.I. Mr. Bracken is the President and Principal Engineer for Bracken Engineering located in Tampa, Florida. He is a licensed Special Inspector and Professional Engineer in the State of Florida.



## The FBPE's Determination of P.E. Responsibility

Recently the Florida Board of Professional Engineers (FBPE) was asked to provide a clarification regarding the question: "Is the determination of sinkhole loss as defined in Florida Statute 627.706 the responsibility of professional engineers?" This article contains the pertinent excerpts from its response and offers them here as guidance to those who practice and includes the determination, evaluation and/or remediation of sinkholes and structures impacted by sinkholes.

#### Florida Statute 627.706 & 627.707

Chapters 627.706 and 627.707 of Florida's statutes serve to regulate insurance and more specifically the determination and/or evaluation of sinkholes and buildings impacted by sinkholes for purposes of determining insurance coverage. In May of 2011 Florida's legislature amended Chapter 627.706 of its statutes to include, among other things, a definition of "structural damage." In short, the definition of "structural damage" that was added establishes the criteria by which a building is to be evaluated for purposes of determining insurance coverage. This definition is unique to these two chapters and is not transferable or applicable outside of these two chapters. It's fair to say that the definition is complex and requires a firm understanding of structural engineering principals and Florida Building Code requirements.

#### **Determination**

In response to the request for a determination the FBPE has reviewed **Chapter 627.706** of the Florida Statutes with respect to the activities required and offers the following:

**Sinkhole**; With respect to determining the presence of a "**Sinkhole**," it is the opinion of the FBPE that in general the activities required to determine the presence of a "**Sinkhole**" as outlined and required by **F.S. 627.706(2)(h) DO NOT** solely in and of themselves constitute the practice of engineering. More specifically, it would appear that in general this determination could be made by a licensed geologist.

"Sinkhole" as defined within F.S. 627.706(2)(h) reads: "a landform created by subsidence of soil, sediment, or rock as underlying strata are dissolved by groundwater. A sinkhole forms by collapse into subterranean voids created by dissolution of limestone or dolostone or by subsidence as these strata are dissolved."

**Sinkhole Activity**; With respect to determining "**Sinkhole Activity**," it is the opinion of the FBPE that in general the activities required to determine "**Sinkhole Activity**" as outlined and required

by **F.S. 627.706(2)(i) <u>DO NOT</u>** solely in and of themselves constitute the practice of engineering. More specifically, it would appear that in general this determination could be made by a licensed geologist.



"Sinkhole Activity" as defined within F.S. 627.706(2)(i) reads: "settlement or systematic weakening of the earth supporting the covered building only if the settlement or systematic weakening results from contemporaneous movement or raveling of soils, sediments, or rock materials into subterranean voids created by the effect of water on a limestone or similar rock formation."

Structural Damage; With respect to determining "Structural Damage," it is the opinion of the FBPE that in general the activities required to determine "Structural Damage" as outlined and required by F.S. 627.706(2)(k) <u>DO</u> solely in and of themselves constitute the practice of engineering.

"Structural Damage" as defined within F.S. 627.706(2) (k) reads: "a covered building, regardless of the date of its construction, has experienced the following: 1. Interior floor displacement or deflection in excess of acceptable variances as defined in ACI 117-90 or the Florida Building Code, which results in settlementrelated damage to the interior such that the interior building structure or members become unfit for service or represents a safety hazard as defined within the Florida Building Code; 2. Foundation displacement or deflection in excess of acceptable variances as defined in ACI 318-95 or the Florida Building Code, which results in settlement-related damage to the primary structural members or primary structural systems that prevents those members or systems from supporting the loads and forces they were designed to support to the extent that stresses in those primary structural members or primary structural systems exceeds one and one-third the nominal strength allowed under the Florida Building Code for new buildings of similar structure, purpose, or location; 3. Damage that results in listing, leaning, or buckling of the exterior load-bearing walls or other vertical primary structural members to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base as defined within the Florida Building Code; 4. Damage that results in the building, or any portion of the building containing primary structural members or primary structural systems, being significantly likely to imminently collapse because of the movement or instability of the ground within the influence zone of the supporting ground within the sheer plane necessary for the purpose of supporting such building as defined within the Florida Building Code; or 5. Damage occurring on or after October 15, 2005, that qualifies as "substantial structural damage" as defined in the Florida Building Code."

Sinkhole Loss; With respect to determining "Sinkhole Loss," while it is the opinion of FBPE that in general the activities required to make the determination of "Sinkhole Loss" as outlined and required by F.S. 627.706(2)(j) ("Structural Damage" and "Sinkhole Activity") do as previously discussed involve the practice of engineering, making the actual determination of "Sinkhole Loss" DOES NOT in and of itself solely constitute the practice of engineering.



"Sinkhole Loss" as defined within F.S. 627.706(2)(j) reads: "structural damage to the covered building, including the foundation, caused by sinkhole activity. Contents coverage and additional living expenses apply only if there is structural damage to the covered building caused by sinkhole activity."

Sinkhole Remediation / Repair; With respect to remedial measures associated with "Sinkhole Activity" and/or "Structural Damage," it is the opinion of the FBPE that in general the activities required to develop and/or offer opinions on remedial measures associated with "Sinkhole Activity" and/or "Structural Damage," whether subsurface or structural, <u>DO</u> in and of themselves constitute the practice of engineering.

On a final note, regarding developing a better understanding of **F.S. 627.706** as well as appropriate identification and remediation practices, we encourage seeking guidance from legitimate industry organizations.

This article was submitted by FBPE Board member William C. Bracken, P.E., S.I. Mr. Bracken is the President and Principal Engineer for Bracken Engineering located in Tampa, Florida. He is a licensed Special Inspector and Professional Engineer in the State of Florida.

## Rules **Concerning** the Use of the P.E. Designation



ecently an engineering manager for a consulting firm asked a question concerning the use of the P.E. designation on their company's business cards. A recent hire to the company was licensed in another state, but had not yet become licensed in the State of Florida. The question stemmed from the ability to have the new hire utilize the company's business cards for work both in the state(s) the employee was licensed, as well as, in the State of Florida. It was acknowledged by the manager the employee could not use the P.E. designation on letters or business cards within the State of Florida. However, the manager that mentioned that the employee's home office was in Florida and the company did not have a physical office with an address to add to the business card in the state the employee was licensed. The employee was to continue practicing engineering in the state they were licensed for the company. Since the employee's home office was in Florida the employee's business card would have a Florida address. So, the question became, "Could the employee distribute business cards with a Florida address using the P.E. designation with an asterisk after the P.E. designation to indicate in which state(s) the employee was licensed while doing work in that particular state." The employee would also distribute the same business card while working in the State of Florida.

The short answer to the question is **NO**. However, some explanation is in order to help clarify the reasoning behind the answer. As mentioned earlier, the engineering manager knew that the recently hired engineer could not use the P.E. designation without an asterisk within the State of Florida. This is because it would be misleading to the general public for the engineer to claim P.E. status while not being licensed in Florida although the engineer is licensed in another state. This is written out in **Chapter 471**, Florida Statutes Engineering Practice Act, **section 471.003(1),** which says:

"No person other than a duly licensed engineer shall practice engineering or use the name or title of "licensed engineer," "professional engineer," or any other title, designation, words, letters, abbreviations, or device tending to indicate that such person holds an active license as an engineer in the state."

The intent is clear in that the general public is not to be mislead on who is a Professional Engineer in the State of Florida.

Furthermore, in section 471.031 *Prohibitions*; penalties, it states:

that the general public is not to be mislead on who is a **Professional Engineer** in the State of Florida."

"(1)(a) that a person may not "Practice "The intent is clear in engineering unless the person is licensed or exempt from licensure under this chapter.' In (1)(b) it goes on to state that a person may not: "....use the name or title "Professional Engineer" or any other title, designation, words, letters, abbreviations, or device tending to indicate that such person holds an active license as an engineer when the person is not licensed under this chapter...".

> Since the legislature has precluded any use of the term P.E. (as a designation tending to indicate that the person is a Professional Engineer) unless the person is licensed in the State of Florida, the Florida Board of Professional Engineers reads the statute to mandate its position and feels no interpretation to the contrary would be an acceptable reading of the law. Therefore, in order not to mislead the general public which the law is very specific to avoid, the Florida Board of Professional Engineers considers the use of an asterisk that spells out other states that an engineer is licensed in to be a violation of law if that person is not also licensed in the State of Florida.

> There is, however, an acceptable method to demonstrate that an engineer is also licensed in other states. This may be beneficial

> > (Continued on page 11)

to those who wish to hand out business cards in other states when their home office is in Florida. As long as the engineer is licensed in the State of Florida, the designation, "P.E.", may be used after their name. Underneath the name of the engineer, in parentheses, the engineer may include the term "Licensed in" and then list whatever states in which the engineer is licensed. For example, see the fictitious sample business card provided with this article. The engineer that wishes to use this designation is cautioned to check with the laws and rules of the other state engineering boards to ensure there is not a violation of their laws and rules by the use of this designation; as other states may have similar laws that attempt to prevent the general public from being mislead as to who is a P.E. Remember, the key point is to disseminate the information in a way that is not misleading to the general public.

#### Example Engineering

123 Design Ave. Somewhere, Fla. (444) 555-9999

jdoe@exeng.com

John Doe, P.E. (Licensed in Fl, Ga, Ala) Vice-President

Note: The above business card is just an example of how the licensure in other states by a P.E. can be listed and is not a requirement of how a business card should look.

This article was submitted by FBPE Board member Kenneth Todd, P.E., S.I. Mr. Todd is a licensed Professional Engineer in the State of Florida and a Certified Floodplain Manager. He currently works as the Water Resource Manager for Palm Beach County.



# New FEMA Flood Maps,

# Elevation Certificates & Floodproofing Certificates

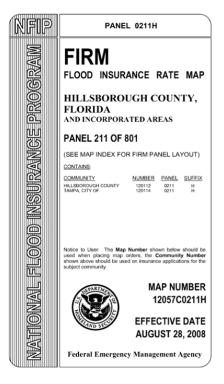
For those who deal with buildings in Special Flood Hazard Areas (A and V zones), you should know that over the last three years FEMA has updated many of its maps and forms related to special flood hazard areas.

FEMA has updated its Flood Insurance Rate Maps (FIRM panels) throughout most of the country. These are the maps which indicate whether your structure is located in a special flood hazard area and correspondingly whether you will have to comply with the newly adopted flood provisions within the building code. Current FIRM panels can be accessed online at: <a href="http://www.fema.gov/hazard/map/firm.shtm">http://www.fema.gov/hazard/map/firm.shtm</a>.

FEMA has updated its Elevation Certificate form. This is the form that is used to certify the elevations of the various building components for purposes of determining applicable rules and/or insurability. Some of the changes to this form include having to specify whether the elevation is based on the 1927 datum or the 1983 datum. The new form along with instruction on filling out the form can be found online at: <a href="http://www.fema.gov/library/viewRecord.do?id=1383">http://www.fema.gov/library/viewRecord.do?id=1383</a>.

In both cases you will find some significant differences between the old and the new. Some of the changes include new zone designations; X, A, Ao, Ah, AE, VE, and A99. Not to mention the fact that a large number of areas all throughout the country have been revised and reclassified.

In addition to these forms, FEMA has also updated its Floodproofing Certificate (FEMA Form 81-65). This is the form that is required when submitting to floodproof a non-residential building in lieu of elevating it above the



Base Flood Elevation. The new form can be found online at: <a href="http://www.fema.gov/library/viewRecord.do?id=1600">http://www.fema.gov/library/viewRecord.do?id=1600</a>.

In all three cases the forms show an expiration date of March 31, 2012. Not to worry, according to FEMA it is awaiting the review and re-approval of these forms by the Office of Management and Budget (OMB). In the meantime, the current versions may be used.

For more information on flood plain management please visit the Association of State Floodplain Managers at: <a href="http://www.floods.org/">http://www.floods.org/</a> or the Florida Floodplain Managers Association at: <a href="http://ffma.pbsjteamaccess.com/default.aspx">http://ffma.pbsjteamaccess.com/default.aspx</a>.



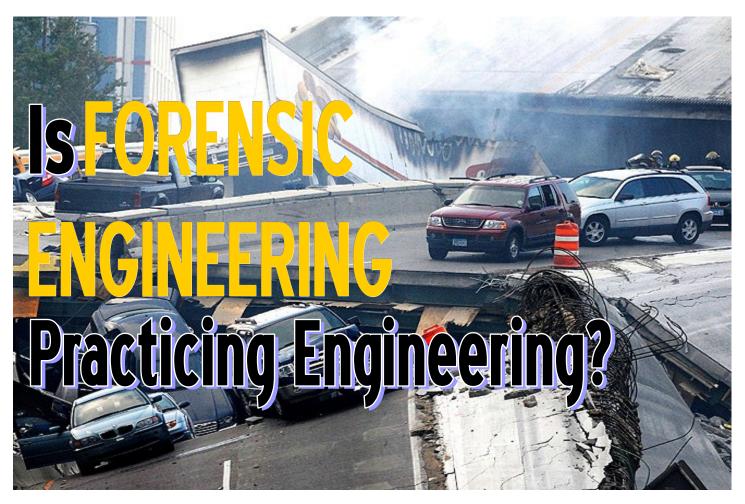
The Association of State Floodplain Managers is an organization of professionals involved in floodplain management, flood hazard mitigation, the National Flood Insurance Program, and flood preparedness, warning and recovery. The mission of ASFPM is to promote education, policies, and activities that mitigate current and future losses, costs, and human suffering caused by flooding, and to

protect the natural and beneficial functions of floodplains - all without causing adverse impacts.



The Florida Floodplain Managers Association (FFMA) is the Florida chapter of the National Association of State Floodplain Managers (ASFPM). The FFMA was formed to improve floodplain management practices in Florida by supporting comprehensive management of floodplains and related water resources.

This article was submitted by FBPE Board member William C. Bracken, P.E., S.I. He is a licensed Special Inspector and Professional Engineer in the State of Florida.



C an an engineer from another state who is not registered to practice "engineering" in Florida practice "Forensic Engineering" in Florida? Specifically, can a non-Florida P.E. conduct an investigation, issue a Forensic Engineering report and then testify in depositions and/or court?

#### The Practice Of Engineering

The practice of engineering within the State of Florida is regulated by **Chapter 471** of Florida's Statutes (the legislature) and is governed by **Florida Administrative Code 61G15-18** through **61G15-37** (the Board of Professional Engineers). Specific to the question, Chapter 471 of Florida's Statutes section **471.005** *Definitions* defines the practice of engineering as:

"... any service or creative work, the adequate performance of which requires engineering education, training, and experience in the application of special knowledge of the mathematical, physical, and engineering sciences to such services or creative work as consultation, investigation, evaluation ..."

This section goes on to state:

"... A person who practices any branch of engineering; who, by verbal claim, sign, advertisement, letterhead, or card, or in any other way, represents himself or herself to be an engineer or, through the use of some other title, implies that he or she is an engineer or that he or she is licensed under this chapter; or who holds himself or herself out as able to perform, or does perform, any engineering service or work or any other service designated by the practitioner which is recognized as engineering shall be construed to practice or offer to practice engineering within the meaning and intent of this chapter."

#### Court Rules or Court Rulings

The one possible exception to this is when the report or testimony is required exclusively by the courts. Specifically, testimony and/or reports required by Court Rules or Court

Rulings are not covered by Florida's licensure requirements. That is to say that FBPE has consistently taken the position that the actual testimony and related discovery actions in a court proceeding are within the purview of the courts and not subject to licensure requirement (as long as the testifying expert doesn't use the term P.E. outside of court or court documents). FBPE has held this position based on the fact that the decision as to who is considered an expert is for the court to determine.

#### Recent FBPE Examples

As for unlicensed individuals engaged in engineering outside of the Courts; individuals are routinely disciplined by the board for issuing reports or other documents that constitute or contain engineering opinions when they themselves were not licensed in the State of Florida to practice engineering or provide engineering services.

One recent case involved a Florida licensed geologist who issued a report that opined on geotechnical engineering matters and offered geotechnical and structural engineering recommendations. A second recent case involved the owner of an engineering firm who issued a report that contained engineering opinions. In this particular case the engineering firm was licensed but the individual (the owner) who issued and signed the report was not.

As for a licensed engineer engaged in engineering within the Courts; although possibly exempt from licensure requirement, FBPE has held that Florida P.E.s who opine in court settings, whether through testimony or reports, are still required to comply with Florida's engineering standards requirements.

One example of the FBPE holding a testifying engineer accountable to Florida's engineering standards requirements was FEMC Case No. 2005047186 FLORIDA ENGINEERS MANAGEMENT CORPORATION v. DAVID BRUCE WIGGINS, P.E., et. Al. In this particular case the respondent (Engineer Wiggins) was charged with rendering an opinion that was "... deceptive or misleading or omitted relevant and pertinent information from his report or testimony when the omission could lead to a fallacious conclusion ..."

Therefore the respondent was charged with "... misconduct in the practice of engineering for expressing an opinion on an engineering subject without being informed as to the facts, and thus being unable to form a sound opinion, or by being deceptive or misleading in a professional report or testimony". In this case a stipulated agreement was executed with fines and penalties.

Therefore, when a complaint of unlicensed activity is filed with the Florida Board of Professional Engineers the board through the Florida Engineers Management Corporation has full authority to sanction and/or fine violators.

#### **Authority Of FBPE**

So if an individual is not licensed by the state and not regulated by the Board of Professional Engineers, how then can that individual be disciplined by the Board of Professional Engineers? Because within **Chapter 471** of Florida's Statutes (the "*Florida Engineers Management Corporation Act*"), the Florida legislature delegated this authority to them. **Chapter 471** of Florida's Statutes section *471.038(2)* states that the Florida Engineers Management Corporation has the duty and authority;

"... to receive complaints and to investigate and deter the unlicensed practice of engineering ..."

#### Conclusion

If you are an engineer from another state who is not registered to practice "engineering" in Florida the safest thing to do is either apply for a Florida license or request a "Temporary Certificate to Practice in Florida."

Chapter 471 of Florida's Statutes section 471.021 Engineers and firms of other states; temporary certificates to practice in *Florida* sets out the requirements and process for engineers not registered in Florida to obtain a temporary license in Florida to practice engineering.

#### For More Information

For access to the most current provisions included in **Chapter 471**, **Florida Statutes** and the **F.A.C. Rules 61G15-18** through **61G15-37** go to FBPE's website at

http://www.fbpe.org/legal/statues-and-rules.

This article was submitted by FBPE Board member William C. Bracken, P.E., S.I. Mr. Bracken is the President and Principal Engineer for Bracken Engineering located in Tampa, Florida. He is a licensed Special Inspector and Professional Engineer in the State of Florida.





In the last few months, the Board has formally approved the following enforcement cases based on the Florida Statutes and Rules applicable at the time of the violation. Included is a brief description of the licensee's violation and discipline imposed by the Board.

# Recent Engineer Discipline

Kevin Adams, P.E.

License No. 52421

Case Nos. 2009010448 & 2011049668

Licensee's North Carolina Professional Engineer license was disciplined for negligence in the practice of engineering, affixing or permitting his seal and signature to a final drawing, etc., not prepared by him or under his responsible supervision, affixing his signature or seal to a plan over which he lacked competence, and affixing his seal to inadequate design documents. This Board charged Licensee with having his license acted on by the licensing authority of another state for any act that would constitute a violation of Section 471.033(1)(c), Florida Statutes.

**Ruling:** A Final Order was issued on June 20, 2012, and a Settlement Stipulation was approved by the Board imposing the following: reprimand, appearance, costs, study guide and restriction from practicing any other discipline other than civil or structural engineering until such time that he completes, passes and submits proof of passing the NCEES Principles and Practice Examination in any other such engineering discipline. If and when the Licensee, seeks to have the above restriction lifted, Licensee shall appear before the Board to lift the restriction.

Violation: Section 471.033(1)(c), Florida Statutes

Joseph Bombassaro, P.E.

License No. 50702 Case No. 2011055859

Licensee was originally charged in FEMC Case No: 2008054175 and as part of the terms imposed in the Final Order for that case, he was required to pay a fine of \$3,000.00 and costs of \$573.00 within one hundred and twenty (120) days of the date of the Final Order and successfully complete the Board-approved Professionalism and Ethics course. Licensee failed to provide proof of completing the required course which resulted in his failure to comply with the terms of the Final Order in FEMC Case No. 2008054175.

**Ruling:** A Final Order was issued on July 5, 2012, imposing the following: reprimand and costs.

**Violation**: Section 471.033(1)(k), Florida Statutes

Fernando Gomez-Pina, P.E.

License No. 14710 Case No. 2012001850

The Administrative Complaint alleged that the Licensee was originally charged in FEMC Case No. 2007038418. Licensee entered into a Settlement Stipulation that was made part of the Final Order. Part of that stipulation required that the Licensee successfully complete a Board-approved course in <a href="Intermediate">Intermediate</a> Engineering Professionalism and Ethics within one year of the date of the Final Order. Licensee failed to take the course.

Ruling: A Final Order was issued on August 16, 2012, and the Settlement Stipulation approved by the Board imposing the following: suspension (until licensee complies with the terms of the Final Order in FEMC Case No. 2007038418); costs of \$736.50; reprimand; and appearance before the Board. NOTE: Licensee provided proof at the hearing that he completed the course—Suspension has been lifted.

**Violation:** 471.033(1)(k), Florida Statutes

#### Thomas Hibbard, P.E.

License No. 57147 Case No. 2012016508

The Administrative Complaint alleged that the Licensee was originally charged in FEMC Case No. 2009054465 and as part of the terms imposed in the Final Order for that case was required to pay a fine of \$1,000.00 and costs of \$4,930.97 within thirty (30) days of the date of the Final Order. No payment was made to FEMC within that 30 day time period which resulted in failure to comply with the terms of Licensee's Final Order in FEMC Case No. 2009054465.

**Ruling:** A Final Order was issued on September 18, 2012, after informal hearing imposing the following: suspension of license until such time as Licensee complies with the terms of discipline set forth in FEMC Case No. 2009054465. Additionally, the Licensee must pay additional costs of \$107.25 within 30 days of the date the Final Order was filed.

**Violation:** Section 471.033(1)(k), Florida Statutes

*Martin King, P.E.* License No. 38697

Case No. 2011028040

Licensee was charged with violating Section 895.03, Florida Statutes. As a result of that violation, Licensee violated Sections 471.033(1)(c) and 471.033(1)(d) Florida Statutes by being adjudicated guilty of a crime which directly relates to the practice of engineering or the ability to practice engineering. The conviction derived from Licensee's activities while acting as Director of Public Services for the City of North Miami Beach, as well as activities performed in subordinate positions prior to being appointed Director. In those positions, Licensee, among other duties, was responsible for acting in a supervisory role overseeing various aspects of the North Miami Beach Public Services Department, including water and sewer services for the city. The fact underlying the conviction showed that from 1998 and continuing for over ten years, Licensee fraudulently siphoned city funds to a company that Licensee created. That company charged the city for non-existent work purportedly done relating to the water and sewer services for the city.

**Ruling:** A Final Order was issued on June 20, 2012, and a Settlement Stipulation was approved by the Board imposing the following: costs and revocation.

**Violation:** Sections 455.227(1)(c) and 471.033(1)(d) Florida

Statutes

*Randall Mosby, P.E.* License No. 22326

Case No. 2011042037

Licensee signed and sealed engineering documents for a single family residence which were materially deficient and resulted in a charge of negligence in the practicing of engineering. Specifically, Licensee signed and sealed plans with no title block, no name or license number of the engineer, incorrect cladding pressures, incorrect roof sheathing nailing requirements, no indication of requirements for delegated engineer, etc. **Ruling:** A Final Order was issued on July 5, 2012, imposing the

following: costs; reprimand; suspension for a minimum of one (1) year and thereafter until he appears before the Board and demonstrates the ability to practice engineering with reasonable skill and safety to the public.

**Violation:** Section 471.033(1)(g) Florida Statutes and Rule 61G15-19.001(4), F.A.C

**Daryl M. Sester, P.E.** License No. 45379 Case No. 2011001633

The Administrative Complaint alleged that Licensee was the Engineer of Record for the shoring and re-shoring inspection reports on the Berkman Plaza II, Garage Structure in Jacksonville, Florida. The shoring and re-shoring inspection reports for the "Garage" project were initially signed by two engineers; however, in early August 2007, Licensee assumed responsibility for the project and signed the remainder of the shoring and re-shoring inspection reports for the project. Licensee did not personally perform the inspections but relied on two employees to inspect and approve the shoring system installation. Licensee did not seal the inspection reports for the project. As Engineer of Record, the Licensee was responsible for ensuring that those acting in his stead were qualified to provide the services, that they understood the scope of the services including the required standard of care, and that they had reviewed the design and/or other documents necessary to accomplish the inspection. Licensee failed to affix his seal to the inspection reports. Additionally, the Licensee signed inspection reports for the shoring and re-shoring that were issued without due care and which materially failed to conform to acceptable standards of engineering principles.

Ruling: A Final Order was issued on August 16, 2012, and the Settlement Stipulation was approved by the Board imposing the following: suspension (the suspension shall be stayed for 30 days and vacated if Licensee pays the fine and costs; fine of \$2,000; costs of \$4,003.75; reprimand; appearance before the Board; probation; Board-approved Engineering Professionalism and Ethics course; successful completion of the ACI Inspector Certification Program: Concrete Construction Special Inspector; and study guide. Licensee shall appear at a Board Meeting immediately preceding the end of probation and provide to the board a comprehensive report as to any projects to which the quality control methodology provided to the Board during Licensee's initial appearance has been applied.

**Violation:** Sections 471.033(1)(a) and (g) and Section 455.227 (1)(k) Florida Statutes

James Lee Smith, P.E. License No. 36177

Case No. 2010050477

The Administrative Complaint alleged that Licensee was originally charged in FEMC Case No. 2004044194. Licensee entered into a Settlement Stipulation that was made a part of the Final Order. Part of that stipulation provided in material that Licensee would submit projects for project review. As required, Licensee provided a list of projects for project review. The consultant reviewing those projects chose two projects; the "Velez" and "Captiva" projects. The consultant found that the "Velez" project contained construction documents which failed to indicate the design compressive strength and the grade of

(Continued from page 15)

reinforcing for the concrete masonry elements of the project. The grade of steel for the sill anchor bolts is not specified in the plans, etc. The consultant found that the "Captiva" project construction documents failed to include construction requirements regarding the isolation of the untreated wood trusses from the masonry bond beam elements, and the calculations provided for the shearwall design are flawed in that they fail to distribute the total lateral force on the structure to the various vertical elements of the lateral-force-resisting system in proportion to their rigidities, etc.

**Ruling:** A Final Order was issued on September 18, 2012, and a Settlement Stipulation was approved by the Board imposing the following: costs, appearance before the Board and project review.

**Violation:** Sections 471.033(1)(g) Florida Statutes and Rule 61G15-19.001(4), F.A.C.

Joseph Tinder, P.E. License No. 65378 Case No. 2010029763

The Administrative Complaint alleged that Licensee signed and sealed materially deficient engineering documents which resulted in engaging in negligence in the practicing of engineering. Specifically, Licensee signed, sealed and dated drawings for a "Press Box Addition". One sheet noted "Limited to Structural Design Only", one sheet noted "Limited to Structural and Electrical Design Only." In the electrical engineering documents, the Licensee failed to indicate power distribution riser diagram with short circuit values; circuit interrupting devices and fault current interrupting capability, location and characteristics of surge protective devices, voltage drop calculations, load computations, grounding and bonding. Additionally, the electrical engineering documents for lighting systems failed to include lighting fixture performance specifications and arrangements, exit lighting, calculated values to demonstrate compliance with the Florida Energy Code for Building Construction.

**Ruling:** A Final Order was issued on August 16, 2012, accepting a Settlement Stipulation, imposing the following: fine of \$1,000; costs of \$1,112; reprimand; appearance before the Board; Board-approved Engineering Professionalism and Ethics course; and study guide.

**Violation:** Section 471.033(1)(g) Florida Statutes and Rule 61G15-19.001(4), F.A.C.

You can access the final orders for these cases and other recent engineer disciplines on our website under the Legal section at <a href="http://fbpe.org/legal/disciplinary-action">http://fbpe.org/legal/disciplinary-action</a>. If you are unsure if an engineer has been disciplined you can verify their license on <a href="http://www.mvyfloridalicense.com">www.mvyfloridalicense.com</a>. Information on public cases in which an engineer has been disciplined can be obtained by sending an email request to <a href="publicrecords@fbpe.org">publicrecords@fbpe.org</a>.

*Liang Zhou, P.E.*License No. 42131
Case No. 2010058209

The Administrative Complaint alleged that the Licensee signed, sealed and dated structural engineering design documents as well as structural engineering calculations that contained many various deficiencies. The drawings and calculations fail to provide a title block on the drawings containing the Licensee's printed name, address and license number; The drawings fail to include reinforced concrete column reinforcing details including the size of the hooked bars at the top and bottom of the columns and the required splice length for dowels; a portion of the details fail to indicate the location of the reinforcing within the masonry wall: a portion of the details fail to indicate the wall anchorage extended and/or hooked into the foundation, etc. Licensee acted as Structural Engineer of Record for a project. Licensee signed, sealed and dated engineering documents for the project that were issued and filed for public record when such documents were materially deficient in respect to and not in compliance with applicable code requirements, acceptable engineering principles, and the applicable provisions of the Responsibility Rules. Licensee signed and sealed drawings for this project without including a title block on the drawings.

**Ruling:** A Final Order was issued on September 18, 2012, and a Settlement Stipulation was approved by the Board imposing the following: suspension (suspension shall be stayed for 30 days and vacated upon receipt of the fine and costs), fine of \$1,000, costs of \$4,427, reprimand, appearance before the Board, project review at 6 and 18 months, Board-approved Engineering Professionalism and Ethics course; and study guide.

**Violation:** Sections 471.033(1)(g) and Section 471.025(2) Florida Statutes

**Disclaimer:** FBPE would like to note that every effort has been made to ensure the accuracy of discipline information; however this should not be relied upon without verification from the Board office or website. It is possible that names of companies and individuals listed may be similar to the names of parties who <u>HAVE NOT BEEN</u> disciplined or had compliant actions taken against them, so we encourage you to review licensee information on <u>www.myfloridalicense.com</u>, contact our office or make a public records request should you have any specific questions regarding disciplinary actions. Public records requests can be sent to <u>publicrecords@fbpe.org</u>.

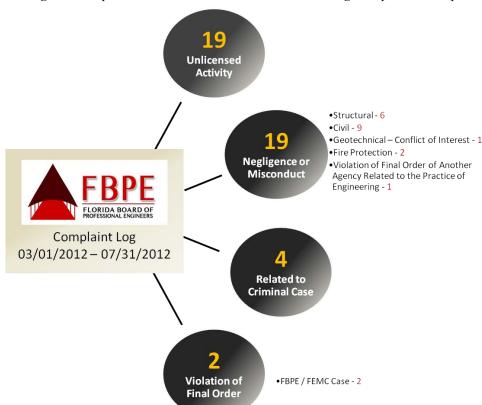


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# FBPE Complaint Inventory

The chart below represents the number and types of complaints received from March 1, 2012 to July 31, 2012, that were added to the current FEMC complaint inventory. The descriptions given are based on the allegations as received by Complainants and reflect only complaints opened during the specified time period not the total inventory. Also please note that this does not reflect what an individual or company may be charged with after the full investigation of the allegation contained in the complaint. Of the 44 total cases added to the complaint inventory during this time period, 18 have been closed and the investigative process completed.



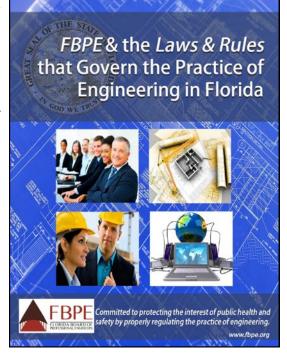
For more information on the complaint process or if you feel that a licensee, firm or individual has violated the provision of law outlined in Chapter 455, F.S., Chapter 471, F.S., and Chapter 61G-15, Florida Administrative Code and want to file a complaint, go to our website at <a href="http://fbpe.org./legal/complaints">http://fbpe.org./legal/complaints</a>.

If inquiring on a filed complaint, please be aware that some case information may be in private status which would not be subject to public record. For public case information on a Professional Engineer or Firm, please email publicrecords@fbpe.org.

# FBPE...Ensuring the Health & Safety of the Public Through Education

In the next couple of months, the Board will finalize and approve a presentation that was developed for the engineering community to provide an overview of the Florida Board of Professional Engineers (FBPE), its mission, and also highlight the current Laws and Rules that govern the practice of engineering in the State of Florida.

Committed to ensuring the health and safety of the public through education, licensure and regulating the practice of engineering in this state, FBPE and its members are available to conduct this presentation if you feel like your organization or institution would benefit. If you are interested in finding out more about this subject or would like more information on a specific topic please write to <a href="www.fbpe.org">www.fbpe.org</a>. We encourage you to access our website, <a href="www.fbpe.org">www.fbpe.org</a> for all the most current information about FBPE and its activities.





# Special Recognition

FBPE would like to congratulate all of the candidates that successfully passed the April 2012 NCEES Fundamentals of Engineering and the Principles and Practice Exams.

We wish them much success as they move towards the next step in their engineering careers!!!

Vickie Abalo Ageel Abdool-Ghany Vernon Abnev Ronald Abril Paulina Acosta Remy Agenor Jaime Albino Kevin Albrecht Robert Alderman Alan Alemany Kile Alford John Alger Clay Allen James Allen John Allison Richard Allotey Perry Alonso Joshua Alston Jose Alvarez Garcell Fernando Amado Mateus Matthew Amos Chadwick Anast Freddy Andrade Clinton Andrews Kenneth Andrews Heather Anesta John Antonelli Sherwyn Applewhaite Christian Aquino Joel Archer Christian Aristizabal Seyamend Armaghani Jose Armenteros Alexander Armstrong James Armstrong Heather Atienza Patricia Aubuchon Bertho Augustin Colton Auld Nicole Axelrod Gopaul Baboolall Christopher Bacallao Gabriel Bacca Cortes Tomas Bacci Dennis Bahls Georges Bahri Alan Bair Lisa Baker George Balaban Trillian Baldassari Alejandro Barbosa James Barge Charles Barker **Edmund Bas** Evelyn Baskin Austin Bayoumi Ross Beardsley Paul Beata Ryan Beckley Christopher Beckman Juan Bedova William Beldon Carlos Benavides Crystal Bennett Joseph Benton Nicolas Bernales

Michael Bernard

Jillian Berrey Steven Bessellieu Kevin Betancourt Jarret Beyer William Bieneman Andrew Bilello Zachary Billings Akash Bissoon Nicholas Black Thomas Black Jonas Blake Hollie Blake Randall Blanchette Micah Blate Blakney Bobitt Jenna Bobsein Jennifer Bockman Roy Bodman Caroline Bogdan Angela Bolden Matthew Bolyard Erik Bon Fleur Brett Boncore Tatiana Bonilla Stephanie Bonin Andrew Booth Maria Borders Carmine Borea Laura Borgesi Luisa Botero Carol Botu Sandra Boudreau Jonathan Boursiquot Justin Bowen Christopher Bowman Aaron Boyer William Bradford Janelle Branch Kevin Brancheau Bryan Brannon Maria Bravo Lauren Bresnahan Joshua Brewer Ralph Briggs Eric Broadhurst Cory Brockett Jonathan Brooks Hunter Brown Casey Brown Eliot Brown James Brown Kyle Brown Richard Brown Daniel Broxson Matt Bryan Brandon Bryant Carlie Buchan Jamal Burch Kyle Burg Laurence Burgoyne Adam Burnett Jennifer Burnham Jose Bustamante **Brian Bustos** Noah Byler Richard Byrd John Cairnes

Julio Calderon Justin Callahan Joseph Campbell Sean Campbell Reynald Canta Paul Carballo Juan Cardenas Stefan Cardenas Lopez Carolina Cardoza William Carlson Sarah Carr Diana Carrillo Albert Carter Charde Carter Michael Cartossa Elizabeth Cashwell Juan Castillo Steven Cavanah Peter Cerreta Kati Chapman James Charles Faisal Cheema Charles Chen Cristina Chiera Christopher Chin Tyler Ciani Matthew Cigale Brandon Clark Nicholas Claudio Nicholas Clavelo Jason Clemen Timothy Clement David Click John Coby Jake Cochran Conrad Cole Audrey Coleman Thomas Collier Jonathan Collins Wesley Conner Stephen Cook Jacquline Cooke Felix Cornier Johnathan Correa Erica Cosmutto Robert Cotton Christopher Cox Ryan Cremont Casey Cromer Christopher Croushore Mark D'Angelo Anton Dapcic Kevin Daugherty William Dauhajre Villeta Daniel Davidson Andrew Davis Paul Davis Jesse Day Ronny De Aza Rodrigo de Castro Juan De La Cruz Joan De La Rosa Joshua Deaderick Benjamin Deavenport Peter Debree Anthony Decker Kevin Deckers

Christopher DeForce Charles Gallo Christopher Hess Michael Krepsik Rebecca McLarty Jason Dehler Alioskar Ganem Nicholas Hevia Daniel Kroencke Sarah McMaster Hida Hilferding Reinaldo Deliz Lugo Christopher Gapstur Taylor Kroll Shawn McNamara Marlon Hill Vincent Depianta Jose Garcia William Krupp Dennis Mcquillen Mark Desantis Juan Garcia De Paredes Joseph Hiller Jalmar Kurki-Fox Addys Mederos Matthew Desautel Brett Hinds Christina Lafleur Ana Maria Garcia Sanchez Santos Medina Shaun Desouza Tyler Garner Matthew Hinote Jay Laird Michelle Melo Anthony DeStephens Trevor Hise Steven Gary Christopher Lambert William Menadier Neil Dethloff John Gawron Matthew Hoak Kyle Lampitt William Meng Eric Devore Eric Gav Vivien Hoang Elizabeth Landowski Jason Menzies Keith Diaz Ann Geary Hung Hoang Danielle Langford Keith Merkel Daryl Hobson Jonathan Langston Ricardo Diaz Timothy Gerow Christopher Meszler Yamilet Diaz Nicolas Gershanik Christopher Hollen Marco Lara Brad Meyer Chase Dickinson Thomas Hollinberger Michael Gibson Joseph Lauk Enelise Michaels James Dickson Alan Gil Bryan Holm Adrian Lawrence Zhenia Milan Carlos Dillon Steven Gilbert Shawn Holmes Hoa Le Anthony Miller Anthony Dion Amber Gilbert Jeremy Holsted Viet Le Cody Miller Richard LeBlanc Spencer Donnalley Jessica Glenn Michael Holtsinger Samuel Miller Adam Dooley Jonathan Glynn Kenneth Horner Kevin Lee Stacy Miller-Dacey Sebastien Doucet Eman Gomaa **Bradley Hovis** Robin Lee John Million Matthew Dowst Elizabeth Gomez Kelly Legault James Howell Ralph Mills Darrieux Doyen Ariel Gonzalez Carlos Hoyos Christina Lehr Mitchell Miorell Adam Doyle Priyahita Hrenko Brent Gordon Alejandro Leon Elizabeth Mitchell Jonathan Droor Lee Gordon Jianwei Huang Jamie Lerman Jesse Mitchell Aaron Duba Trevor Gossett Biyun Huang **Edmund Lewis** Mikhal Moberg Edgar Duenas Seth Grablow Tra Hunter Albert Leyte Vidal David Mocilan Andrew Dugan Shane Grabski Matthew Hurd Trent Liguori Arturo Modesto Imhotep Duncanson Jonathan Grant Cindy Hutchens Drew Liles Freddie Molina Patrick Dunn James Gravesen Dang Huynh Leigh Lilla Robert Molina Heather Edmonds Jordan Greenawalt Lauren Lipsch Loi Huynh Alexandra Monda Samuel Edwards Santiago Iglesias Daniel Lizarazo Manuel Montero Jonathan Griffen Ryan Eickholt Joseph Gross Gabriele Lo Fria Marco Incer Wilhelmina Montero Daniel Ellis Alexander Guenov Andrew Isildar Paul Longo Roger Montes Ricardo Escobar Darren Guettler Mohammed Issa Adriana Lopez Luis Montoya Humberto Estevez Matthew Gum Rocky Janney Georgina Lopez Carmelo Morales Nicholas Everson Marija Gumienny David Jarkey Jorge Lopez Jaison Moras James Faison **David Gusty** Megan Jaunich Armando Lopez John Morden Rana Falahat Rachel Gwyn Yveins Jean-Pierre Steve Lopez Carlos Morga David Falk Samantha Jeffery John Hachmeister Soumel Loriga Samuel Morrill Joanna Faulk Allison Hagerty Kalyani Jeyisanker Aaron Loshin David Morris John Fedock Kirk Hall Garrett Louviere Nicholas Jno Baptiste Whitney Morrison Anton Fedotov Ahmed Hamed Diana Jo Lau Jake Lovan William Moss Nicholas Ferlita Wendell Hammock Dorian Johnson Geraldine M. Lovince Ryan Motko Craig Hampy Marc Lowen Russell Ferlita Mary Johnson Nedim Mujbegovic Braxton Fernald Kah Yau Han Nathan Johnson Bailey Lozner Ryan Mulcahy Yanek Fernandez **Emily Hancock** Steven Johnston Prakash Luetel Derek Mullins Rachel Ferradaz Omari Hand Francisco Javier Jordan Felix Lv Brian Mumme Luis Ferrer-Vidal Espana-Heredia Thomas Lyle Brian Handville Freedlengton Joseph Javier Muniz Ryan Fetchko James Hannigan Marvin Joseph Lauren Lyon Eric Munoz Pedro Fiallo Reves Brett Harbison Mukesh Joshi Theresa Lytle Lauren Murphy Ryan Fields Calvin Hardie Sina Joud Qian Ma Alexander Murray Michael Fieldson Michael Hardin Ravi Shankar Kadambala Mohamed Mabrouk Adam Naga Sergio Figueroa Nicole Harris Jonathan Kalantar Andrew Magaletti Ashley Naimaster Javier Figueroa Richard Harrison Sonya Kalisz Nicole Mahler Sandra Nakasone Jason Fischer Matthew Hartman Alexandra Kalyuzhnaya Leslie Malick Robert Nall Daniel Fisher Brett Hartzell John Kanelidis Chad Manley Ahmed Nassibi Steven Fisher Yisel Mantilla Andrew Hatcher Michael Kapotsy Alexander Navarro Kellie Fissinger Evan Hathaway Jeffrey Karpf Brett Manzie Emmanuel Navedo Jason Flick Lauren Hauser Shannon Kay James Maradei Gerard Nazaire Jennifer Flores Audra Hayden Katherine Kehres Stephen Markey Joseph Neal James Fogarty Nabil Maroun Jon Haylock Todd Kelly Leonardo Nediani Justin Ford Benjamin Hayner Shannon Marple Kevin Kemp James Neidlinger Michael Forman Nicholas Head Nicole Marshall Ryan Kendall Andrew Neidrauer Benjamin Foster Joseph Heath Victor Martin Nkese Kendell Jeremy Nelms Wesley Foster Nicole Heck Martin Kenealy Luis Martinez Glenn Nelson Katherine Fox Craig Heckel Lloyd Kennedy David Martyniuk Natalie Nelson Sergio Fragoso Sousa Matthew Heim Ehsan Keshavarz Joud Pierre Massena James Nesbitt David Franklin Leah Matern James Nestler Michael Heim Steven King Caleb Freeman Elizabeth Henderson Jonathan Kippert Kenneth Mathewson Christopher New Alison Freiman Adam Kirk Daniel Henderson Lindsey Mathus Richard Newton Michael Freire Brian Kirts Stacy Henson Asaph Mauck Binh Nguyen Brett French Ashley Henzel Daniel Klein Sean Mauldin Lam Nguyen Jorge Fuentes Jacob Herbst Ryan Kmetz Molly Maus George Nimick James Funderburk Amber Herdez Jared Knight Shawn Maynard Christopher Nolen David Furry Jonathan Hernandez Gena Knight Andre McBarnette Kristin Novack Nicholas Gagliardo Carlos Hernandez Chelsea Knox Clinton Mccraw Anthony Novak Ross Galbraith Deborah Hernandez Cedeno Oscar Koeneke Alicia McDougal Riley O\Brien Elaine Gallant Reynol Hernandez Gomez Leonard Kolshak Jesse McEnulty Francis Obiozor

Amanda Odonnell Claudia Olarte Daniel Oliu Alyssa Ordmandy Pablo Orozco Kathleen Orrico Gilbert Ortiz David Ortiz Omar Ortiz Aaron Osborne David Oshana Paulina Osvoka Brink Oviedo Emanuel Ozuna Vargas Chezare Palacios Nicholas Palazzolo Edmond Palmowski Chambal Pandey Emiliano Pantner Fernando Paredes Tanid Paredes Suzette Parillon Jong Park Taylor Parker Juan Parodi Andrew Partynski Bradley Pascarella Amador Pastor **Emily Patrick** Thomas Patten Daniel Payne Danessa Pecorino Oscar Pena Lazaro D Perez Heidy Perigny Kirsten Peterson Michael Peterson Stefka Petkova Christopher Phillips Milla Pierce Tyler Pierce Thomas Pitera Brent Pittman Derek Pizor Mylene Plaz Lopez Shawn Polke Daniella Pool Kelsey Post Derek Poston **Austin Potts** Priyanka Prakash David Presson David Pritchard Jared Pritz Richard Pruss Mario Puente Samuel Puhr Robert Purdy Robert Purvis Katrina Putnam Edar Qama Bryam Quiceno Phillip Quinn Anthony Radhay Eric Ramella Ravindra Ramgulam Arun Ramlakhan David Ramos **Edwin Ramos** Andrea Ramudo Alexander Randell

Robert Rantz

Alfredo Rauseo Derek Raw Kenneth Ray Sirisha Rayaprolu Travis Read Alesandra Reed Brian Reid Tomas Remete Ashley Resta David Retske Daniel Rey Lizzel Reyes Raul Reyes Redan Reves David Richards Rvan Richardson Danielle Rickman Guillermo Rios Gregory Ripple Diana Rivas Heather Rivers Rachelle Roberge Timothy Roberge Joseph Roberts Talley Roberts Sarah Rodriguez Marcus Rodriguez Alejandra Rodriguez Chaverri Kyle Rohan Mauricio Rojas Bianca Romanyk Ramon Rondon Scott Roper Trevor Rosecrans Heath Rosenstiel Saul Rosser Gregory Roth Robert Roth Farzad Rouhani William Rovira Luis Ruiz Roland Ruiz Christopher Russo Amber Russo Michael Ryan Derek Saballos Arish Sajwani Alejandro Salas Rafael Salas Mohammed Sammoudi Geraldo Sanchez Luis Sanchez Nelirvs Sanchez Jacob Sanders Felipe Santillan George Santos Nasiol Saro Zachary Sarver William Sasher Yashpal Scarlett Douglas Schallmoser Nathan Schmaus Joseph Schmidt Michael Schmidt Ryan Schneider Jordan Schrader Steven Schultz Kevin Schwartz Ervin Scott Shkun Scott Cory Scruggs

Yamilet Senespleda

Vicken Serpekian Joseph Servos Jordan Sessa Reid Shaeffer Nicole Sharp Neil Sharp Tyler Sharpe Angela Shepard Ali Shihaibar Erik Sibila Jason Silbiger Joseph Simhon Anthony Sinphay Theodore Sisak Ken Siu John Slane Jared Slaughter Christopher Smith Corey Smith Michael Smith Janille Smith-Colin Alessandra Smolek Christopher Snee Troy Sneed Brian Snuffer Brian Snyder Tyler Sorchik Marcos Souza Zvjezdana Spasojevic Gregory Spelios Peter Sprecher Robert Sprehe Diana Spriggs Cynthia Stacy Samuel Stafford Travis Stagnitta Justin Stamper David Stanger Shawn Steers Ronald Stein Kimberly Stephens Daniel Stevenson Allen Stewart Haley Stewart Lawrence Stoff Joseph Stollings Cody Stone Kyle Stone Stefan Strandlund Christopher Stratton Jesse Strickland Jesus Suarez Tyler Subasic Stephen Suggs Daniel Sutton Tara Swann Sean Swauger Erin Switt Raymond Quincy Sy Scott Szuhay Michael Taaffe Sofva Tairova Tony Tam Amanda Tancreto Brandon Tarr Jonathan Taylor Richard Taylor Robert Terwilleger Timothy Therriault Michael Thomas

Michael Thrasher Jeremy Thurne Caitlin Tibbetts Javier Tilano Kaitlin Timm Jenna Timtiman Pete Tisdale Zachary Todd Boback Torkian Greta Torrens Jenny Toruno Timothy Travis Nicholas Traywick Victor Trejo Natasha Trimble Michael Tugwell James Tully William Turner Justin Tussey Michal Twerdochlib Gerald Tyberghein David Tyler David Ugrekhelidze Daniel Ullrich Karel Valdez Tendero Christopher Vamos Danielle Van De Loo Geoffrey Vanbueren Ruta Vardys Silvana Vargas Kyle Vargha Enrique Vecin Juan Vega Yovanis Vega Dean Velasquez Joseph Verboncoeur Robert Vergara Ashley Vickers Ariel Vidal Stefano Viola Jonah Violante Danai Vira Abid Virani Darren Vogel Derek Vollmer John Vuong Bennett Wachob Austin Wagenhals Sarah Waickowski Phillip Walker Shawn Walker Navon Wallace Erica Wallace Anthony Walton Fang Wang Zuzanna Wasowska Darren Watkins Kyle Watson Benjamin Watts Wayne Weatherford Kyle Weichman Mallory Welch John Werner Chad West Tyrone Westcarth Matt Wetherington Brian Wheeler Lindsey Whidden Ryan White Karl Wiedenmann Justin Wilde

Valerie Thorsen

Ben Williams Jermaine Williams Adam Williams Amy Williams John Williams Jonathon Williams Kevin Williams Verna Williford Michael Willis Robert Wilsnack Brent Wimberly Timothy Wineberg Brandon Winter David Wise Philip Witherspoon Alex Wolpow-Gindi Corey Womack Zachary Worley Carlton Wynn Baris Yalim Erin Yao Michael Yip Dustin Yoder Kevin Yole William Youmans Matthew Young Jeffrey Young Kevin Young Megan Zaccardelli Robinson Zafra Noel Zamora Nicholas Zawackis Wenming Zhao Christopher Zwicky **2013** 

# Exam **Dates**

P.E., P.S., & S.E. Vertical

April 12, 2013

F.E., F. S., & S.E. Lateral

April 13, 2013

For more information about the next exam cycle requirements go to www.ncees.org

Ryan Thomas

William Thornton



#### **APPLICATION PROCESS for LICENSURE**

The application process time at the Board is approximately 30 days for initial review and notification of status to the applicant. We receive many Board applications throughout the month and this allows time for mail to be received and the analyst to verify and compile the parts of the application. The applicant is notified within 30 days of receipt of the application of the status and any missing items. Remember, the application completion process is limited by the response time for the Board to receive these missing items. Once complete, the application will be forwarded to the Executive Director or the Board for review and determination of approval or denial.

In an effort to expedite response times, the Board now sends <u>ALL NOTIFICATIONS AND STATUS UPDATES ELECTRONICALLY</u>, to the email address supplied by the applicant on the application. If an applicant should change his or her email address at any time during the application process, the applicant should immediately contact the Board and the analyst who is handling the application to update the email address in order to receive any further notices. Failure to update the email address on an application will delay receiving notifications and may result in missed deadlines for examination registrations or Board reviews, thus delaying the licensure process.

You can submit a change to your personal information including your address, phone numbers, and email addresses using our interactive form on our website located under the *Licensure* section and *Other Forms* or by accessing <a href="http://fbpe.org/licensure/.other-forms">http://fbpe.org/licensure/.other-forms</a>. You can also email the new information to <a href="https://boensure/.other-forms">board@fbpe.org</a>.

# Latest News

from



#### **Notice of Future Changes to NCEES Exams & Supporting Materials**

In the April 2013 exam administration, NCEES will implement changes to three examinations and introduce a new examination. The following provides Member Boards and testing services with the notice required by the NCEES *Manual of Policy and Position Statements*, Exam Development Policy (EDP) 9.

#### Exam Changes

• **PS** — In April 2013, the Principles and Practice of Surveying (PS) exam will have new specifications and become a **closed-book** exam, as specified in EDP 3. The new exam specifications will be posted on the NCEES website **AFTER** the October 2012 exam.

When the first closed-book PS exam is administered in April 2013, it will contain NCEES supplied-reference material in the exam book, the way material is currently provided for Fundamentals of Surveying examinees. No other references will be allowed for PS examinees. A new edition of the NCEES *PS Sample Questions and Solutions* will be available for sale in November 2012. It will reflect the new specifications and include the supplied references. A news release will be issued in the coming weeks announcing the change from open book to closed book.

- **PE Software Engineering** The Principles and Practice of Engineering (P.E.) Software Engineering exam will be offered for the first time in April 2013. The new exam specifications will be posted on <a href="https://www.ncees.org">www.ncees.org</a>. A news release will be issued announcing the new exam. IEEE-USA (the sponsoring technical society) will publish study materials later this year.
- **PE Industrial**—The P.E. Industrial exam will have new specifications and move to a spring administration schedule in April 2013. October 2012 will be the last time this exam is offered in the fall. The new exam specifications will be posted on <a href="https://www.ncees.org">www.ncees.org</a> as well as issuance of an announcement of the change from the fall to the spring. The Institute of Industrial Engineers (the sponsoring technical society) will publish revised study materials later this year.
- **PE Civil** The P.E. Civil exam will have revised design standards for the Construction, Civil Structural, and Transportation modules starting in April 2013. The standards will be posted on the NCEES website after the October 2012 exam.

# P.E. and P.S. Exams Approved to Expand to Computer-Based Testing



The state licensing boards that compose NCEES, the organization that develops and administers the exams used for engineering and surveying licensure throughout the United States, have voted to begin converting the P.E. and P.S. exams to a computer-based format.

The unanimous decision was made during the 2012 NCEES annual meeting, held August 22–25 in St. Louis, Missouri. It follows a 2010 decision to convert the F.E. and F.S. exams to computer-based testing (CBT), a transition that will be completed in **January 2014**.

The P.E. exams will be converted to CBT in 2015 at the earliest, but as NCEES Executive Director Jerry Carter explained, the transition will be paced for each exam... "We offer 25 different P.E. exams in 17 different engineering disciplines, and NCEES will review each exam individually to determine what it needs to move to CBT," he said. "The language approved by the Council is 'at the earliest feasible date,' and NCEES will move carefully and deliberately with each conversion to ensure that the exam continues to reliably measure professional competence."

There is no set time for converting the P.S. exam to a computer-based administration, but Carter explained that NCEES wants to gain experience with computer-based testing for the F.E. and F.S. exams before it moves another exam to the new format.

While recognizing the effort involved in converting an exam to a computer-based format, Carter also noted the advantages, including greater scheduling flexibility for candidates, more uniformity in testing conditions, and enhanced security for exam content.

The P.E. or P.S. exam is typically the last step in the engineering or surveying licensure process. Licensure candidates who pass the F.E. or F.S. exam and meet education and work experience requirements must pass the P.E. or P.S. exam to become eligible for licensure as a Professional Engineer or Professional Surveyor.

Over 25,000 candidates took the P.E. exam in the past year, which included October and April administrations. Over 1,200 examinees took the P.S. exam during the same period.

#### F.E. Exam Change Effective January 2014

The current specifications for the Fundamentals of Engineering (F.E.) exam will change in **January 2014** in conjunction with the exam's transition to computer-based testing (CBT). At that time, the F.E. exam will be seven freestanding, discipline-specific exams: Chemical, Civil, Electrical and Computer, Environmental, Industrial, Mechanical, and Other Disciplines. NCEES has posted the major domains for these exams online, and the complete specifications will be available in 2013.

In 2010, NCEES announced a move toward CBT. The final pencil-and-paper exam will be offered in October 2013. All F.E. exams administered before CBT will use the exam specifications currently available on the *Exams* portion of the NCEES website.

This notice of new domains follows a previous call for volunteers to participate in a content review. The cross-section of participants included licensed Professional Engineers, academics teaching engineering courses, and Engineer Interns from all engineering disciplines. These individuals were surveyed about the fundamental knowledge and skills necessary for an Engineer Intern to work in a manner that protects the health, safety, and welfare of the public.

For a list of the new F.E. exam domains for the January 2014 administration, please visit <a href="https://www.ncees.org/CBT">www.ncees.org/CBT</a>.

#### **NCEES Focuses on Industrial Exemptions**

mong other actions taken at the annual meeting, NCEES member boards expressed their support for strengthening licensure's protections by applying them toward engineered products and systems. They approved an amendment to the NCEES *Model Law* to require responsible charge of a licensed engineer over the engineering design of buildings, structures, products, machines, processes, and systems that can affect the public health, safety, and welfare.

The amendment is a response to provisions in many state laws, known as industrial exemptions, that exempt firms that manufacture products from requiring a P.E. to oversee their design.

"The newly added requirement is subject to implementation at the state level," Carter said. "But adding it to the Model Law which serves as a best-practice model for state laws demonstrates the boards' commitment to protecting the American public."

Newly installed president Gene Dinkins, P.E., P.L.S., has appointed a task force for the coming year to study which U.S. jurisdictions have industrial exemptions and to develop discussion points that state licensing boards can use to begin talks with their legislators about eliminating these types of exemptions.

Full details on all motions considered during the annual meeting will be included in the official minutes, which will be published by NCEES later this year.

# Dinkins Begins Term as NCEES President advancing licensure for

ene Dinkins, P.E., P.L.S., began his term as 2012–13 NCEES President at the conclusion of the organization's annual meeting, held August 22–25, 2012, in St. Louis, Missouri.

Dinkins has been a member of the South Carolina State Board of Registration for Professional Engineers and Surveyors since 2004. A resident of Columbia, South Carolina, Dinkins is President of Cox and Dinkins, Inc., a civil engineering and land surveying firm. He replaces



outgoing president Dale Jans, P.E., of South Dakota, who will remain on the NCEES Board of Directors as Immediate Past President.

Dinkins has almost 40 years of experience in engineering and land surveying. He is a past chair of the Richland County (S.C.)
Planning Commission and the City of Columbia (S.C.) Planning Commission and is active in many professional and community affairs. He has also been a guest lecturer at the University of South Carolina's School of Law and its College of Engineering, the South Carolina Bar Association, and numerous other business and educational seminars.

Dinkins holds a Bachelor of Science degree in Chemical Engineering from Clemson University, a Bachelor of Science degree in Civil Engineering from the University of South Carolina, and a Master of Engineering degree in Environmental Engineering from the University of South Carolina.

In his speech accepting the office of NCEES President, Dinkins outlined the plan for his term and said, "There will be initiatives undertaken over the next year that will enhance the goals of NCEES, the engineering and surveying professions, and the protection of the health, safety, and welfare of the public for years to come."

Also during the annual meeting, NCEES members elected Patty Mamola, P.E., of Nevada President-Elect for the 2012–13 term. She is the first woman to hold this position since the organization was founded in 1920.

NCEES welcomed Michael Conzett, P.E., of Nebraska and Von Hill, P.S., of Utah to its Board of Directors as well. Conzett and Hill will serve two-year terms as Vice Presidents of the Central Zone and Western Zone, respectively.

Rounding out the Board of Directors are three members serving the second year of their two-year terms: David Widmer, P.L.S., of Pennsylvania continues as Treasurer; Howard (Skip) Harclerode II, P.E., of Maryland returns as Northeast Zone Vice President; and Theodore Sack, P.L.S., of Oklahoma returns as Southern Zone Vice President.

#### FAU wins 2012 NCEES Engineering Award



CEES is pleased to announce that the Florida Atlantic University Department of Civil, Environmental, and Geomatics Engineering is the grand prize winner of the 2012 NCEES Engineering Award for Connecting Professional Practice and Education. The award jury met May 31, 2012, in Clemson, S.C., to select the \$25,000 grand prize winner.

The department received the prize for its submission, *Dania Beach Nanofiltration Plant Expansion*. For the project, civil engineering students collaborated with faculty, professional engineers, and city officials to find innovative and cost-effective solutions to designing a new water treatment facility for the city, resulting in the construction of the world's first LEED Goldcertified water treatment plant.

The jury praised the project for incorporating many aspects of civil engineering and renewable energy, noting the student contributions from concept through construction and obtaining LEED Gold certification.

The NCEES Engineering Award recognizes engineering programs that encourage collaboration between students and licensed Professional Engineers. EAC/ABET-accredited programs from all engineering disciplines were invited to submit projects that integrate professional practice and education.

The winners were selected by a jury of NCEES members and representatives from academic institutions and professional engineering organizations.

"We're excited to see such innovative approaches to teaching students about professional practice," said NCEES Immediate Past President Dale Jans, P.E. "Emphasizing the importance of technical competency and ethical practice is critical to educating the next generation of professional engineers; we hope this award will inspire other colleges to introduce similar collaborations". Profiles of the winning submissions are available online at www.engineeringaward.com.

This is only the fourth award to be given by NCEES; the first award was presented to the FAMU-FSU Department of Civil and Environmental Engineering in 2009 for a collection of projects with a featured Everglades Restoration Project. FBPE is especially proud to have had two Florida engineering schools earn this esteemed honor in a short span of four years.

# RECORDS RETENTION

# What am I Required to Keep and How Long do I Keep It?



The Florida Administrative Code **61G15** contains two separate provisions which require licensees to retain records. The first provision is **61G15-22.008** *Record Keeping*, the retention of continuing education documentation, and **61G15-30.009**, the retention of engineering documents.

The first of these provisions is found in Chapter **61G15-22** titled: *License Renewal, Continuing Education*. This provision reads as follows:

61G15-22.008 Record Keeping. It is the licensee's responsibility to maintain sufficient records to demonstrate completion of qualifying professional development hours for at least two licensure cycles (four years).

As stated within 61G15-22.008, this provision requires each licensee to keep sufficient records to demonstrate that the minimum number of professional development hours has been completed. These records are to be kept for no less than two renewal cycles or four years from the close of the renewal cycle that they were earned in. Some records may actually need to be kept for up to six years for those professional development hours that were earned close to the beginning of the renewal cycle.

The second of these provisions is found in Chapter 61G15-30 *Responsibility Rules Common to All Engineers*. This provision reads as follows:

#### 61G15-30.009 Retention of Engineering

**Documents.** At least one copy of all documents displaying the licensee's signature, seal, date and all related calculations shall be retained by the licensee or the licensee's employer for a minimum of three years from the date the documents were sealed. These documents shall be maintained in hardcopy or electronic format.

As stated within **61G15-30.009**, this provision requires each licensee keep at least one copy of all documents displaying the licensee's signature, seal and date. These records are to be kept for no less than three years from the date the documents were sealed.

This provision also allows the licensee to maintain these documents in hardcopy or in electronic format. The intent of this portion of the provision is for the licensee to maintain a legitimate or negotiable copy of what was originally signed, sealed and dated.

Therefore, if the document was originally issued in hard copy and stamped with an inking seal, an original hard copy bearing an inked seal or an electronically scanned copy of the original must be maintained; and if the document was originally issued electronically with an electronic or digital seal, then a legitimate or negotiable electronically or digitally sealed copy must be maintained. If, however, the document was originally issued in hard copy and embossed, an original embossed hard copy does not necessarily need to be maintained. While an additional embossed copy can be maintained an acceptable alternative would be to graphite over the embossing on the original and then copy or scan it before it goes out.

This provision also requires that each licensee or their employer retain all calculations relating to the signed, sealed and dated documents for no less than three years from the date the documents were sealed. It also allows the licensee to maintain these documents in hardcopy or in electronic format. Unlike the signed, sealed and dated documents, the related calculations can be scanned and/or kept electronically regardless of how they were originally generated.

Finally, if an engineer leaves his or her employer and the project remains with the employer then it is the responsibility of the employer to maintain this information. If, however, the engineer leaves with the project then it becomes the responsibility of the engineer to maintain this information. As for documentation relating to professional development hours, this is the sole responsibility of the licensee regardless of employment.

One final word of caution, with the ever increasing push toward paperless files, computer back-ups and offsite storage is highly recommended. The loss of stored information resulting from the loss of a computer does not alleviate the licensee from his or her obligation to comply with the requirements discussed above.

This article was submitted by FBPE Board member William C. Bracken, P.E., S.I. He is a licensed Special Inspector and Professional Engineer in the State of Florida.



In late 2010 Chairman of the Florida Board of Professional Engineers, Mr. John C. Burke, P.E., wrote an article titled; *What Has to be Signed and Sealed?* Originally published in FBPE's *NewsWatch*, Volume 12, Issue 1, the essence of the article and the importance of its message remain unchanged.

In short this article provided direction and cited statutes that govern whether an engineering document is required to be sealed or not. The article cited **F,S 471.025(1)** and read in part:

As provided in Section 471.025(1) all final engineering documents (drawings, specifications, plans, reports and any other documents) that are "prepared or issued" by a P.E. and are either (1) being filed for public record, or (2) are provided to "the owner or the owner's representative" must be sealed.

Chairman Burke's article then went on to state:

"This requirement applies to final certifications and as-built/record drawings and reports that are filed with agencies at the conclusion of construction. Under the law, the foregoing are the only documents that must be sealed, signed and dated."

It should be noted that this requirement does not apply exclusively to, but does include, documents filed with agencies at the conclusion of construction. Therefore, when an engineer issues final certifications, as-built/record

drawings and/or reports intended to be filed with agencies at the conclusion of construction, extreme discretion must be exercised. That is to say, the engineer issuing these documents must clearly establish exactly what is being certified and what the engineer is assuming responsibility for.

The absence of specificity could result in the engineer assuming greater responsibility than was originally contemplated. The danger here is that the engineer could wind up certifying items that he or she never intended to certify. The absence of specificity, whether intentioned or not, could also lead to a fallacious conclusion on the part of the client, employer or general public. The risk in this instance is that being untruthful, deceptive, or misleading in any professional report, statement, or testimony can be construed as committing misconduct.

#### 61G15-19.001 Grounds for Disciplinary Proceedings

(6) A Professional Engineer shall not commit misconduct in the practice of engineering. Misconduct in the practice of engineering as set forth in Section 471.033(1)(g), F.S., shall include, but not be limited to:

(b) Being untruthful, deceptive, or misleading in any professional report, statement, or testimony whether or not under oath or omitting relevant and pertinent information from such report, statement or testimony when the result of such omission would or reasonably could lead to a fallacious conclusion on the part of the client, employer or the general public;

So when issuing engineering documents, (drawings, specifications, plans or reports) that are either being filed for public record, or provided to the owner or the owner's representative, the engineer must exercise extreme discretion. It is highly recommended that the engineer should clearly establish exactly what is being certified, what the engineer is assuming responsibility for and what the engineer is not assuming responsibility for.

This article was submitted by FBPE Board member William C. Bracken, P.E., S.I. Mr. Bracken is the President and Principal Engineer for Bracken Engineering located in Tampa, Florida. He is a licensed Special Inspector and Professional Engineer in the State of Florida



# Florida Atlantic University's Bachelor of Science in Geomatics Engineering Program Receives ABET Accreditation

lorida Atlantic University's College of Engineering and Computer Science announced that its Bachelor of Science in Geomatics Engineering (BSGE) program has received accreditation from the Accreditation Board for Engineering and Technology (ABET), a nonprofit, non-governmental organization that accredits college and university programs in the disciplines of applied science, computing, engineering, and engineering technology.

The Bachelor of Science in Geomatics Engineering accreditation

allows students to have the educational background needed to apply for admission to the licensing exam, and designates FAU as the only school in the southeast United States with an accredited **Geomatics Engineering** Program. FAU is the sixth school in the United States to have an accredited **Geomatics Engineering Program**, the other five being: California State Polytechnic University, Pomona, CA; California State University, Fresno, CA; Ferris State

University, Big Rapids, MI; New

Mexico State University, Las Cruces, NM; and Pennsylvania State University, Wilkes-Barre, PA.

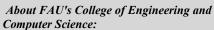
"All FAU graduates are employed as geomatics engineers, with jobs ranging from locating and tracking oil rig drilling bits underground, to assisting the chief surveyor on the Port of Miami Tunnel Project," said Don Leone, Ph.D., P.E., Professor and Interim Director of FAU's Geomatics Engineering Program. Leone went on to say: "Others, while headquartered in Florida, have been sent on surveying and mapping projects in Alaska and Oregon. This indicates a strong demand for our graduates, and a wide variety of job opportunities."

The College of Engineering and Computer Science launched the program in 2007 in response to the 2005 change in Florida Statutes requiring individuals seeking state licensure as Professional Surveyors and Mappers be trained at the baccalaureate level.

Geomatics is a term that incorporates "surveying and mapping" and other aspects of spatial data (information that has a location) management. Geomatics engineers are involved in a wide variety of information gathering activities and applications. They design, develop and operate systems for collecting and analyzing spatial information about the land, oceans, natural resources and manmade features.

The FAU Bachelor of Science in Geomatics Engineering is a four-year, 120-credits program. The program provides students

with the professional skills required for today's geospatial specialist. For more information visit, <u>www.cege.fau.edu</u>.



Florida Atlantic University's College of Engineering and Computer Science is committed to providing accessible and responsive programs of education and research recognized nationally for their high quality. Course offerings are presented oncampus, off-campus, and through distance learning in bioengineering, civil engineering, computer engineering, computer science, electrical engineering, geomatics engineering, mechanical engineering and ocean engineering. For more information about the college, please visit www.eng.fau.edu.



#### About Florida Atlantic University:

Florida Atlantic University, established in 1961, officially opened its doors in 1964 as the fifth public university in Florida. Today, the University serves more than 30,000 undergraduate and graduate students at sites throughout its six-county service region in southeast Florida. FAU's world-class teaching and research faculty serves students through 10 colleges: the Dorothy F. Schmidt College of Arts and Letters, the College of Business, the College for Design and Social Inquiry, the College of Education, the College of Engineering and Computer Science, the Graduate College, the Harriet L. Wilkes Honors College, the Charles E. Schmidt College of Medicine, the Christine E. Lynn College of Nursing and the Charles E. Schmidt College of Science. FAU is ranked as a High Research Activity institution by the Carnegie Foundation for the Advancement of Teaching. The University is placing special focus on the rapid development of three signature themes – marine and coastal issues, biotechnology and contemporary societal challenges – which provide opportunities for faculty and students to build upon FAU's existing strengths in research and scholarship. For more information, visit www.fau.edu.

# Florida Engineers Management Corporation & FBPE



he 1997 legislature passed a bill under **Section 471.038**, **Florida Statutes** which created the Florida Engineers

Management Corporation (FEMC) to provide administrative, investigative and prosecutorial services to FBPE. FEMC is a non-profit, single purpose corporation that operates through a contract with the Department of Business and Professional Regulation and is composed of seven members. Five members are appointed by FBPE and must be Florida registrants. Two members are appointed by the Secretary of the Department of Business and Professional Regulation and must be laypersons not regulated by the Board.

#### 1st Board of Directors Florida Engineers Management Corporation (1998)

William H. Palm, P.E., Chair Eugene Bechamps, P.E., Vice Chair Charles Langbein, P.E. Charles Proctor, Ph.D., P.E. Michael Shorstein, Esquire Ben G. Watts, P.E. Lamar Winegeart, Esquire During the coming issues, we will explore each of these members. This issue features William Palm, P.E., former Chairman of the Florida Engineers Management Corporation. Mr. Palm was first licensed as a Professional Engineer in the State of Florida in 1962. He attended the University of Florida where he graduated with a Bachelor Degree in Civil Engineering. Following graduation he served a tour of duty as a pilot in the United States Air Force then became a Florida licensed engineer.

Mr. Palm worked for 34 years as a consulting engineer until he retired as Chairman and CEO of Glace & Radcliffe, Inc., a firm providing services for transportation systems, environmental facilities and related civil engineering projects. He has been active in a number of professional and technical societies throughout his career including

the American Society of Civil Engineers (ASCE) and the National Council of Examiners for Engineers and Surveyors (NCEES).

When FBPE was still under the Department of Business & Professional Regulation, Mr. Palm acted as an FBPE Board Member for eight years. He was a part of the Florida Engineering Society (FES) Committee which was instrumental in privatizing the Board and

creating FEMC. A vivid memory shared by Mr. Palm was that one of the main concerns when privatizing FBPE was that when engineers around the state contacted the Board by telephone, they were unable to reach a human being; instead, they reached voice menus. He indicated that the goal when creating FEMC was making the Board accessible.

Mr. Palm was Chair of FEMC for two years and when he resigned from that position, the board was up and running and things were going well. Mr. Palm enjoyed the time he spent on both the FEMC and FBPE Boards. When asked why he served, Mr. Palm indicated that: "he wanted to give something back to the profession that had given him so much."

Even today if you venture into an FBPE Board Meeting, you just may find Mr. Palm sitting quietly in the audience, making sure things are still running smooth and keeping abreast of issues related to Florida's Professional Engineers.

Mr. Palm is currently the President of a Florida based corporation created to provide continuing educational courses for Professional Engineers seeking license renewal.

For more information about FBPE and FEMC and a listing of all current Board members, go to our website at www.fbpe.org and select About FBPE or About FEMC.

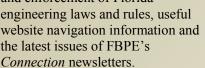
**Building Officials Association of** Florida (BOAF)

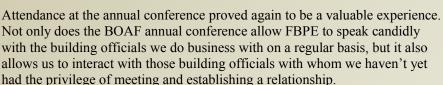
# **2012 Annual Education** Conference & Trade Expo

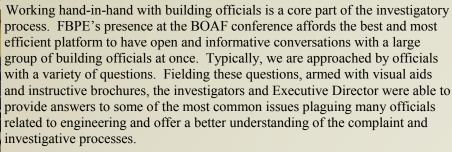
BPE Investigators, Wendy Anderson and Jason Moore, and Executive Director, Zana Raybon, attended the 2012 BOAF Annual Education Conference and Trade Expo held in June, in Lake Buena Vista, Florida. The theme of this year's conference was "Raising the Profile" and focused on educating and training code enforcement professionals on the latest changes within the profession.

The conference allowed FBPE's representatives to debut a new display board complete with digital picture frames containing investigator site visits and a variety of materials related to regulation and enforcement of Florida

engineering laws and rules, useful the latest issues of FBPE's Connection newsletters.







Reaching such a large audience of colleagues who are crucial to the work FBPE conducts, provided an invaluable wealth of resources to work closely with in the future months and years. If, for no other reason, FBPE's presence at this event and others will support our mission of ensuring the health and safety of the public through education, licensure and regulation of the engineering practice in the State of Florida. In the Land of the Magic Kingdom, the trip proved to be productive for all.

For more information about BOAF go to their website at <a href="http://www.boaf.net/">http://www.boaf.net/</a>. BOAF represents Building Officials, Inspectors and Plans Examiners and the building industry in the State of Florida.











## FES/FICE 96th Annual Summer Conference & Expo



## "ENGINEERS: MAKING DREAMS COME (RUE"



summer Conference & Exposition held in Hilton Bonnett Creek, in Orlando, Florida, August 8—11, 2012. Zana Raybon, Executive Director and Jason Moore, Investigator, represented FBPE while Board members Kenneth Todd, P.E., Michelle Rambo-Roddenberry, Ph.D., P.E., and Christian Bauer, Ph.D., P.E., attended in the capacity as FES members and Florida engineers.

This year's theme was "Engineers: Making Dreams Come True," and the Key Note Speaker was Dennis Snow. Having worked for Walt Disney World for over 20 years, Mr. Snow conducted a presentation on "Delivering World-Class Customer Service" and "Leading a Culture of Service Excellence." He is now a full-time speaker, trainer

and consultant who helps organizations achieve goals related to customer service, employee

development and leadership. He is a published author and frequent writer of industry related publications.

Several hundred people were in attendance for this year's event and it was an excellent opportunity for members of FBPE to network with professionals, engineers, and students, and hear the latest trends and issues within the engineering industry in Florida. We were able to provide a variety of materials related to regulation and enforcement of Florida engineering laws and rules, useful website information, the latest issues of FBPE's *Connection* newsletters and to answer any questions related to engineer licensure and regulation.

It is FBPE's goal to become more proactive within the engineering societies and community by attending events like this and BOAF's annual conference. We want to make the Board more visible and continue to emphasize our mission of ensuring the health and safety of the public through education, licensure and regulation of the engineering practice in the State of Florida.



As always, we encourage you to make our website, <u>www.fbpe.org</u>, a favorite so you can stay in touch with the Board's most recent activities, but you can also "LIKE" us on facebook by searching "Florida Board of Professional Engineers".





For more information about FES and how to become a member visit their website at <a href="https://www.fleng.org">www.fleng.org</a>. You can also view more pictures from this year's conference on their facebook page. Just "LIKE" their page by selecting "Florida Engineering Society".

The Florida Engineering Society (FES) has been the statewide society of Professional Engineers since 1916 from all disciplines, that promotes the ethical and competent practice of engineering, advocates licensure, and enhances the image of its members. FES serves over 3,500 members.

# Engineering Career Day Fall 2012



n September 19, 2012, FBPE participated in the Fall 2012 Engineering Career Day held at the Florida Agricultural and Mechanical University (FAMU) and Florida State University (FSU) College of Engineering, in Tallahassee, Florida. This is the college's second career fair held this year and was another great success. Hundreds of students were in attendance to meet with prospective employers and search for full-time, co-op, and internship opportunities in the engineering field with companies, non-profit and government agencies.

This event draws many companies offering engineering and industry related services within the areas of Aerospace/Defense, Energy, Transportation, Utilities, Construction, Land Planning, Urban Redevelopment, Computer Hardware and Software, Electronics, and Water Resources. Spread out on three floors and the atrium, over 50 organizations interviewed students and provided information about their company's opportunities and objectives. Some of the companies in attendance at the exposition were:

Agilis

Air Force Civilian Science & Engineering

Atkins

BMW Manufacturing, Inc.

**Buckeye Technologies** 

Caterpillar, Inc.

Citrix Systems, Inc.

Eli Lilly & Company

ExxonMobil

**General Dynamics** 

Georgia-Pacific

**Gulf Power** 

**Gulfstream Aerospace** 

**Harris Corporation** 

Humana

Info Tech, Inc.

**Kiewit Infrastructure South Co.** 

Kimley, Horn & Associates, Inc.

LHP

**Marine Corps Officers Program** 

Microsoft

**Naval Air Systems Command (NAVAIR)** 

**Navy Engineering Logistics Office** 

Newport News Shipbuilding

NextEra Energy, Inc.

Northrop Grumman

Owens Corning

Parker Hannifin Corp.

Raytheon Corp.

**Rockwell Automation** 

RS&H

**Space Exploration Technologies** 

Syn-Tech Systems, Inc.

**Lane Construction Corporation** 

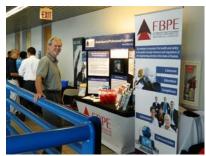
Turner Construction

U.S. Navy

**U.S. Nuclear Regulatory Commission** 

**United States Air Force** 

Warner Robins Air Logistics Center



Brian Lynch, Applications and Licensure Manager, and Lisa Simmons, Licensure Analyst, of FBPE were on hand to educate graduates and undergraduates on the Fundamentals of Engineering (F.E.) Exam application process and its requirements. Since the F.E. exam is typically the first step in the

process to obtaining a Professional Engineer license, our presence at this event was beneficial for many students, even more so for freshman and sophomore students who were informed about the upcoming conversion of the F.E. exam by NCEES to computer based testing. These students will be the first to experience that transition upon their graduation.

FBPE intends on participating in this event again in the spring as well as looking to other colleges and universities conducting similar events to continue our efforts in promoting the practice of engineering, the benefits of obtaining professional licensure in the State of Florida and educating those on the application and licensure process. For more information about FBPE and obtaining licensure in Florida, go to the *Licensure* section of our website at www.fbpe.org.



The mission of the FAMU-FSU College of Engineering is to provide an innovative academic program of excellence at both the undergraduate and graduate levels, judged by the highest standards in the field and recognized by national peers; to attract and graduate a greater number of minorities and women in professional engineering, engineering teaching and research; and to attain national and international recognition of the College through the educational and research achievements and the professional service of its faculty and students.































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David O. Charland, P.E., S.I. (Structural)

Kenneth S. Todd, Jr., P.E.

**Richard C. Wohlfarth, P.E.** (Civil)

Mary M. Young
(Public)

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William C. Bracken, P.E., S.I. (Discipline Other Than Civil)

Anthony J. Fiorillo, P.E., CGC, LEED AP (Civil)

Michelle Rambo-Roddenberry, Ph.D., P.E. (Education)

Nola Garcia (Public)

**Zana Raybon**Executive Director

## Florida Engineers Management Corporation (FEMC) 2011—2012

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Margaret L. Marvel
FEMC Treasurer/Secretary



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www.fbpe.org

FBPE is committed to protecting the interest of public health and safety by properly regulating the practice of engineering.

