

# Certificate of Authorization Rules Committee Meeting Minutes

Date: May 25, 2018

Time: 1:30 p.m.

Ken Todd, Committee Chair, opened the meeting by discussing the purpose of the Committee. He further explained that the Committee was currently comprised of three FBPE members: Ken Todd, PJ Shah and Elizabeth Ferguson. Additionally, two public advisors joined the discussion: Angelina Fairchild representing FES and Andrew Lowenstein representing FSEA.

Zana Raybon conducted a roll call with those in attendance being:

Ken Todd, FBPE

Andrew Lowenstein, FSEA

Angelina Fairchild, FES

Elizabeth Ferguson, FBPE

PJ Shah, FBPE

Zana Raybon, FBPE Exec. Dir.

Larry Harris, FBPE Counsel

Mr. Todd indicated the Probable Cause Panel would like the FBPE's opinion and guidance from the FBPE in addressing these issues. Any new issues should be sent to Rebecca Sammons, as the Committee Point Person, so she can send them to all the participants.

1. Certificate of Authorization (C.A.) holders trying to use a C.A. # to establish a non-engineer as having the capability to act in the role of an engineer.
2. Having a C.A. use a seal with the company name and C.A. # to sign and seal drawings or reports.
3. Develop responsibilities for the qualifying engineer and establishing standards that clarify the role of a qualifying engineer because C.A.s do not always have a P.E. involved.
4. Clarify engineering documents as to who prepares and files a specific document.
5. Clarify the standards of practice for C.A.s.
6. Answer the three following questioners to provide additional guidance to the Probable Cause Panel for violations of the C.A. rule.
  - a) Do all documents that are produced by an engineering company that has a C.A. need to be signed and sealed?
  - b) To what degree do the Board's rules require a licensee to sign and seal a document that is produced by a company that has a C.A.?
  - c) What documents are considered engineering documents?

There was discussion on the role of the qualifying engineer for a firm with a Certificate of Authorization. Ken Todd raised the issue that the definition of Prime Consultant may be confusing to some because it mentions a qualified firm. Mr. Harris indicated that this definition was not intended to address the qualifying engineer. Given that, Mr. Todd thought it would be a good

clarification to add a definition for a qualifying engineer and Mr. Lowenstein thought a definition of a qualified firm would be helpful as well. Therefore, Mr. Todd and Mr. Harris will work on the two definitions and the committee will discuss the definitions on the next conference call. Ms. Raybon asked that in that definition the following item be addressed as well: names of companies. Additionally, Mr. Todd will also work on language that deals with the requirements and obligations of the qualifying engineer and have this available for the next conference call for review by the committee.

An issue was discussed concerning whether or not engineers submitting an engineering report as part of litigation should have the report signed and sealed. Ms. Fairchild indicated that she believed there was confusion on the part of many engineers concerning that issue. It was agreed that all would look into some text that would address this issue and provide the text to Ms. Sammons, as the Committee Point Person, so she can send the texts to all the participants for review and discussion on the next conference call.

One last item that was briefly discussed dealt with issues dealt with by other professionals (i.e., roof inspections and fire investigations) that would help the PCP decide what documents actually needed to be signed and sealed by an engineer. It was discussed that each of the members would provide items within their specific discipline for discussion on the next conference call.

The conference call adjourned at approximately 2:30 p.m.