

Florida Engineers Management Corporation

1st Quarter Report

2014 - 2015



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FLORIDA ENGINEERS MANAGEMENT CORPORATION Quarterly Report in Compliance with Sections IV Deliverables

First Quarter 2014-2015

Section VIII Deliverables, B. Quarterly Reports – Requirements of Contract for Quarterly Report

- B1. The status of the performance standards adopted by Rule 61G15-37.001, Florida Administrative Code.
- B2. Compliance with priority referrals from the Contract Monitor, per Section IV, Contract Monitor, of the Agreement.
- B3. Information related to disciplinary actions.
 - a. A list and status of all complaints made during this agreement (open and closed, licensed and unlicensed). Status information should include:
 - The name of the complainant;
 - The name and license number of subject;
 - The date of the complaint;
 - The alleged violation;
 - The last action taken; and
 - The next appropriate action recommended.
 - b. A list of all cases FEMC closed as legally insufficient since the last report;
 - c. A list showing the status of compliance with all final orders with pending provisions;
 - d. A list of cases where the alleged violation is for unlicensed activity and the subject also holds a license with another profession within the department.
- B4. Information regarding the failure of FEMC to comply with any provisions of the contract.
- B5. A list of all legal cases where FEMC has not been the prevailing party. The list must include copies of final orders and specify cases where attorney fees have been awarded.
- B6. Corrective Plan as required by Section IV of the contract.
- B7. A detailed report of expenditures and cash balance.
- B8. Long Range Estimates of Revenue.

B9. Detailed information for the last quarter as required by contract:

- The number of license renewals;
- The number of license applications received;
- The number of licenses approved;
- The number of licenses denied;
- The number of licenses issued;
- The average time required to issue a license;
- The number of examinations administered;
- The number of applicants who passed the examination;
- The number of applicants who failed the examination;
- The number of complaints received;
- The number of complaints determined to be legally sufficient;
- The number of complaints dismissed;
- The number of complaints determined to have probable cause;
- The number of administrative complaints issued along with the status of the complaint; and
- The number and nature of disciplinary actions taken by the FBPE.

Section VIII. Deliverables

B1. Performance Standards

B1. Performance Standards

Quarterly Report in Compliance with Rule 61G15-37.001, F.A.C.

In order to facilitate efficient and cost effective regulation by the Florida Engineers Management Corporation ("FEMC"), the following performance standards and measurable outcomes are adopted:

- (1) FEMC shall make a determination of legal sufficiency within 30 days of receipt of a complaint.

*In the First Quarter of Fiscal Year 2014/2015, **34** total new complaints were received of which **22** were complaints against licensees and **12** were complaints against unlicensed individuals or entities. Of the new complaints, **16** licensed complaints were deemed legally sufficient, **3** licensed complaints were deemed legally insufficient, and **3** licensed complaints are undetermined at the end of the First Quarter point, as they are still within the 30 days of determination and are still in the initial review process. Of the new complaints, **9** unlicensed complaints were deemed legally sufficient, **1** unlicensed complaint was deemed legally insufficient, and **2** unlicensed complaints are undetermined at the end of the First Quarter point, as they are still within the 30 days of determination and are still in the initial review process.*

- (2) Within fifteen days of receiving a complaint that is determined to be legally sufficient, FEMC shall furnish to the subject or the subject's attorney a copy of the complaint or document that resulted in the initiation of the investigation.

*Of the **25** cases deemed legally sufficient, the subject (or subject's attorney) was notified and furnished a copy of the complaint, or, in the case of some unlicensed cases, furnished with a Cease and Desist Order resulting in 100% compliance with the Rule.*

- (3) FEMC shall provide status reports to the Board regarding all outstanding disciplinary cases at every other regularly scheduled meeting of the Board. The status report shall include all legally sufficient disciplinary cases until entry of a final order by the Board. Upon entry of a final order, FEMC shall notify the licensee's employer of the action taken by the Board.

Status reports were submitted to the Board at the August, 2014 FBPE meeting. As far as FEMC can reasonably ascertain the existence of an employer for Respondent, FEMC now has 100% compliance with that requirement.

B1. Performance Standards

Quarterly Report in Compliance with Rule 61G15-37.001, F.A.C.

(4) FEMC shall refer to the Board any investigation or disciplinary proceeding not before the Division of Administrative Hearings pursuant to Chapter 120, Florida Statutes, or otherwise completed by FEMC within one year after the filing of a complaint.

*Referenced in the previous quarterly report, at the end of the Fourth Quarter of the fiscal year 2013 –2014, **20** cases were identified as being more than one year old; however, that number should have been **21**, as 2 cases that were combined into one case were counted as only 1 case in the Fourth Quarter of Fiscal Year 2013/2014; and, of those **21** cases, **4** have been resolved. As a result of aging, there are **10** additional cases that reached year old status during the Fourth Quarter of Fiscal Year 2013/2014 thus making a total of **27** cases which are more than one year old at the end of the First Quarter for the 2014/2015 Fiscal Year.*

(5) FEMC shall notify the person who filed the complaint of the status of the investigation every six months, including whether probable cause has been found, when the case is on the agenda for consideration by the Board, and the status of any administrative proceeding or appeal.

FEMC is in 100% compliance with this section.

(6) At least 90 days before the end of a licensure cycle, FEMC shall forward a licensure renewal notification to active or inactive licensees at the licensee's last known address of record with FEMC.

FEMC is in 100% compliance with this section.

(7) At least 90 days before the end of a licensure cycle, FEMC shall forward a notice of pending cancellation of licensure to a delinquent status licensee at the licensee's last known address of record with FEMC.

FEMC is in 100% compliance with this section.

(8) Upon receipt of an application for a license, FEMC shall examine the application and, within 30 days after such receipt, notify the applicant of any apparent errors or omissions and request any additional information FEMC is permitted by law to require.

B1. Performance Standards

Quarterly Report in Compliance with Rule 61G15-37.001, F.A.C.

Type of Application	Applications Received	Applications in compliance	Applications not in compliance with 30 day notice
Engineer Intern	241	241	
Continuing Education Providers	6	6	
Continuing Education Courses	0	0	
Professional Engineer	39	39	
Endorsement	337	337	
Certificate of Authorizations	118	118	

B1. Performance Standards

Quarterly Report in Compliance with Rule 61G15-37.001, F.A.C.

(9) Every application for a license shall be approved or denied within 90 days after receipt of a completed application.

FEMC is in 100% compliance with the rule.

Applications Received and in 90 – Day Compliance	
July 2014	
Principles & Practice	6
Engineer Intern/Fundamentals	79
Continuing Education	1
Endorsements	82
Special Inspectors	0
Total	168
August 2014	
Principles & Practice	12
Engineer Intern/Fundamentals	80
Continuing Education	3
Endorsements	174
Special Inspectors	0
Total	269
September 2014	
Principles & Practice	19
Engineer Intern/Fundamentals	47
Continuing Education	4
Endorsements	77
Special Inspectors	2
Total	149
Grand Total for quarter	586

B1. Performance Standards

Quarterly Report in Compliance with Rule 61G15-37.001, F.A.C.

(10) If an applicant seeks a license for an activity that is exempt from licensure, FEMC shall notify the applicant and return any tendered application fee within 30 days after receipt of the original application.

FEMC is in 100% compliance with this section due to the fact that it has not received any application for an exempt activity.

(11) FEMC shall maintain the Board's web page and update the web page within 14 days of the date the updates go into effect. Administrative complaints shall be posed no later than 30 days after the recommendation by the probable cause panel. All active disciplinary cases shall be posted on the web page, including the final action taken by the Board until the terms of the final order are completed or until the licensee becomes inactive, retires, relinquishes the license or permits the license to become null and void.

FEMC is in 100% compliance with this section.

Section VIII. Deliverables

B2. Priority Referrals Compliance

B2. Priority Referrals

During the first quarter of 2014-2015, there was one referral from the Office of Governor. The referral dealt with a complaint and how FEMC used a consultant in the investigation process of said complaint.

Section VIII. Deliverables

B3a. Complaint Status List

B3A. – Complaints Received in 1st Quarter of 2014-2015 Fiscal Year and last action taken

No.	Case Number	Complainant Name	Name of Subject; License No. of Subject	Received Date	Status Date	Alleged Violation	Last Action Taken	Next Action Recommended
1. UL	2014027287	FEMC	Figueroa, Luis Unlicensed	07/01/14	09/02/14	Possible violation of FS 471.031(1)(a), (b) – Practicing engineering without a license or using a name or title tending to indicate that such person holds an active license as an engineer	Closed due to Informal Cease and Desist Agreement File Closed	KA to Scan documents into Laserfiche
2.	2014028251	Vandersluis, Steven	Schaefer Fagan & Associates, Inc. C.A. – 4844	07/03/14	07/09/14	Possible violation of FS 455.227(1)(k) – Failing to perform any statutory or legal obligation	Legally Insufficient File Closed Licensed	KA to Scan documents into Laserfiche
3.	2014029131	REDACTED	REDACTED	07/14/14	09/10/14	Possible violation of FS 455.227(1)(k) – Failing to perform any statutory or legal obligation OR Possible violation of FS 471.033(1)(d) and 455.227(1)(c) – Being convicted or found guilty of, or entering a plea of nolo contendere to a crime which relates to the practice or ability to practice	Under Investigation	Continue Investigation
4. UL	2014029161	Catapano, Anthony	Building Design Solutions, Inc. Unlicensed	07/11/14	07/16/14	Possible violation of FS 471.023 and Rule 61G15-19.001(3), FAC – Firm practicing without certificate of authorization	Under Investigation Notice to Cease & Desist Issued	Awaiting return of Affidavit
5. UL	2014030660	Bienvenu, Michael Eric	Azizinamini, Atorod Unlicensed	07/21/14	07/24/14	Allegations that subject has violates the NSPE Code of Ethics for Professional Engineers. – This allegation is not one that the FBPE regulates.	Legally Insufficient File Closed	KA to Scan documents into Laserfiche
6.	2014030707	REDACTED	REDACTED	07/18/14	08/20/14	Possible violation of FS 471.033(1)(g) and 455.227(1)(a), (m) – Fraud, deceit, negligence, incompetence or misconduct	Under Investigation	Continue Investigation

B3A. – Complaints Received in 1st Quarter of 2014-2015 Fiscal Year and last action taken

No.	Case Number	Complainant Name	Name of Subject; License No. of Subject	Received Date	Status Date	Alleged Violation	Last Action Taken	Next Action Recommended
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B3A. – Complaints Received in 1st Quarter of 2014-2015 Fiscal Year and last action taken

No.	Case Number	Complainant Name	Name of Subject; License No. of Subject	Received Date	Status Date	Alleged Violation	Last Action Taken	Next Action Recommended
7.	2014031694	REDACTED	REDACTED	07/25/14	08/20/14	Possible violation of FS 471.033(1)(g) and 455.227(1)(a), (m) – Fraud, deceit, negligence, incompetence or misconduct	Under Investigation	Continue Investigation
8.	2014031178	REDACTED	REDACTED	07/24/14	07/30/14	Possible violation of FS 471.033(1)(g) and 455.227(1)(a), (m) – Fraud, deceit, negligence, incompetence or misconduct OR Possible violation of FS 471.033(1)(e), 455.227(1)(l) and Rule 61G15-19.001(7)(c), FAC – Knowingly making or filing a false report or record, failing to file a report or record required by law, impeding or obstructing such filing	Under Investigation	Investigation
9. UL	2014031544	Hains, Drew B.	Schofield, Robert Unlicensed	07/28/14	07/30/14	Possible violation of FS 471.031(1)(a), (b) – Practicing engineering without a license or using a name or title tending to indicate that such person holds an active license as an engineer	Under Investigation Notice to Cease & Desist Issued	Waiting for Return of Affidavit
10.	2014032337	Sherber, Michael Steven	Hahn, Warren G. P.E. – 18178	08/05/14	08/05/14	Allegations that subject violated the NSPE Code of Ethics for Engineers related to an article he wrote which was published in the June 2014 FBPE Newsletter.	Legally Insufficient Case Closed Licensed	KA to Scan documents to Laserfiche
11.	204033516	REDACTED	REDACTED	08/06/14	08/12/14	Possible violation of FS 471.033(1)(e), 455.227(1)(l) and Rule 61G15-19.001(7)(c), FAC – Knowingly making or filing a false report or record, failing to file a report or record required by law, impeding or obstructing such filing	Sent to Consultant for Review	Receive opinion from Consultant and proceed accordingly
12. UL	2014033665	Anonymous	Cornerstone Design Services LLC	08/11/14	09/17/14	Possible violation of FS 471.031(1)(a), (b) – Practicing engineering without a license or using a name or title tending to indicate that	Closed – Cease & Desist Agreement – Informal	KA to Scan documents into Laserfiche

B3A. – Complaints Received in 1st Quarter of 2014-2015 Fiscal Year and last action taken

No.	Case Number	Complainant Name	Name of Subject; License No. of Subject	Received Date	Status Date	Alleged Violation	Last Action Taken	Next Action Recommended
			Unlicensed			such person holds an active license as an engineer		
13. UL	2014033757	REDACTED	REDACTED	08/02/14	08/19/14	Possible violation of FS 471.031(1)(a), (b) – Practicing engineering without a license or using a name or title tending to indicate that such person holds an active license as an engineer	Under Investigation	Continue Investigation
14.	2014034586	Sherber, Michael Steven	Hahn, Warren G. P.E. – 18178	08/11/14	08/02/14	Possible violation of Rule 61G15-19.001(6)(a), FAC related to an article published in the FBPR newsletter under Chairman’s corner entitled <i>Engineers As Scientists</i> .	Legally Insufficient Closed Licensed	KA to Scan documents into Laserfiche
15.	2014034641	REDACTED	REDACTED	08/18/14	09/16/14	Possible violation of FS 471.033(1)(c) and 455.227(1)(f) – Having a license to practice engineering acted against or denied by another jurisdiction	Under Investigation	Continue Investigation
16.	2014035695	REDACTED	REDACTED	08/26/14	08/27/14	Possible violation of FS Sections 471.025(3), 455.227(1)(o) and Rule 61G15-19.001(6)(c), (d), FAC – Signing or sealing any document that depicts work the licensee is not licensed to perform or which is beyond his or her profession or specialty therein or practicing or offering to practice beyond the scope permitted by law or accepting and performing responsibilities the licensee is not competent to perform	Under Investigation	Continue Investigation
17.	2014035737	FBPE	Knud E. Hansen USA, Inc. C.A. – 30452	08/27/14	08/28/14	Possible violation of FS 471.023 and Rule 61G15-19.001(3), FAC – Firm practicing without certificate of authorization	Closed – Violation found and Corrected	KA to Scan documents into Laserfiche
18.	2014036748	REDACTED	REDACTED	08/28/14	09/22/14	Possible violation of FS 471.033(1)(g) and 455.227(1)(a), (m) – Fraud, deceit,	Under Investigation	Continue Investigation

B3A. – Complaints Received in 1st Quarter of 2014-2015 Fiscal Year and last action taken

No.	Case Number	Complainant Name	Name of Subject; License No. of Subject	Received Date	Status Date	Alleged Violation	Last Action Taken	Next Action Recommended
						negligence, incompetence or misconduct		

B3A. – Complaints Received in 1st Quarter of 2014-2015 Fiscal Year and last action taken

No.	Case Number	Complainant Name	Name of Subject; License No. of Subject	Received Date	Status Date	Alleged Violation	Last Action Taken	Next Action Recommended
19.	2014037527	REDACTED	REDACTED	09/09/14	09/16/14	Possible violation of FS 471.033(1)(d) and 455.227(1)(c) – Being convicted or found guilty of, or entering a plea of nolo contendere to a crime which relates to the practice or ability to practice	Under Investigation	Continue Investigation
20.	2014037899	REDACTED	REDACTED	08/29/14	09/24/14	Possible violation of FS 455.227(1)(t) – Failing to report in writing a conviction or plea of nolo contendere, a crime in any jurisdiction	Received Opinion from Consultant	Scheduled for the November 18, 2014 PCP meeting
21. UL	2014037302	REDACTED	REDACTED	09/06/14	09/08/14	Possible violation of FS 471.023 and Rule 61G15-19.001(3), FAC – Firm practicing without certificate of authorization	Under Investigation	Continue Investigation
22. UL	2014038326	Richard Suzuki	Edara, Madhu Unlicensed	08/28/14	09/16/14	Possible violation of FS 471.031(1)(a), (b) – Practicing engineering without a license or using a name or title tending to indicate that such person holds an active license as an engineer	Under Investigation Notice to Cease and Desist Issued	Continue Investigation
23. UL	2014038578	FBPE	Siciliano, Salvatore F. Unlicensed	09/15/14	09/16/14	Possible violation of FS 471.031(1)(a), (b) – Practicing engineering without a license or using a name or title tending to indicate that such person holds an active license as an engineer	Under Investigation Notice to Cease and Desist Issued	Continue Investigation
24.	2014038584	REDACTED	REDACTED	09/15/14	09/16/14	Possible violation of FS 471.031(1)(f) and 455.227(1)(j) – Employing unlicensed persons to practice engineering or aiding, assisting, procuring, employing unlicensed practice or practice contrary to Chapter 455 or 471, FS	Under Investigation	Continue Investigation
25.	2014038609	REDACTED	REDACTED	09/15/14	09/23/14	Possible violation of FS 471.033(1)(g) and 455.227(1)(a), (m) – Fraud, deceit,	Under Investigation	Continue Investigation

B3A. – Complaints Received in 1st Quarter of 2014-2015 Fiscal Year and last action taken

No.	Case Number	Complainant Name	Name of Subject; License No. of Subject	Received Date	Status Date	Alleged Violation	Last Action Taken	Next Action Recommended
						negligence, incompetence or misconduct		
26.	2014038613	REDACTED	REDACTED	09/15/14	09/23/14	Possible violation of FS 471.033(1)(g) and 455.227(1)(a), (m) – Fraud, deceit, negligence, incompetence or misconduct	Under Investigation	Continue Investigation
27.	2014038617	REDACTED Da	REDACTED	09/15/14	09/23/14	Possible violation of FS 471.033(1)(g) and 455.227(1)(a), (m) – Fraud, deceit, negligence, incompetence or misconduct	Under Investigation	Continue Investigation
28.	2014039414	REDACTED	REDACTED	09/16/14	09/22/14	Possible violation of FS 471.033(1)(k) and 455.227(1)(q) and Rule 61G15-19.001(6)(o), FAC – Violating any order of the board or department	Under Investigation	Continue Investigation
29. UL	2014038798	FBPE	Best Truss Company Unlicensed	09/17/14	09/17/14	Possible violation of FS 471.023 and Rule 61G15-19.001(3), FAC – Firm practicing without certificate of authorization	Under Investigation Notice to Cease and Desist Issued	Continue Investigation
30.	2014039501	REDACTED	REDACTED	09/18/14	09/22/14	Possible violation of FS 471.033(1)(g) and 455.227(1)(a), (m) – Fraud, deceit, negligence, incompetence or misconduct	Initial Review	Investigation
31. UL	2014039867	REDACTED	REDACTED	09/18/14	09/24/14	Possible violation of FS 471.023 and Rule 61G15-19.001(3), FAC – Firm practicing without certificate of authorization	Initial Review	Investigation
32.	2014040081	REDACTED	REDACTED	09/24/14	09/25/14	Possible violation of FS 471.033(1)(e), 455.227(1)(l) and Rule 61G15-19.001(7)(c), FAC – Knowingly making or filing a false report or record, failing to file a report or record required by law, impeding or obstructing such filing	Initial Review	Investigation

B3A. – Complaints Received in 1st Quarter of 2014-2015 Fiscal Year and last action taken

No.	Case Number	Complainant Name	Name of Subject; License No. of Subject	Received Date	Status Date	Alleged Violation	Last Action Taken	Next Action Recommended
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B3A. – Complaints Received in 1st Quarter of 2014-2015 Fiscal Year and last action taken

No.	Case Number	Complainant Name	Name of Subject; License No. of Subject	Received Date	Status Date	Alleged Violation	Last Action Taken	Next Action Recommended
33.	2014040084	REDACTED	REDACTED	09/24/14	09/25/14	Possible violation of FS 471.033(1)(e), 455.227(1)(l) and Rule 61G15-19.001(7)(c), FAC – Knowingly making or filing a false report or record, failing to file a report or record required by law, impeding or obstructing such filing	Initial Review	Investigation
34. UL	2014041716	REDACTED	REDACTED	09/22/14	10/06/14	Possible violation of FS 471.023 and Rule 61G15-19.001(3), FAC – Firm practicing without certificate of authorization	Initial Review	Investigation

Section VIII. Deliverables

B3b. Current FEMC Legally Insufficient Case List

B3b. List of all cases FEMC closed as legally insufficient since last report:

2014027279
2014028169
2014028251
2014030660
2014032337
2014034586

Section VIII. Deliverables

B3c. Final Order Compliance Report

**B3c. – A LIST SHOWING THE STATUS OF COMPLIANCE WITH ALL FINAL ORDERS
WITH PENDING PROVISIONS**

Compliance / Non-Compliance Report Summary
First Quarter of 2014/2015 Fiscal Year

This report is a summary of current cases with Final Orders imposing probations, restrictions, and additional penalties along with pending due dates and current statuses and activity.

Anderson, Thomas – Case No. 2009064129 (Final Order Filed with DBPR on 05/13/2011)

- Currently Restricted from Practicing Structural Engineering Until Passing NCCES Civil Engineering Exam with Structural Option.
 - Once he passes and appears before the Board to Lift Restriction, additional terms will be imposed including the following:
 - Probation for 2 years – after restriction is lifted
 - Project reviews at 6 and 18 months – after restriction is lifted
 - Spoke with Subject regarding this exam and he said he is registered for the exam at the October 2014 testing.
- Intermediate Professionalism & Ethics Course due 05/13/2012 – COMPLETED 05/04/2014.
- Costs: \$1,071.25 – PAID: 08/01/2011
- Fine: \$1,000.00 – PAID: 06/20/2011
 - SUBJECT IS IN COMPLIANCE

Banks, Julio – Case No.

2009015308 (Final Order Filed with DBPR on 10/19/2011)

- Costs due = 10/19/2012 – quarterly payments to be made within 1 year of final order date (Note: sent reminder letter that 2nd quarter payment was due 4/19/12).

1 st quarterly payment	\$827.00	01/19/2012	Paid on 01/18/2012
2 nd quarterly payment	\$827.00	04/19/2012	Paid on 08/05/2014
3 rd quarterly payment	\$827.00	07/19/2012	Unpaid
4 th quarterly payment	\$827.00	10/19/2012	Unpaid

- Order on Extension of Time for one year 09/18/2012.
 - 6 Month Project Review due date extended until 03/19/2013.
 - ✓ Subject has made no effort to submit a list of projects for review in spite of claims that he is working.
 - ✓ Subject continues to complain that he has no funds to pay the consultant.
 - Intermediate Professionalism & Ethics Course extended until 09/19/2013.
 - ✓ Subject has made no indication of interest in completing this course.
 - ✓ Subject continues to complain that he has no funds to pay for the course.
- Due to non-compliance, a new complaint is set for 11/12/2013 PCP – 2013042242

Case Number: 2013042242 (Final Order Filed with DBPR on 08/27/2014)

- Subject has until 03/27/2015 to pay remaining fees and costs of Case Number: 2009015308 (\$1,654.00)
- Subject has until 03/27/2015 to submit projects for review and pay Consultant’s fee as required in Case Number: 2009015308
- As of 03/27/2014, Subject’s Professional Engineer License is suspended if Subject fails to comply with discipline ordered in Case Number: 2009015308
 - SUBJECT IS IN COMPLIANCE WITH CASE #2013042242

B3c. – A LIST SHOWING THE STATUS OF COMPLIANCE WITH ALL FINAL ORDERS WITH PENDING PROVISIONS

Compliance / Non-Compliance Report Summary First Quarter of 2014/2015 Fiscal Year

This report is a summary of current cases with Final Orders imposing probations, restrictions, and additional penalties along with pending due dates and current statuses and activity.

Barnett, Winthrop – Case No: 2011055854 (Final Order Filed with DBPR on 04/23/2013)

- Costs; \$1,913.25; Fine; \$3,000.00 due 4/23/2014. PAID: 04/23/2014
- Advanced P&E due 4/23/2014. – Extended the deadline until 10/23/2014.
 - 10/23/2014 – extension of time in which to successfully complete Advanced P&E Course.
- Study Guide due 5/23/2013. COMPLETED: 06/15/2013.
- 2 years' probation terminates 4/23/2015
- Restricted from Structural until passes 16 hr. NCEES Structural Exam
- 6 month project review due 10/23/2013. – finished due to a favorable report
 - Subject received favorable report from Consultant and a refund of money so finished with project reviews.
- SUBJECT IS IN COMPLIANCE

Bruseski, Wendy – Case Numbers: 2012052732 and 2013028825 (Final Order Filed with DBPR on 04/15/2014)

- Voluntary Relinquishment of Professional Engineering License until further notice and Subject must petition the FBPE when she wants to reactivate her license. Then Subject's discipline will be required
- SUBJECT IS IN COMPLIANCE

Daugherty, Kristina – Case No. 2010059945 (Final Order Filed with DBPR on 08/17/2011)

- Subject is currently restricted from practicing Structural engineering until completion of Wind Load Design Criteria II, and A General Overview of ASCE-17 Changes to Windload Provisions. An appearance will be required to lift restriction. COMPLETED: 3/20/2013.
- Probation is set to terminate: 08/17/2013.
- Professionalism & Ethics Course. COMPLETED: 08/06/2012
- 6 month project review scheduled for 02/17/2012
 - Received email stating Subject has had no work. Subject has a 6 month extension per the Final Order.
- 18 month project review scheduled for 02/17/2013
 - Received e-mail on 08/09/2012 requesting to voluntarily place her license on inactive status due to lack of work.
- SUBJECT'S LICENSE IS ON INACTIVE STATUS DUE TO HER INABILITY TO COMPLETE HER COMPLIANCE OBLIGATION OF PROJECT REVIEWS

Dominguez, Jose – Case No: 2012002508 (Final Order Filed with DBPR on 06/25/2013)

- Costs: \$1,000.00 due 7/25/2013 – PAID: 07/25/2013.
 - Fines: \$4,665.00 due 7/25/2013 – PAID: 07/25/2013.
 - P&E Course due 6/25/2014. – COMPLETED: 11/17/2013
 - Study Guide due 7/25/2013 – COMPLETED: 08/11/2013.
 - Probation (2) years – ends 06/25/2015
 - Project Review 6/18 months due 12/25/13 and 6/2/2014.
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**B3c. – A LIST SHOWING THE STATUS OF COMPLIANCE WITH ALL FINAL ORDERS
WITH PENDING PROVISIONS**

**Compliance / Non-Compliance Report Summary
First Quarter of 2014/2015 Fiscal Year**

This report is a summary of current cases with Final Orders imposing probations, restrictions, and additional penalties along with pending due dates and current statuses and activity.

- 05/10/2014 – Received report on favorable reviews of both projects and a refund of money
 - SUBJECT IS IN COMPLIANCE

Finn, Kevin – Case No.: 2012002703 (Final Order Filed with DBPR on 10/14/2013)

- Professionalism and Ethics (P&E) Course – due 11/14/2014.
- Study Guide due – 11/14/2013 – COMPLETED: 11/07/2013.
 - SUBJECT IS IN COMPLIANCE

Gaydosh, Stephen – Case No. 2012013872 (Final Order Filed with DBPR on 06/18/2014)

- Costs - \$8,072.97 – DUE: 07/18/2014 – PAID: 07/21/2014
- Fine - \$4,000.00 – DUE: 07/18/2014 – PAID: 07/21/2014
- Engineering Professionalism & Ethics Course – DUE: 06/18/2015
- Study Guide – DUE: 07/18/2014 – COMPLETED: 07/21/2014
- Probation – Two Years, until: 06/18/2016
- Project Reviews: Two
 - 6 months – DEADLINE: 12/18/2014
 - 18 months – DEADLINE: 06/18/2015
- SUBJECT IS IN COMPLIANCE

Gildart, David – Case No.: 2012011280 (Final Order Filed with DBPR on 10/14/2013)

- Costs: \$3,255.75 – PAID 07/02/2014
- Professionalism and Ethics Course – deadline 10/14/2014.
 - SUBJECT IS IN COMPLIANCE

Gomez-Pina, Fernando – Case No. 2012000326 (Final Order Filed with DBPR on 04/23/2013)

- Costs: \$2,972.25. PAID: 04/30/2013.
- Fine: \$2,000.00. PAID: 04/30/2013.
- Study Guide. COMPLETED 07/29/2013
- Advanced P&E due 4/23/2014 Extension granted until Subject can take and complete the class. COMPLETED: 09/17/2014
- Restricted from practicing Structural Engineering until Subject passes 16 hour NCEES Structural Exam.
 - SUBJECT IS IN COMPLIANCE

Gonzembach, Rodolfo – Case No: 2011034995 (Final Order Filed with DBPR on 09/18/2012)

- Probation set to end 9/18/2013.
 - Fine: \$1,000.00. PAID: 10/18/2012; Costs: \$3,712.00. PAID IN FULL: 09/30/2014
 - Study Guide. COMPLETED: 10/26/2012.
 - P&E Course: Extension of time until 10/31/2014 – COMPLETED: 09/22/2014
 - ACI Inspector Certification Program: Concrete Construction Special Inspector. Extension of time until 10/31/2014
 - SUBJECT IS IN COMPLIANCE
-

B3c. – A LIST SHOWING THE STATUS OF COMPLIANCE WITH ALL FINAL ORDERS
WITH PENDING PROVISIONS

Compliance / Non-Compliance Report Summary
First Quarter of 2014/2015 Fiscal Year

This report is a summary of current cases with Final Orders imposing probations, restrictions, and additional penalties along with pending due dates and current statuses and activity.

Hibbard, Thomas – Case No. 2012016508 (Final Order Filed with DBPR on 09/18/2012)
(Related Case No: 2009054465 – 101/20/2011)

- Administrative Complaint in case #: 2009054465 was filed and provided to Subject. Election of Rights was due 06/19/2012, but was never received back.
- Case No.: 2012016508 – Final Order Issued 09/18/2012.
 - Costs under this Order: \$107.25 – due: 10/18/2012
 - Must pay fines and costs from case #: 2009054465.
 - ✓ Costs: \$4,930.97. Due immediately.
 - ✓ Fine: \$1,000.00. Due immediately.
 - Project Reviews (6 & 18 months) to be completed ASAP.
- Subject's license is suspended until he complies with the Final Order #: 2009054465

APPEAL IS FINISHED – THE DCA AFFIRMED THE FINAL ORDER

- The Second DCA Affirmed the FBPE's Final Order suspending Mr. Hibbard's license and the assessment of a fine and costs to Mr. Hibbard.
- On August 27, 2013, Mr. Rimes sent a letter attaching a Settlement Stipulation for Mr. Hibbard to sign to relinquish his license permanently and not be required to pay the fine and costs.
 - There have been attempts to contact Subject regarding the offer made on 08/27/2013, with no response from Subject.
 - 07/02/2014 – contacted Subject via e-mail and asked him to contact me about his PE License and his options.
- Subject's PE License status shows "delinquent, active" on the public portal rather than suspended, which it should show. Unfortunately, the VERSA system does not allow for a license to show a status of both delinquent and suspended on the public portal at the same time. In order to see that the license is suspended, the "view License Complaint" link must be accessed; to see that the PE License is "Suspended". If the Subject does not renew his PE License by February 28, 2015, his PE License will be null and void. We will then need to send his case to DBPR for collection actions of the outstanding money he owes.
 - SUBJECT IS NOT IN COMPLIANCE

James, Jacqueline – Case No: 2011048483 (Final Order Filed with DBPR on 06/25/2013)

- Fine: \$1,000.00. PAID: 10/06/2013.
 - Costs: \$2,390.00. PAID: 10/06/2013.
 - P&E Course – completed: 6/20/2014.
 - Study Guide. COMPLETED: 12/05/2013
 - Project review 6 & 18 Months due 12/25/2013:6/25/2015.
 - Subject sent plans to FEMC Consultant, Roger Jeffery, for 2 projects. One project was determined sufficient, the second project was determined insufficient.
 - SUBJECT IS NOT IN COMPLIANCE
-

**B3c. – A LIST SHOWING THE STATUS OF COMPLIANCE WITH ALL FINAL ORDERS
WITH PENDING PROVISIONS**

Compliance / Non-Compliance Report Summary
First Quarter of 2014/2015 Fiscal Year

This report is a summary of current cases with Final Orders imposing probations, restrictions, and additional penalties along with pending due dates and current statuses and activity.

**B3c. – A LIST SHOWING THE STATUS OF COMPLIANCE WITH ALL FINAL ORDERS
WITH PENDING PROVISIONS**

**Compliance / Non-Compliance Report Summary
First Quarter of 2014/2015 Fiscal Year**

This report is a summary of current cases with Final Orders imposing probations, restrictions, and additional penalties along with pending due dates and current statuses and activity.

Maslan, Stephen – Case No.: 2013026181 (Final Order Filed with DBPR on 04/29/2014)

- Costs: \$1,126.50. PAID: 12/18/2013
- Study Guide: COMPLETED: 05/01/2014
- Basic P&E Course: COMPLETED: 06/18/2014.
- Project Reviews:
 - 6 months: DUE: 10/29/2014
 - 18 months: DUE: 10/29/2014
- Subject's License is restricted from practicing any Fire Protection engineering in the state of Florida unless he completes, passes, and submits proof of passing the NCEES Fire Protection Exam.
 - SUBJECT IS IN COMPLIANCE

Mitchell, Stephen – Case No: 2013026181 – Final Order Date to reinstate licensure 3/7/2014

- Fine of \$2,000.00 due within 6 months of final order: 09/07/2014 (to be paid in installments)
 - \$500.00 – 4/07/2014 – COMPLETED: 04/07/2014
 - \$300.00 – 5/07/2014 – COMPLETED: 05/12/2014
 - \$300.00 – 6/07/2014 – COMPLETED: 06/07/2014
 - \$300.00 – 7/07/2014 – COMPLETED: 06/14/2014
 - \$300.00 – 8/07/2014 – COMPLETED: Subject has been unable to make payments due to the fact that his VERSA account is in the process of being repaired by DBPR.
 - \$300.00 – 9/07/2014 – COMPLETED: _____
 - STUDY GUIDE COMPLETED 09/24/2013
 - Project Reviews – two required
 - First one completion in 12 Months: 03/07/2015
 - Second one completion in 24 Months: 03/07/2016
 - Engineering Professionalism & Ethics Course successful completion: 03/07/2015
 - Probation Ends (if discipline is adhered to and successfully completed): 03/07/2016
 - SUBJECT IS IN COMPLIANCE
-

B3c. – A LIST SHOWING THE STATUS OF COMPLIANCE WITH ALL FINAL ORDERS
WITH PENDING PROVISIONS

Compliance / Non-Compliance Report Summary
First Quarter of 2014/2015 Fiscal Year

This report is a summary of current cases with Final Orders imposing probations, restrictions, and additional penalties along with pending due dates and current statuses and activity.

Mosby, Randall – Case No. 2011-028047 *Order on Reinstatement* (“*Order*”) filed on September 13, 2013 (*Amended Order on Reinstatement Filed* – due to scrivener’s error – with DBPR on 05/09/2014).

- License Reinstated as of August 15, 2013.
- License on Probation for two (2) years – 09/13/2015.
- Three (3) Project Reviews: At 3 months, 6 months, and 18 months, with the ability for early termination if both the 3 month and 6 month project reviews are favorable.
 - W. Keith McCully, P.E. to do the first project review at 3 months;
 - Subject received a favorable report from McCully
 - Board Consultant to do the 6 and 18 months reports.
 - Subject has been given an extension of time until 07/15/2014 to submit a new list of all completed projects for Consultant to review for the 6 month project review.
 - FEMC Consultant, Roger Jeffery, reviewed 2 projects for the 6 month project review, and on September 20, 2014 reported that both projects received favorable reviews.
- W. Keith McCulley, P.E. will submit quarterly reports to the Board on Respondent’s well-being and his ability to practice and conduct his engineering business.
 - Mr. McCully has submitted 4 of these reviews – all favorable – and is current.
- Subject shall participate in the Freedom Journey Program with Faith Farm Ministries, which shall submit quarterly reports to the FBPE on Subject’s rehabilitative progress; and, further, shall immediately inform the FBPE of any issues that may arise with Subject’s treatment.
 - Pastor Ball has submitted 4 of these reviews – all favorable – and is current.
 - SUBJECT IS IN COMPLIANCE

Muller, Carlos – Case No: 2012011188 (Final Order Filed with DBPR on 12/18/2012)

- Probation until 12/18/2013.
 - Project Review 6 months to be completed by 6/18/2012.
 - 07/21/2014 – Subject received a favorable report from Consultant, Roger Jeffery, P.E.
 - SUBJECT IS IN COMPLIANCE
-

**B3c. – A LIST SHOWING THE STATUS OF COMPLIANCE WITH ALL FINAL ORDERS
WITH PENDING PROVISIONS**

Compliance / Non-Compliance Report Summary
First Quarter of 2014/2015 Fiscal Year

This report is a summary of current cases with Final Orders imposing probations, restrictions, and additional penalties along with pending due dates and current statuses and activity.

Stitgen, Douglas – Case No: 2009050310 (Final Order Filed with DBPR on 02/29/2012)

- Professionalism & Ethics Course. COMPLETED: 04/03/2013.
 - Costs \$1,073.00. PAID: 03/18/2012.
 - Fine: \$1,000.00. PAID: 03/28/2012.
 - Study Guide. COMPLETED: 03/21/2013.
- 6 month project review set for 7/29/2012.
 - 10/04/2012 – Sent Consultant plans/check.
 - Subject has done just one complete job since the issuance of the Final Order – that is the one the Consultant is reviewing. Subject is not very active and is mostly doing some design work and other engineers are building the jobs; however no complete projects from design to build since the one the Consultant is reviewing.
- Consultant died; therefore project plans are being reviewed by a different Consultant.
- 18 month project review set for 7/29/2013
- Probation ends 02/29/2014.
 - SUBJECT IS IN COMPLIANCE

Tannous, Bishar – Case No.: 2013017813 (Final Order Filed with DBPR on 12/20/2013)

- Costs: \$2,012.00. PAID: 12/05/2013
- Fine: \$1,000.00. PAID: 12/05/2013.
- Study Guide. COMPLETED: 02/03/2014
- Professionalism & Ethics Course. COMPLETED 11/29/2013 (Subject was anxious to comply with the Settlement Stipulation so he did this early.)
- Probation until 12/20/2014.
 - SUBJECT IS IN COMPLIANCE

Turzak, Oliver – Case No: 2011032162 (Final Ordered Filed with DBPR on 06/24/2014)

- Subject's Professional Engineer license is SUSPENDED for one year – 06/24/2015.
- Probation for 2 years to begin after suspension is fulfilled: 06/24/2017.
- Costs \$7,162.32 – at the conclusion of the Probation: 06/24/2017
- Fine \$2,000.00 – DUE: 07/24/2014.
- Study Guide – DUE: 07/24/2014.
- Probation for 2 years until: 06/24/2017.
 - SUBJECT IS IN COMPLIANCE

Valdes-Linares, Manuel– Case Nos. 2010058220 (Final Order Filed with DBPR on 04/27/2013)

- 6 month project review due 8/27/2013
 - 08/27/2012 – Received Project List, and sent to Consultant that same date. Subject sent consultant fees directly to Consultant.
 - This Consultant is very sick. We will need to send this case to a new consultant.
 - The decision has been made to send Subject's projects list to another FEMC Consultant for review, due to the situation with the original FEMC Consultant chosen

**B3c. – A LIST SHOWING THE STATUS OF COMPLIANCE WITH ALL FINAL ORDERS
WITH PENDING PROVISIONS**

**Compliance / Non-Compliance Report Summary
First Quarter of 2014/2015 Fiscal Year**

This report is a summary of current cases with Final Orders imposing probations, restrictions, and additional penalties along with pending due dates and current statuses and activity.

for Subject's projects review getting progressively more ill and will not likely return to reviewing projects.

- THIS SUBJECT IS IN COMPLIANCE

Wilson, Lawrence – Case No.: 2013011573 (Final Order Filed with DBPR on 02/18/2014)

- Costs \$1,387.00. PAID: 02/13/2014.
- Fine \$1,000.00. PAID: 02/13/2014.
- Study Guide COMPLETED 03/12/2014.
- P&E Course – due to be completed by 02/18/2015.
- 6 Month Project Review list due here: 08/18/2014 new deadline: 02/18/2015
 - 07/05/2014 - Telephone conference with Subject wherein he requested from both Mr. Rimes and F/O compliance coordinator to have the 6 months extension of time in which to complete his first projects review due to his illness and, consequently, lack of work Mr. Rimes agreed but asked Subject to send his request in writing.
- 18 Month Project Review list due here: 02/18/2015 – unless has a favorable report for the 6 month Project Review

- THIS SUBJECT IS IN COMPLIANCE

Zaleski, James – Case No.: 2013000391 (Final Order Filed with DBPR on 04/15/2014)

- Costs \$159.00. PAID: 05/05/2014.
 - Fine \$1,000.00. PAID: 05/05/2014.
 - Study Guide. COMPLETED 04/17/2014.
 - Advanced P&E Course – DUE: by 05/15/2015.
- THIS SUBJECT IS IN COMPLIANCE

Section VIII. Deliverables

*B3d. Unlicensed Activity Case List for
Multiple DBPR License Owners*

B3d. Unlicensed Cases from 7/1/14 to 9/30/14 in which subjects hold other DBPR licenses

During the quarter from July 1, 2014 through September 30, 2014, FEMC received 12 cases alleging unlicensed activity. Of those 12 cases, the following were identified as holding other DBPR-issued licenses.

In FBPE Case #2014027287, Subject holds an active Real Estate Broker or Sales License #BK3253031 and is exam eligible for Certified General Contractor.

In FBPE Case #2014033665, Subject holds Architect Business License #AA26001526.

In FBPE Case #2014033757, Subject holds Certified Mechanical Contractor License #CMC57075.

In FBPE Case #2014041716, Subject holds Certified Building Contractor License #CBC1255793 and Certified Underground Utility and Excavation Contractor License #CUC1224771.

Section VIII. Deliverables

B4. Information Regarding the Failure of FEMC to Comply with Provisions of the Contract

B4. Information regarding the failure of FEMC to comply with any provision of the Contract.

FEMC was not in compliance with several provisions relating to the safeguarding of confidential data and information as provided in Section VI of the contract. FEMC has been in contact with the contract monitor and the Department in regards to this matter and steps have been taken to correct this. The corrective action plan located in section B6 details the steps that FEMC has taken.

Section VIII. Deliverables

B5. Non-Prevailing Party Case List

B5. A list of all legal cases where FEMC has not been the prevailing party. The list must include copies of final orders and specific cases where attorney fees have been awarded.

There have been no cases in the First Quarter of Fiscal Year 2014/2015 in which FEMC has not been the prevailing party; as such, no attorney fees have been awarded.

Section VIII. Deliverables

B6. Corrective Action Plan

B6. Corrective plans for any deficiencies noted in the Quarterly Report.

Corrective Action Plan for violation of confidential data and information:

1. FEMC shall ensure that all links and documents containing confidential and/or exempt data or information have been completely removed from their website and web server(s). All documents were removed from the FBPE website on or about August 14, 2014, shortly after discovery of the breach. Furthermore, all links to website documents were turned off after it was discovered that a search of the site would produce documents with the confidential or exempt information.
2. FEMC will need to work with groups such as Archive.org, Coral Cache, and Google Cache to ensure that cached pages containing confidential and/or exempt data or information are removed from the Internet. Although the information is not easily searchable, it does exist on the Internet. Archive.org has already been utilized with the website. Users receive the message "Page cannot be crawled or displayed due to robots.txt."
3. All information that has been posted to the Internet shall be reviewed to ensure that all confidential and/or exempt data or information has been removed or redacted. Please refer to Florida Statutes for additional information on handling confidential or exempt information. A complete review was conducted on or about August 14, 2014 pursuant to the requirements of Florida Statutes. All confidential or exempt data or information found to be on the FBPE website was redacted or removed. FEMC has decided as of October 10, 2014 to only publish agenda and minutes from meetings and all other materials will be considered a public records request.
4. After all information has been reviewed for removal or redaction, FEMC shall provide a final list to the department of each individual affected by the release of their confidential and/or exempt information. A list of each individual who might have been affected by the release of their confidential or exempt information was provided to Yvette Pressley, FEMC Contract Monitor, on August 15, 2014..
5. FEMC shall notify each individual affected by the release of their confidential and/or exempt information, and must provide proof of same to the department. The notice to an affected individual shall be by one of the following methods:
 - a. Written notice sent to the mailing address of the individual in the FEMC records; or

- b. E-mail notice sent to the e-mail address of the individual in the records.
- c. The notice to an individual with respect to release of confidential and/or exempt information shall include, at a minimum:
 - i. The date, estimate date, or estimated date range of the release of confidential and/or exempt information.
 - ii. A description of the confidential or exempt information that was accessed or reasonably believed to have been accessed as a part of the release of confidential and/or exempt information.
 - iii. Information that the individual can use to contact FEMC to inquire about the release of confidential and/or exempt information that FEMC maintained about the individual.

Written notices will be mailed by USPS mail on or before September 12, 2014, pursuant to direction from Yvette Pressley, FEMC Contract Monitor. The notice, a draft of which is attached, will notify each individual of the date, estimated date, or estimated date range of the release of confidential or exempt information, the type of information that was released, and how to contact FEMC to obtain further information. As of October 10, 2014 FEMC has only been contacted by three individuals who received the letter

- 6. FEMC shall establish procedures for maintaining confidential and/or exempt information, including procedures for the release of otherwise public information or documents in any manner. A copy of the procedures shall be provided to the department for review. FEMC is in receipt of DBPR's Public Records Manual dated April 7, 2014, as well the 2014 Sunshine Law Manual, both of which will be used until such time as FEMC develops its own procedural manual.
- 7. FEMC shall develop a secure mechanism for communicating confidential and/or exempt information to members of the FBPE. FEMC currently utilizes a secure file transfer protocol (FTP) called FBPE Basecamp to transfer files securely to Board members and investigators and will continue utilize the FTP for communicating confidential and/or exempt information. FEMC also uses a program called BoardEffect on the Board member iPads. This program allows for the secure upload of all meeting materials to be viewed only by Board members and staff.
- 8. FEMC shall provide public records training annually for all FEMC employees to ensure compliance with Florida's public records requirements and Federal privacy laws. Prior to the public records training, all materials shall be presented to the department for review. All public records requests are handled by FEMC Investigator, Wendy Anderson. No other FEMC staff is allowed to respond to requests. Others who would need training would be FEMC Executive Assistant, Rebecca Sammons, and FEMC Public Information Officer, Shannon McCoy. They have all been registered for public records training to be held on September 18, 2014. FEMC is in the

process on contracting with the First Amendment Foundation to a Public Records Training for ALL FEMC Staff – the tentative date for this training is set for November 20th.

Section VIII. Deliverables

B7. Expenditures and Cash Balance Report

FLORIDA ENGINEERS MANAGEMENT CORP
SEPTEMBER 30, 2014

The carrying amount of FEMC's cash deposits was \$399,356.74 and the bank balance was \$414,128.28.

**1st FISCAL QUARTER
2014-2015**

	Approved Budget 7/1/2014 to 6/30/2015	ACTUAL (REVENUE)/EXPENDITURES			
		JULY 2014	AUGUST 2014	SEPTEMBER 2014	TOTAL 7/13-9/13
CONTRACT PAYMENTS					
Payment from DBPR Grants & Aid	(2,070,000.00)		(517,500.00)		(517,500.00)
Other Income	-	(4.00)	(4.00)	(4.00)	(12.00)
Payment from DBPR Unlicensed	(100,875.00)				-
Total Revenues	(2,170,875.00)	(4.00)	(517,504.00)	(4.00)	(517,512.00)
Salary, OPS & Expenses	1,444,364.00	112,419.78	65,125.86	77,896.50	255,442.14
Consultants					
Prosecution/Enforcement	146,000.00	4,701.84	4,201.34	13,976.19	22,879.37
Court Reporters	5,000.00	240.00	532.40	240.00	1,012.40
Computer Consultants	65,000.00	4,634.73	4,100.95	4,024.70	12,760.38
Human Resources	1,000.00	-	500.00	-	500.00
Accounting Services	30,000.00	-	16,142.00	-	16,142.00
Contract Monitor	19,200.00	-	-	-	-
Legal-FEMC General Counsel	10,000.00	-	-	-	-
Employment/Training	10,000.00	295.45	50.00	927.00	1,272.45
Publications/Subscriptions	6,000.00	(237.57)	227.30	660.37	650.10
Insurance					
Directors & Officers	6,000.00	5,169.31	-	-	5,169.31
Commercial Liability	5,300.00	4,385.18	-	-	4,385.18
Professional Liability	9,089.00	7,867.66	-	-	7,867.66
Fidelity Bond	221.00	110.93	-	-	110.93
Workers Compensation	2,500.00	1,232.50	-	-	1,232.50
Public Information	8,000.00	9,898.23	-	-	9,898.23
Board Member Honorarium	10,000.00	800.00	1,100.00	150.00	2,050.00
Furniture and Equipment *	1,000.00				-
Computers and Software *		4,625.00	-	-	4,625.00
Study Guide (includes IT)	1,000.00		-	600.00	600.00
Copying & Printing	15,000.00	244.02	1,086.64	1,657.71	2,988.37
Office Supplies	20,000.00	9,596.62	1,550.25	(2.21)	11,144.66
Leased Equipment & Repair	28,500.00	2,618.33	2,749.50	1,745.50	7,113.33
Postage	10,000.00	19.99	-	-	19.99
Office Space					
Lease Payment	116,751.00	19,596.20	9,798.10	10,084.55	39,478.85
Utilities	-	-	-	-	-
Janitorial	900.00	50.00	105.00	125.00	280.00
Pest Control	300.00	-	75.00	-	75.00
Security Monitoring	4,500.00	845.14	-	387.50	1,232.64
Moving Expenses	-	-	-	-	-
Leasehold Improvements *	1,000.00	-	-	-	-
Telephone					
Local Line Charges	7,500.00	451.48	713.49	711.46	1,876.43
Long Distance	1,800.00	89.77	182.10	153.36	425.23
Internet Access Charges	1,800.00	42.21	199.93	382.85	624.99
Conference Calls	300.00	86.57	107.82	89.06	283.45
Training /Board Members	750.00	-		-	-
Travel					
Board/Committee Meetings	65,000.00	1,933.75	10,589.87	906.64	13,430.26
Investigation/Prosecution	5,000.00	-	-	-	-
NCEES Travel	12,000.00	2,076.00	1,035.80	4,880.72	7,992.52
General Travel	2,000.00	-	70.31	1,533.33	1,603.64
Employment/Training	12,000.00	681.94	189.00	845.45	1,716.39
Public Information	10,000.00	114.00	413.40	749.56	1,276.96

NCEES Fees for Dues/Tests	6,500.00	-	-	-	-
Memberships/Registrations	4,000.00	3,550.00	-	3,243.00	6,793.00
Renewal Expenses					
Printing Renewal Notices	5,600.00				-
Mailing Renewal Notices	20,000.00				-
Printing Licenses/ID Cards	-				-
Mailing Licenses/ID Cards	10,000.00				-
Renewal OPS	25,000.00				-
Renewal Supplies	5,000.00	7,147.28			7,147.28
Legal Settlements	-				-
Unlicensed Activity	-				-
Total Grants/Aid Unlicensed Expenses	2,170,875.00	205,286.34	120,846.06	125,968.24	452,100.64
Total Revenue over Expenses	-	205,282.34	(396,657.94)	125,964.24	(65,411.36)
		205,661.34	130,846.06	140,968.24	462,475.64
		205,657.34	(391,657.94)	140,964.24	(55,036.36)

Section VIII. Deliverables

B8. Long Range Estimates of Revenue

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
BOARD OF PROFESSIONAL ENGINEERS
OPERATING ACCOUNT
ACTUAL AND PROJECTED REVENUES, EXPENSES
AND CHANGES IN ACCOUNT BALANCE
FISCAL YEARS ENDING JUNE 30, 2010 THROUGH JUNE 30, 2019

	Actual					Projected				
	JUNE 30 2010	JUNE 30 2011	JUNE 30 2012	JUNE 30 2013	JUNE 30 2014	JUNE 30 2015	JUNE 30 2016	JUNE 30 2017	JUNE 30 2018	JUNE 30 2019
REVENUES										
Fees and Charges	\$ 496,790	\$ 541,060	\$ 487,655	\$ 490,903	\$ 454,342	\$ 454,330	\$ 454,330	\$ 454,330	\$ 454,330	\$ 454,330
Licenses	272,405	4,677,375	376,580	4,869,110	357,163	3,767,975	297,580	3,767,975	297,580	3,767,975
Less: Licenses Waiver		-	-	-	-	-	-	-	-	-
Net Licenses	272,405	4,677,375	376,580	4,869,110	357,163	3,767,975	297,580	3,767,975	297,580	3,767,975
Fines	33,915	33,648	72,020	12,305	(2,271)	-	-	-	-	-
Investment Earnings	25,331	36,646	32,991	35,335	22,664	23,052	37,038	21,204	35,172	19,321
Interest on Temporary Advancement										
Refunds	71,533	31,450	152,068	121,300	42,067	-	-	-	-	-
Other Revenues	(2,533)	50,441	3,873	-	-	-	-	-	-	-
Total Revenues	897,441	5,370,620	1,125,187	5,528,953	873,965	4,245,357	788,948	4,243,509	787,082	4,241,626
EXPENSES										
Board Office										
FEMC Contracted Services	1,878,986	1,990,000	2,070,074	2,070,036	2,070,023	2,070,023	2,070,023	2,070,023	2,070,023	2,070,023
Accenture Contract	74,099	-	-	-	-	-	-	-	-	-
Refunds	3,000	13,300	13,855	9,390	8,575	8,575	8,575	8,575	8,575	8,575
Service Charge to General Revenue	63,504	428,200	68,080	444,635	71,128	339,629	63,116	339,481	62,967	339,330
Professional Regulation Division										
Attorney General's Office	77,287	76,102	97,996	77,783	76,598	76,598	76,598	76,598	76,598	76,598
Service Operations										
Revenue Bank Charges	-	-	2,235	77,708	2,206	77,708	2,206	77,708	2,206	77,708
Call Center	-	-	13,241	57,761	11,607	57,761	11,607	57,761	11,607	57,761
Department Administrative Costs										
Administration	24,268	33,997	18,607	17,172	11,167	11,167	11,167	11,167	11,167	11,167
Information Technology	114,971	150,117	112,960	205,380	129,021	205,380	129,021	205,380	129,021	205,380
General Counsel/Legal	-	-	26,666	-	-	-	-	-	-	-
DOAH	7,406	11,511	-	-	-	-	-	-	-	-
Board Administrative Office	8,765	-	-	-	-	-	-	-	-	-
Total Expenses	2,252,286	2,703,227	2,423,714	2,959,865	2,380,325	2,846,841	2,372,313	2,846,693	2,372,164	2,846,542
Excess (Deficiency) of Revenues Over (Under) Expenses	(1,354,845)	2,667,393	(1,298,527)	2,569,088	(1,506,360)	1,398,517	(1,583,365)	1,396,816	(1,585,082)	1,395,084
TRANSFERS										
Transfers In										
Transfers (to)/from Administrative Trust Fund										
Transfer To General Revenue-GAA	(78,972)	(342,930)	(382,331)	(99,500)	(68,518)	-	-	-	-	-
Total Transfers	(78,972)	(342,930)	(382,331)	(99,500)	(68,518)	-	-	-	-	-
CHANGE IN ACCOUNT BALANCE	(1,433,817)	2,324,463	(1,680,858)	2,469,588	(1,574,878)	1,398,517	(1,583,365)	1,396,816	(1,585,082)	1,395,084
ACCOUNT BALANCE, Beginning of Period	2,311,755	877,938	3,091,387	1,410,528	3,880,116	2,305,239	3,703,755	2,120,390	3,517,206	1,932,125
Prior Period Adjustment		(111,014)								
ACCOUNT BALANCE, End of Period	\$ 877,938	\$ 3,091,387	\$ 1,410,528	\$ 3,880,116	\$ 2,305,239	\$ 3,703,755	\$ 2,120,390	\$ 3,517,206	\$ 1,932,125	\$ 3,327,209

Section VIII. Deliverables

*B9. Quarterly Licensure, Examination,
Complaint & Disciplinary Activity Report*

Total Renewals to date: (from 7/1/14)

2 Professional Engineers
2 Certificate of Authorizations

Applications:

Received:	880
Approved:	436
Denied:	33

Licenses Issued:	244 PE
	121 CA

Average time (days) to Process Applications:	47.83
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Scheduled Candidates for October 2014 Exam

Principles and Practice:	
Scheduled:	456
Passed:	
Failed:	
No Show:	

July-August 2014

Fundamentals of Engineering**:	
Passed:	162
Failed:	50

** In January 2014, NCEES moved to Computer Based Testing for the Fundamentals Examination. NCEES has contracted with a third party vendor to administer the exam. FEMC now approves the applicant but FEMC has no way of knowing when the applicant schedules to take the exam. The applicant has 12 months to take the exam anywhere in the US. All FEMC is made aware of is who passes and who fails the examination. The exam windows are for only two months at a time with one month off (January and February were exam windows and March they were closed).

Quarterly Statistics:*

<u>Number of Complaints Received in 1st Quarter of 2014 / 2015:</u>	34
<u>Activity on Licensed Complaints received in 1st Quarter of 2014 / 2015:</u>	
Number of Licensed Activity Complaints.....	22
Number of Complaints Deemed Legally Sufficient:	16
Number of Complaints Deemed Legally Insufficient:	3
Number of Complaints Still within 30 days of determination	3
<u>Activity on Unlicensed Complaints received in 1st Quarter of 2014 / 2015:</u>	
Number of Unlicensed Activity Complaints:.....	12
Number of Legally Sufficient Activity Cases:.....	9
Number of Legally Insufficient Activity Cases:.....	1
Number of Complaints Still within 30 days of determination	2
<u>Activity on all Licensed Complaints worked on in the 1st Quarter of 2014 / 2015:</u>	
Number of all Licensed Complaints worked on.....	81
Number Dismissed by Probable Cause:	17
Number Determined to Have Probable Cause and Administrative Complaint filed:	9
<u>Disciplinary Actions Taken on all pending Licensed cases by FBPE during 1st Quarter of 2014 / 2015:</u>	
Number of Final Orders Filed per Settlement Stipulation:.....	0
Number of Early Termination Orders due to completion of compliance obligations.....	1
Number of Reinstatement of PE License due to completion of compliance obligations.....	1
Certificates of Authorization Citations Issued:	0
Number of Cases heard at DOAH	2
Number of Recommended Orders Entered:	1
Number of Final Orders adopting Recommended Order.....	0
Informal Hearings:	1
Defaults:.....	0
Attorney Fees:.....	0
<u>Disciplinary Actions Taken on all pending Unlicensed cases by FEMC during 1st Quarter of 2014 / 2015:</u>	
Number of all Unlicensed Cases worked on.....	18
Cease & Desist Agreements reached and resolved:	8
Notice to Cease and Desist Issued	6
Number referred to another agency.....	0
Number still under investigation.....	6
Number with Monitoring Completed	1
Certificates of Authorization Citations Issued:.....	0
Cease & Desist with Administrative Complaints:.....	1
Final Orders Issued and filed with DBPR:.....	0

Section XII Quarterly Compliance Report:

FEMC shall provide a quarterly report to the Department along with the report required in Section XI, Funding, of this Agreement, which shall include the following:

A list and status of all complaints made during this agreement, a/k/a this First Quarter of 2014 – 2015 (open and closed, licensed and unlicensed). Please See Tab “B3.”

*For an explanation regarding legal sufficiency and legal insufficiency, please see (1) of the document entitled Quarterly Report in Compliance with Rule 61G15-37.001, F.A.C.

Disciplinary Process

Report for First Quarter of 2014/2015 Fiscal Year (07/01/2014 – 09/30/2014)

Licensed & Unlicensed Activity:

Number of Complaints Received: 34				
2014027287	2014031178	2014034641	2014038326	2014038798
2014028251	2014031544	2014035695	2014038578	2014039501
2014029131	2014032337	2014035737	2014038584	2014039867
2014029161	2014033516	2014036748	2014038609	2014040081
2014030660	2014033665	2014037527	2014038613	2014040084
2014030707	2014033757	2014037899	2014038617	2014041716
2014031694	2014034586	2014037302	2014039414	

Licensed Activity

Number of Licensed Complaints Received: 22	Number of Licensed Complaints Deemed Legally Sufficient: 16	Number of Licensed Complaints Deemed Legally Insufficient: 3	Number of Licensed Complaints still within 30 day determination timeframe: 3	
2014028251	2014029131	2014028251	2014039501	
2014029131	2014030707	2014032337	2014040081	
2014030707	2014031694	2014034586	2014040084	
2014031694	2014031178			
2014031178	2014033516			
2014032337	2014034641			
2014033516	2014035695			
2014034586	2014035737			
2014034641	2014036748			
2014035695	2014037527			
2014035737	2014037899			
2014036748	2014038584			
2014037527	2014038609			
2014037899	2014038613			
2014038584	2014038617			
2014038609	2014039414			
2014038613				
2014038617				
2014039414				
2014039501				
2014040081				
2014040084				

Unlicensed Activity:

Number of Unlicensed Complaints Received: 12	Number of Unlicensed Complaints Deemed Legally Sufficient: 9	Number of Unlicensed Complaints Deemed Legally Insufficient: 1	Number of Unlicensed Complaints still within 30 day determination time frame: 2	
2014027287	2014027287	2014030660	2014039867	
2014029161	2014029161		2014041716	
2014030660	2014031544			
2014031544	2014033665			
2014033665	2014033757			
2014033757	2014037302			
2014037302	2014038326			
2014038326	2014038578			
2014038578	2014038798			
2014038798				
2014039867				
2014041716				

For an explanation regarding legal sufficiency and legal insufficiency, please see (1) of the document entitled Quarterly Report in Compliance with Rule 61G15-37.001, Florida Administrative Code.