

Florida Board of Professional Engineers

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The Florida Legislature found that it was necessary in the interest of public health and safety to regulate the practice of engineering in the State of Florida and thus created Chapter 471, Florida Statutes, the Engineering Registration Law. Under this law the Florida Board of Professional Engineers is responsible for reviewing applications, administering examinations, licensing qualified applicants, and regulating the practice of engineering throughout the state.

First Quarter 2010

Chair's Corner

What to Do When You Have a Complaint

Do you have a complaint regarding a particular engineer? Do you suspect a PE has committed negligence in engineering or not complied with the Board's Rules governing the practice of



John Burke Chairman of the Board FBPE

engineering? If so, please contact the Florida Board of Professional Engineers (FBPE) or the Florida Engineers Management Corporation (FEMC) at (850) 521-0500.

When you call the FBPE or FEMC, you will be requested to speak with one of our investigators. This is where the investigative process begins. The investigator will take down the specifics of your complaint as well as any and all information that you can provide. You will be provided with a Uniform Complaint Form which must be filled out and mailed back to the FBPE or FEMC along with any supporting documentation you may

Nola Garcia (Public) 02/12/2008-10/31/2010

Mary M. Young (Public) 10/14/2008-10/31/2011

Vacant (Civil) Counsel to the Board: Michael Flury, Esquire Assistant Attorney General

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Carrie A. Flynn, FBPE

have. The information contained on this form will be analyzed, and, if determined to be legally sufficient to begin an investigation, will be assigned a case number. Generally speaking, a complaint is legally sufficient to justify the initiation of an investigation if it meets two tests. First, it must allege a violation of statutes or rules over which the FBPE has jurisdiction to act, and, second, it must set out sufficient specific verifiable facts underlying the allegations so as to allow FEMC, which acts on behalf of the FBPE, to determine that a violation of those statutes or rules may have occurred and that an investigation is warranted- supposition or surmise is not sufficient. If it is determined the complaint is not legally sufficient, it will be dismissed at this point. If legal sufficiency is found, the complaint will be fully investigated.

At that time, in nearly all cases the subject of the investigation will be notified while, the investigator will contact and interview witnesses, and gather documentation. If the complaint stems from a technical issue involving the practice of engineering, such as a complaint that a PE practiced negligently, an independent PE consultant, with expertise in the field of engineering at issue, will likely be forwarded the file for review and a professional opinion will be received. The investigator will then summarize the results of the investigation in an Investigative Report that will be reviewed by the FBPE's prosecuting attorney. Then the Investigative Report with the prosecutor's recommendation will be forwarded to the Probable Cause Panel of the FBPE.

The Probable Cause Panel consists of three members. At least two of these members must be sitting FBPE Board members and, at least two must be PEs. One of the members may be a former FBPE member and one may be a non-PE (consumer). Presently, the Panel is made up of three PE members, one of whom is a past Board member. The Panel will review the Investigative Report and supporting documentation, as well as the recommendation of the Board's prosecutor, and will determine whether there is "probable cause" to believe a violation of the Engineering Practice Act has occurred.

A finding of "no probable cause" means that the case will be dismissed. Cases can and will be dismissed for a variety of reasons. For example, the facts gathered during the investigation may be such that a finding of negligence cannot be sustained at all or cannot be proven by clear and convincing evidence-the evidentiary standard which the FBPE must meet to discipline a PE's license. Sometimes, crucial witnesses are unable to be located or documentation necessary for the successful prosecution of the case may have been destroyed. Other times, the independent PE consultant retained by FEMC may opine that the subject PE's conduct, while not perfect, met adequate engineering

Executive Director FEMC President

John Rimes, FBPE Prosecuting Attorney & FEMC Vice President

Deborah Head, FBPE Comptroller & FEMC Secretary/Treasurer

Zana Raybon, FBPE Assistant Executive Director

Brian Lynch, Mgr of Applications & Licensure & Office Publications

Licensure Staff: Lisa Simmons Alan Levin Joy Bell Michelle Hov Rebecca Valentine Terri Jones Nancy Wilkins

Legal Staff: Sandee Maige Shannon McCoy Jerry Ongley, Investigator Wendy Gregory

Rebecca Sammons -Executive Assistant to the FBPE Executive Director

Amanda Day-Janecek, Assistant to FBPE Comptroller

Claudia Berry Technical-Scanning

Angie Henricks Customer Service

Louise Robinson Customer Service standards. Occasionally, even if a violation exists it is of such a minimal nature that a letter of guidance, which is not considered discipline, adequately resolves the matter. In these cases the prosecutor may recommend that the Panel dismiss a case entirely or dismiss a case with the issuance of a letter of guidance. The Panel may also make this decision independently. In all events, however, it is the Panel that ultimately determines to close a case or to charge a PE.

If the Panel finds probable cause to believe a violation has occurred, a formal Administrative Complaint will be filed against the subject of the investigation. This complaint will contain an adequate statement setting out the relevant facts discovered during the investigation as well as the rules and statutes the engineer is charged with violating. At this point, the subject of the complaint must determine how to proceed.

Chapter 120, Florida Statutes, and Chapter 28-5, Florida Administrative Code, outline the procedures to be followed once a formal complaint has been filed. There are two types of hearings available to the person charged - those involving disputed issues of fact and those not involving disputed issues of fact. If the facts contained in the Administrative Complaint are not disputed, the subject will appear before the FBPE at which time the Board will determine an appropriate disciplinary penalty. An "Informal Hearing" is a proceeding before the Board in which the facts in the Administrative Complaint which decide guilt or innocence are not in dispute and the parties simply argue the law, i. e., whether those facts constitute a violation, and what penalty, if any, should be imposed. Most importantly, in an "Informal Hearing" neither the PE nor the prosecutor get to present new facts or to dispute the agreed upon facts upon which the Board will reach its decision.

If the PE charged disputes the facts contained in the Administrative Complaint, the PE may elect a formal hearing before the Division of Administrative Hearings (DOAH). DOAH will appoint an Administrative Law Judge to preside over a hearing that is held at a location chosen by the subject or, more likely, via a videoconference in Tallahassee and at the PE's place of choice. The Board's prosecutor and the subject will each present witness testimony and evidence with the Administrative Law Judge (ALJ) sitting as a fact finder. At the close of the hearing, the ALJ will prepare a Recommended Order which contains the judge's Findings of Fact, Conclusions of Law, and Penalty Recommendation, if that is applicable. The Recommended Order is a recommendation only; the Board has final action authority. However, in almost all cases the law strictly limits the FBPE's authority to amend or reject the ALJ's factual findings, legal conclusions, and recommendation. This

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recommendation will be presented to the Board at a regularly scheduled meeting for consideration at which time the Board will determine what, if any, discipline should be taken. The Board has adopted Disciplinary Guidelines in its Rules (Rule 61G15-19.004) which act as a fairly complete roadmap setting out the breadth of the Board's choices when imposing sanctions upon a PE's license.

Lastly, the PE may determine to enter into a Settlement Stipulation with the FEMC prosecutor to try to resolve the case. With each Administrative Complaint sent out such a Stipulation will be included in the packet. This Stipulation, in almost all cases, will reflect the penalty recommendation recommended by the Probable Cause Panel when it authorized the Complaint. The Panel makes such a recommendation to the FEMC prosecutor, which is not binding, but offers the Panel's assessment of what an adequate penalty would be if the charges are proven. The Board, when it ultimately acts, considers the Panel's recommendations but is not bound by them. Of course, the Stipulation sent out with the Administrative Complaint may be further modified as a result of negotiations with the FEMC prosecutor. If the PE and the prosecutor ultimately enter into a Stipulation, the agreement is presented to the Board which has the final say. The Board may accept the Stipulation, reject it completely, or offer a Counter Stipulation reflecting its terms for resolving the case. In any event, the PE, if a Stipulation is rejected, still retains the right to proceed to one of the two types of administrative hearings discussed above.

After such a hearing, the Board will enter a Final Order. Any PE who is disciplined by the Board after a hearing is entitled to judicial review and may file an appeal in the District Court of Appeal either in Tallahassee, where the Board maintains its headquarters, or where the PE resides. This appeal must be filed within thirty (30) days after the rendition of the order being appealed.

This has been just a brief summary of the disciplinary process. The quest for professionalism begins with and depends upon professionals exercising their responsibility to file a complaint if they have knowledge or reason to believe that any person or firm is guilty of violating any of the provisions of Chapter 471, Florida Statutes, or the rules of professional conduct.

Executive Director's Message

2010 will be a busy year for FEMC as we begin the countdown to the 2011-13 renewal.

In the last newsletter, I cited changes in the reporting of continuing education hours. Providers are now required to download directly to the Department of Business and Professional Regulation records of attendance of Florida



Carrie A. Flynn

licensees. This requirement is part of ongoing effort to make renewal easy and convenient for the licensee. It is our goal to make renewal as easy as possible. When you receive your notice of renewal in November of 2010, you should be able visit myfloridalicense.com, pay the fee by credit card and complete renewal. For the last renewal licensees enjoyed a fee waiver for renewal. The renewal for 2011-13 will not include a fee holiday. The renewal will be \$125 plus \$5.00 unlicensed activity fee for a total of \$130.00. Be sure to read the continuing education article appearing in this issue.

Examinations:

NCEES revises the structural examination effective with April 2011 Exam

For specific details on the change visit NCEES.org. The change in examination format is effective with the April 2011 examination. This change affects future applicants for initial licensure by examination. When applying the applicant must determine their discipline of examination, they can choose the general civil or structural. Applicants selecting the discipline of structural engineering will have to complete a 16 hour structural examination focusing on vertical and lateral forces. Passing this examination may assist in application by endorsement in those states which require a special structural examination for licensure in their state.

If you are presently licensed and have applied and passed the Structural I examination you should consider the Structural II examination in October of 2010 as an additional discipline. This will be the last time the Structural II examination will be offered. If you do not apply and pass the Structural II examination and you later apply in a state with specific structural examination requirements you may be subject to having your application denied.

If you are licensed in Florida and are interested in sitting for this

examination once it is offered you may apply with the application for additional discipline. You will not receive an additional license card, however; your record will be updated with the information.

Special Recognition

Mr. Paul Tomasino, P.E. recently completed his eight year tenure on the Florida Board of Professional Engineers. On behalf of the Board and FEMC staff, I want to recognize Mr. Tomasino for his dedication to the Board and the profession through attendance and participation in many Board meetings and his service on the Probable Cause Panel, Application Committee and Rules Committee. Mr. Tomasino we wish you the best in your future endeavors.

CE Credits from WETEC

We have received a number of calls from engineers attending the WETEC 2009 technical sessions last year in Orlando. If you are a Florida PE and want to receive credit for your license renewal in February 2011, please send your name (as it appears on your PE license) and your PE license number to Matt Jones (mjones@wef.org). Matt will enter your CEC (continuing education credits) or PDH (professional development hours)as they appear on your certificates into the Florida license renewal system. NOTE: You cannot enter these hours. ONLY the approved provider (WEF) can enter the information. The same procedure will apply for WEFTEC 2010 credits.

GET GEARED UP FOR RENEWAL 2011

It is time to begin advanced steps of preparing for renewal of your Florida Engineering License and/or Certificates of Authorization for the 2011-2013 renewal. All current licenses and certificates will expire at midnight on February 28, 2011. FEMC, on behalf of the FBPE, will mail renewal forms to all license and certificate holders on or before October 31, 2010. Renewal will officially open on or about November 12, 2010. We cannot process renewals in advance of the opening of the renewal window. Once you receive your notice, you may go online to www.myfloridalicense.com to pay for and renew your license.

Licensees enjoyed a fee holiday for the last renewal. However, renewal fees for the 2011-2013 will return to the customary amounts of \$130 (\$125 or renewal and \$5.00 unlicensed activity fee) for PE licenses and \$130 (\$125 or renewal and \$5.00 unlicensed activity fee) for Certificates

of Authorization.

As a vital step in preparing for renewal later this year, license holders should verify their license status and confirm entry of the required continuing education hours. You may view your continuing education by logging into your account and clicking on "View Continuing Ed." If you do not see your credits, please contact your course provider. If the course provider does not respond or they have problems with the process, advise them to contact our office.

If you failed to renew during the last renewal period, your license is Delinquent and you will be required pay the \$5.00 renewal fee and \$100 delinquent fee for a total of \$105.00 along with proof of 8 hours of continuing education. The application for delinquent renewal is available from our website. If you fail to pay the delinquent fee and fail to renew for the 2009-2011 period, your license will become NULL and VOID at midnight on February 28, 2011. If your license enters null and void status, you will be required to re-apply for licensure in the State of Florida.

As referenced in previous articles, continuing education is now being reported by course providers. Professional Engineers can no longer self report continuing education hours.

If you are serving as a qualifier for a Certificates of Authorization, please be sure you renew immediately upon the opening of the renewal cycle. This will allow the renewal of the Certificates of Authorization by February 28, 2011. The Certificate of Authorization can only renew after the qualifying engineer has renewed their professional license. If the qualifying engineer fails to renew their license, their license becomes delinquent as well as the Certificate of Authorization.

We encourage licensees to check their continuing education and license status at www.myfloridalicense.com several times a year to ensure that proper reporting has been accomplished. It is especially important to check your status prior to renewal.

If you encounter problems, please notify our office. In this process, please keep in mind the steps we must follow in resolving any problem with your account. Some problems can be resolved by our staff. Other problems require a process of contact with the Department of Business and Professional Regulation. If this is necessary the process may take additional time to revolve. Any reported problem will be evaluated to determine steps required to resolve.

FEMC staff primarily responding to licensees on continuing education

issues is Brian Lynch, Manager of Applications and Licensure and Nancy Wilkins, Licensure Analyst.

Disciplinary Enforcement Activity

Rodrigo H. Cadavid, P.E.

PE 39415

Licensee was charged with violating Section 471.033(1) (k), F.S., and Rule 61G15-19.001(6)(o), F.A.C., by violating and failing to comply with terms of a Final Order entered by the Board of Professional Engineers. The Board approved permanent revocation of license. Final Order issued 07/27/2009. APPEAL WAS TAKEN AND DISMISSED BY COURT 11/5/2009 REVOCATION EFFECTIVE 11/5/2009.

Remberto Contreras, P.E. PE 21522

Licensee was charged with one (1) count of engaging in negligence in the practice of engineering and violating Section 471.033(1)(g), Florida Statutes. The Board approved a settlement stipulation imposing costs of \$500.00, reprimand, and probation of two (2) years, licensed restricted until he takes and passes and submits proof of passing NCEES Structural 1 Exam or equivalent, study guide and completion of Engineering Professionalism & Ethics course. Final Order issued 4-27-09.

Joseph Gilberti, P.E. PE 56079

Licensee was charged with one (1) with violating Sections 455.227(1)(c) and 471.033(1)(d), Florida Statutes, by adjudicated guilty of a crime, which directly relates to the practice of engineering or the ability to practice engineering. The Board approved a settlement stipulation that imposed a fine of \$2,000.00, costs of \$117.00, probation of two (2) years. Final Order issued 7-1-09.

David Gildart, P.E. PE 57456

Licensee was charged with one (1) count of negligence in the practice of engineering, Section 471.033(1)(g). The Board approved a settlement stipulation imposing costs of \$1837.59, reprimand, two (2) years probation, project reviews at six (6) and eighteen (18) months, study

guide, and completion of a Board approved Engineering Professionalism & Ethics course. Final order issued 11/04/09.

David Giles, P.E. PE 45676

Licensee was charged with one (1) count of making or filing a report or record that the licensee knows to be false, violating Section 471.033(1)(e), Florida Statutes and negligence in the practice of engineering and violation of Section 471.0331(1)(g), Florida Statutes, and Responsibility Rule 61G15-19.001(4), F.A.C. Following a hearing not involving disputed issues of material fact pursuant to Sections 120.569 and 120.57(2), Florida Statutes. The Final Order imposed a fine of \$5,000.00, costs of \$1010.00, reprimand, suspension of one (1) 1 year and thereafter until Respondent appears before the Board to lift the suspension, and be able to explain his understanding of signing, sealing and dating certifications as an engineer, completion of the study guide and completion of a Engineering Professionalism & Ethics course. Final Order issued 3-19-09.

Kenneth A. Gonci, P.E. PE 61685

Licensee was charged with two (2) counts of negligence in the practice of engineering, Section 471.033(1)(g) and Rule 61G15-19.001(4). The Board approved a settlement stipulation imposing costs of \$1,508.65, reprimand, project reviews at six (6) and eighteen (18) months, study guide, and completion of a Board approved Engineering Professionalism & Ethics course. Final order issued 01/20/2010.

Mouaffak Hassoun, P.E. PE 61969

Licensee was charged with one (1) count of violating the provisions of Rule 61G15-27.001 and violating Section 471.033(1)(a), Florida Statutes, by failing to notify the original engineer on a project required by the rule and by not performing adequate engineering analysis by prior acting a successor engineer; and one (1) count of engaging in negligence in the practice of engineering violating Section 471.033(1)(g), Florida Statutes, and Rule 61G15-19.001(4). Based on a settlement stipulation, the Board imposed fine of \$2,000.00, costs of \$2,020.00, reprimand, one (1) year probation, completion of the Laws & Rules Study Guide, and completion of a Engineering Professionalism & Ethics course; if licensee engages in sealing and signing engineering documents then he will be placed on two (2) years probation with project reviews at (6) and (18) months. Final Order Issued on 4-27-09.

W. Gray Hodge, P.E.

PE 45676

Licensee was charged with one (1) count of negligence in the practice of engineering and violation of Section 471.0331(1)(g), Florida Statutes. Based on a settlement stipulation, the Board imposed fine of \$2,500.00, costs of \$2,000.00, reprimand, probation of two (2) years, completion of the Laws & Rules Study Guide, project review at six (6) and eighteen (18) months, and completion of a Engineering Professionalism & Ethics course. Final Order issued 2-24-09.

Fred C. Jones, P.E. PE 54476

Licensee was charged with multiple violations including 471.033(1)(a), F.S., violating a rule of the board; 471.033(1)(g), F.S., engaging in negligence in the practice of engineering: 471.033(1)(i), F.S., affixing a seal and name to drawings that were not prepared by him or under his supervision, direction, or control; 471.003(3), F.S., practicing architecture not incidental to his engineering practice; 61G15-27.001(2), F.A.C., prior to sealing and signing work a successor professional engineer shall be required to notify the original professional engineer, his successor's, by certified letter the successor's intention to use or reuse the original professional engineer's work; 61G15-30.005, F.A.C., failing as engineer of record to require submission of delegated engineering documents prepared by the delegated engineer and shall review those documents for compliance with his written engineering requirements; 61G15-31.008(1), F.A.C., failing to designate the foundation capacity or indicating material anticipated: 61G15-30.002(1). F.A.C., failing as engineer of record to be responsible for the preparation, signing, dating, sealing, and issuing of any engineering documents for any engineering service or creative work; and 61G15-31.002(5), F.A.C., failing to have the requisite information provided for structural drawing. Based on the Final Order and approved Settlement Stipulation approved by the Board, Mr. Jones' has voluntarily relinquished his license and agrees to never reapply for licensure as a Professional Engineer in the State of Florida. Final Order issued 08-13-09.

James K. Kimes, P.E. PE 33678

Licensee was charged with two (2) counts of violating the provisions of Section 455.227(1) (k), Florida Statutes by not complying with the provisions of a statute placing specific obligations upon a Professional Engineer, specifically by not complying with the requirements of Section 106.6 of the Florida Building Code. The Board approved a settlement stipulation imposed a fine of \$2,000.00, costs of \$3,318.00 and completion of Engineering Professionalism & Ethics course, study

guide. Final Order issued 3-19-09.

Joseph Kosinski, P.E. PE 52288

Licensee was charged with one (1) count of negligence in the practice of engineering and violation of Section 471.033(1)(g), Florida Statutes. Based on a settlement stipulation, the Board imposes costs of \$2,073.19, reprimand, completion of the Laws & Rules Study Guide and completion of an Engineering Professionalism & Ethics course. Final Order issued 2-24-09.

Luis A. Lopez, P.E. PE 59805

Licensee was charged with one (1) count of negligence in practice of engineering, Section 471.033(1)(g), Florida Statutes. The Board approved a settlement stipulation imposing costs of \$4,350.00, reprimand, probation of two (2) years, project review at six (6) and eighteen (18) months and completion of Engineering Professionalism & Ethics course, study guide. Final Order issued 7-1-09.

Antonio Lucia, P.E. PE 60160

Licensee was charged with one (1) count of negligence in practice of engineering, Section 471.033(1)(g), Florida Statutes. The Board approved a settlement stipulation imposing costs of \$3,977.00, probation of two (2) years, project review at six (6) and eighteen (18) months and completion of Engineering Professionalism & Ethics course, study guide. Final Order issued 7-1-09.

Roger Malone, P.E. PE 56496

Licensee was charged with one (1) count of engaging in misconduct in the practice of engineering and violating Section 471.033(1)(g), Florida Statutes. Based on the approved Settlement Stipulation, the Board has imposed a fine of \$5,000.00, costs of \$9,172.00, reprimand, appearance, project review upon recommencement of practice in the State of Florida, successful completion of an Engineering Professionalism & Ethics course and study guide. Final Order issued 08-13-09.

David R. Norris, P.E. PE 32186

Licensee was charged with one (1) count of negligence in the practice of engineering, Section 471.033(1)(g), Florida Statutes, Rule 61G15-19.001(4), Florida Administrative Code; one (1) count of violating

Sections, 455.227(1)(k), and 471.033(1) (g), Florida Statutes, and Rule 61G15-19.001(6)(n), Florida Administrative Code, by not sealing, signing and dating each page of engineering design documents; not complying with the provisions of Section 489.113(9)(b) 2, Florida Statutes, and thus violating the provisions of Section 455.227)1)(k), Florida Statutes by not complying with the provisions of a statute placing specific obligations upon a Professional Engineer; violating the provisions of Section 471.033(1)(g), Florida Statutes, and Rule 61G15-19.001(6), Florida Administrative Code, by committing misconduct in the practice of engineering by certifying to matters beyond his competence and involving matters which were beyond the scope of services provided. The Board approved a settlement stipulation imposing a fine of \$1,000.00, costs of \$2,500.00, reprimand, restriction on producing structural engineering manuals until passage of NCEES Structural 1 Exam, , probation of two (2) years, Intermediate Engineering Professionalism and Ethics Course, project review at six(6) and eighteen (18) months. Final Order issued 7-1-09.

T. Stiles Peet, P.E. PE 49200

Licensee was charged with one (1) count of failure to not seal or apply his signature to engineering documents submitted to the Engineer of Record and thus were required to be sealed, signed and dated under the provisions of Rules 61G15-23.002(2), Florida Administrative Code and by violating Section 471.033(1)(a), Florida Statutes and by violating Section 471.025(1), Florida Statutes and Rule 61G185-23.002, Administrative Code. The Board approved a settlement stipulation imposing costs of \$306.53, letter of guidance, Engineering Professionalism and Ethics Course, study guide and on-site visit. Final Order issued 2-24-09.

Kemp D. Shalloway PE 19561

Licensee was charged with one (1) count of violating Section 471.033(1)(g), and Rules 61G15-19.001(6)(f) by engaging in misconduct in the practice of engineering. The Board approved a settlement stipulation imposing a fine of \$2000.00, costs of \$5928.00, reprimand, study guide, and completion of a Board approved Engineering Professionalism & Ethics course. Final order issued 11/12/09.

Seng-Chai Tan, P.E. PE 46765

Licensee was charged with violating Section 471.033(1)(g), Florida

Statutes and Rule 61G15-19.001(4), F.A.C., by engaging in negligence in the practice of engineering. Based on the Board-approved Settlement Stipulation, the Board has imposed costs of \$3131.83, reprimand, appearance, probation for two (2) years, study guide, successful completion of an Engineering Professionalism & Ethics course and project review at six(6) and eighteen (18) months. Final Order issued 08-13-09.

Manuel Valdes-Linares, P.E. PE 14393

Licensee was charged with three (3) counts of engaging in negligence in the practice of engineering and violating Section 471.033(1)(g), Florida Statutes. The Board imposed a fine of \$3,000.00, costs of \$1,668.20, suspension for one (1) year, reprimand, probation of two (2) years, study guide and completion of Engineering Professionalism and Ethics course. Final Order issued 1-09-09.

Costas Vatikiotis, P.E. PE 45631

Licensee was charged with violating Section 471.033(1) (I)(g), F.S., Section 471.033(1)(a) and Rule 61G15-19.001(6)(j), F.A.C. The Board approved a settlement stipulation in which the subject agreed to voluntarily relinquish his license effective April 1, 2010. Final Order was issued 12/23/09.

Robert Wood, P.E. PE 31542

Licensee was charged with violating Section 471.033(1)(g), Florida Statutes, and Rule 61G15-19.001(4), F.A.C., by engaging in negligence in the practice of engineering. The Board approved a settlement stipulation imposing a fine of \$500.00, costs of \$5362.24, reprimand, two (2) years probation, project reviews at six (6) and eighteen (18) months, study guide, and completion of a Board approved Engineering Professionalism & Ethics course. Final order issued 11/04/09.

Richard Wasilewski, P.E. PE 15586

Licensee was charged with two (2) counts of negligence in the practice of engineering, Section 471.033(1) (I)(g), F.S.. The Board approved a counter stipulation imposing a fine of \$1,000.00, costs of \$1,795.00, reprimand, completion of a Board-approved Engineering Professionalism & Ethics course, study guide, and project reviews at six (6) and eighteen (18) months. Final Order was issued 02/16/2010.

James A. Zaleski, P.E.

PE 51544

Licensee was charged with one (1) count of engaging in misconduct in the practice of engineering and violating Section 471.033(1)(g), Florida Statutes. The Board approved a Settlement Stipulation that imposes a fine of \$2,000.00, costs of \$1,112.00, reprimand, appearance, probation of two (2) years, Engineering Professionalism & Ethics course, study guide and project review at six(6) and eighteen (18) months. Final Order issued 8-13-09.

For more information about disciplinary enforcement activity, please visit our website: www.fbpe.org.

Charlie Crist, Governor



Charlie Liem, Interim Secretary

Department of Business and Professional Regulation