FILED
Florida Engineers Management Corp
CLERK Rebecca Valentin
DATE 4/30/2026

FILED
Department of Business and Professional Regulation
Senior Deputy Agency Clerk
CLERK: Brandon Nichols
Date: 4/30/2026
File #: 2026-04303

STATE OF FLORIDA
BOARD OF PROFESSIONAL ENGINEERS

FLORIDA BOARD OF PROFESSIONAL ENGINEERS,

Petitioner,

v.

FEMC CASE NO.: 2022060671
License No. PE 82281

CHRISTOPHER O'SHEA, P.E.

Respondent.
_____/

ORDER AMENDING FINAL ORDER and
ACCEPTING AMENDED SETTLEMENT AGREEMENT

THIS CAUSE came before the BOARD OF PROFESSIONAL ENGINEERS (Board) on April 9, 2026, by Videoconference, pursuant to the request of Christopher O'Shea, P.E. to amend Final Order (DBPR file#2023-08163), Issued October 17, 2023, and to accept an Amended Settlement Stipulation. Respondent was present and was not represented by legal counsel.

On October 17, 2023, the Board issued the Final Order (DBPR file#2023-08163), which accepted the Settlement Stipulation submitted by the parties. Pursuant to the terms of the settlement, Respondent's license was placed on probation for a specified period of time and subject to certain terms and conditions. Within the probationary period specified, Respondent was unable to come into full compliance with the terms and obligations incurred in the original agreement. After negotiation with Petitioner, both Petitioner and Respondent have requested that the Final Order be amended to Accept an Amended Settlement Stipulation, the material effect of which is to extend the term of probation for an additional six (6) months and including additional project review.

After full consideration of this matter, the Amended Settlement Stipulation, the request of the parties, and being otherwise advised in the premises, the Board finds that the specific circumstances of this case constitute a substantial change in circumstances and the public interest would be served by amendment of the terms of the Final Order and acceptance of the Amended Settlement Stipulation. Accordingly, it is

ORDERED that the Request of the parties is Accepted, and the Board Amends Final Order (DBPR file# 2023-08163), Issued October 17, 2023, in Case No. 2022060671 and the Amended Settlement Stipulation is ACCEPTED,

This Final Order shall become effective upon filing with the Clerk of the Department of Business and Professional Regulation.

DONE AND ORDERED this 27 day of April, 2026.

BOARD OF PROFESSIONAL ENGINEERS

Zana Raybon, Executive Director
For James Gonzalez, Chair

NOTICE OF RIGHT TO JUDICIAL REVIEW

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION AND A SECOND COPY, ACCOMPANIED BY FILING FEES PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, OR WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by U.S. Mail to **Christopher O'Shea, P.E.,** PO Box 2165, Peachtree City, GA 30269 and oshea03@gmail.com this 7 day of May, 2026.

Rebecca Valentine
Office of the Agency Clerk

STATE OF FLORIDA
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

FLORIDA BOARD OF PROFESSIONAL ENGINEERS,

Petitioner,

v. FEMC Case No. 2022060671

CHRISTOPHER OSHEA, P. E.

Respondent,
_____/

AMENDED SETTLEMENT STIPULATION

CHRISTOPHER OSHEA, P.E. ("Respondent") and the Florida Board of Professional Engineers ("Board") by and through the Florida Engineers Management Corporation ("FEMC"), hereby stipulate and agree to the following joint stipulation and Final Order of the Board, incorporating this Stipulation in the above-styled manner.

STIPULATED FACTS

1. All the terms in the settlement stipulation incorporated into the Final Order dated October 17, 2023 are hereby incorporated into this Amended Settlement Stipulation.

2. The following additional terms are hereby agreed to by the parties:

a. Respondent shall submit to the Board a detailed list of all completed projects (signed, sealed, and dated), by the Respondent for **PROJECT REVIEW** at six (6) months from the date the Order adopting this Amended Stipulation is filed with the Agency Clerk. The projects shall include: **all structural engineering projects signed and sealed by Respondent.**

b. **A FEMC Consultant** will select two (2) projects from the submitted list for review. **Respondent is responsible for promptly furnishing any set of completed plans (signed, sealed, and dated), calculations, and any other supporting**

documentation requested by the Consultants. The Respondent must sign, date, and seal all materials that are submitted for project review using a non-embossed, seal. Sealed project review materials may be copied and submitted electronically, if desired by the Respondent. Respondent is also responsible for the Consultant's fees for reviewing the projects, and shall remit payment in the amount of $2,000.00 by check or money order made payable in the name of the Board's Consultant at the time that the project lists are submitted to FEMC. In the event that the project review cost exceeds $2,000.00, then the Respondent is responsible for the deficiency. In the event that the cost of the reviews is less than $2,000.00, then the unused portion will be refunded to. Should the Consultant return an unfavorable report concerning Respondent's projects, that report shall be submitted to the Probable Cause Panel for determination of whether additional disciplinary proceedings should be initiated.

c. If the Respondent has not performed engineering services on a sufficient number of projects to make the submissions required by 2a., above, the initial or, if applicable, the subsequent submission required by the terms of probation shall be extended for a period of six (6) months to allow Respondent to perform the services necessary for the required review. **However, if, after the extension has expired, Respondent does not perform sufficient engineering services to meet the requirements of the terms of probation, Respondent's license will be placed on voluntary inactive status as defined in Section 455.227, Florida Statutes, by the Board, without any further necessity for action on the part of Respondent.** Respondent's license shall remain on such status, provided Respondent meets the requirements of Section 455.227, unless and until Respondent notifies the Board that he wishes to recommence practice and obtains Board authorization to reactivate his license under such terms of probation that the Board deems appropriate at that time.

3. Should the Respondent fail to timely comply with the terms of the Order with regard to the Project Reviews discussed herein, this case will be submitted to the Probable Cause Panel for review and determination of whether additional disciplinary action should be taken.

4. Respondent acknowledges that neither Respondent's attendance at the Board Meeting when this Amended Stipulation is presented, nor any continuing education or college

level courses taken as a requirement of the terms of this Amended Stipulation may be used to comply with the continuing education requirements of Chapter 61G15-22, Florida Administrative Code.

5. It is expressly understood that this Amended Stipulation is subject to approval of the Board and FEMC and has no force or effect until the Board issues a Order adopting this Amended Stipulation.

6. This Amended Stipulation is executed by Respondent for the purpose of avoiding further administrative action with respect to this cause. In this regard, Respondent authorizes the Board to review and examine all investigative file materials concerning Respondent prior to, or in conjunction with, consideration of this Amended Stipulation. Furthermore, should this Amended Stipulation not be accepted by the Board, it is agreed that presentation to and by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation, consideration, or resolution of these proceedings.

7. Respondent waives the right to seek any attorney's fees or costs from the Board in connection with this disciplinary proceeding.

WHEREFORE, the parties hereto request the Board to enter a Final Order accepting and implementing the terms contained herein.

3/16/26

Christopher O'Shea, P.E.
Respondent
Case No. 2022060671

APPROVED this 16th day of March, 2026.

Zana Raybon, Executive Director
Florida Board of Professional Engineers

John Rimes (Mar 16, 2026 13:27:56 EDT)

BY: John J. Rimes, III
Chief Prosecuting Attorney

FILED
Florida Engineers Management Corp
CLERK Rebecca Valentin
DATE 10/17/2023

FILED
Department of Business and Professional Regulation
Senior Deputy Agency Clerk
CLERK: Brandon Nichols
Date: 10/17/2023
File #: 2023-08163

STATE OF FLORIDA
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

FLORIDA BOARD OF PROFESSIONAL ENGINEERS,

Petitioner,

v. FEMC Case No. 2022060671

CHRISTOPHER OSHEA, P. E.

Respondent,
_____/

FINAL ORDER ADOPTING SETTLEMENT STIPULATION

THIS CAUSE came before the FLORIDA BOARD OF PROFESSIONAL ENGINEERS ("Board"), pursuant to Sections 120.569 and 120.57(4), Florida Statutes, on October 12, 2023 in Tampa, Florida, for the purpose of considering a Settlement Stipulation (attached hereto as "Exhibit A to Final Order") entered into between the parties in this cause. Upon consideration of the stipulation, the documents submitted in support thereof, and the arguments of the parties, it is hereby:

ORDERED AND ADJUDGED that the Settlement Stipulation as submitted be and is hereby adopted *in toto* and incorporated herein by reference. Accordingly, the parties shall adhere to and abide by all the terms and conditions of the stipulation.

This Final Order shall take effect upon being filed with the Clerk of the Department of Business and Professional Regulation.

DONE AND ORDERED this 17 day of October, 2023.

FLORIDA BOARD OF PROFESSIONAL ENGINEERS

_____
Zana Raybon, Executive Director
For Dylan Albergo, P.E., CHAIR

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing filed *Final Order Adopting Settlement Stipulation* has been furnished by U.S. First Class Mail and email to

Respondent Christopher OShea, P.E. by service upon his attorney of record: Jeff Peters, Esquire at 3551 Blairstone Road, Suite 105, Tallahassee, Florida 32301 and jgpesq@msn.com this 18 day of October, 2023.

Rebecca Valentine

Rebecca Valentine,
Paralegal

STATE OF FLORIDA
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

FLORIDA BOARD OF PROFESSIONAL ENGINEERS,

Petitioner,

v. FEMC Case No. 2022060671

CHRISTOPHER OSHEA, P. E.

Respondent,
_____/

SETTLEMENT STIPULATION

CHRISTOPHER OSHEA, P.E. ("Respondent") and the Florida Board of Professional Engineers ("Board") by and through the Florida Engineers Management Corporation ("FEMC"), hereby stipulate and agree to the following joint stipulation and Final Order of the Board, incorporating this Stipulation in the above-styled manner.

STIPULATED FACTS

1. For all times pertinent hereto, Respondent was a licensed engineer in the State of Florida, having been issued license number PE 82281.

2. Respondent was charged by an Administrative Complaint ("Compliant") filed by FEMC, and properly served upon Respondent with violations of Chapters 471 and 455, Florida Statutes. A true and correct copy of the filed Administrative Complaint is attached hereto and incorporated by reference as "Exhibit A to Settlement Stipulation".

STIPULATED CONCLUSIONS OF LAW

1. Respondent, in his capacity as a licensed engineer, admits that in such capacity he is subject to provisions of Chapters 455 and 471, Florida Statutes, and the jurisdiction of the Department of Business and Professional Regulations ("Agency"), FEMC, and the Board.

2. Respondent admits that the facts set forth in the Complaint, if proven, constitute violations of Chapters 455 and 471, Florida Statutes, as alleged in the Complaint.

STIPULATED DISPOSITION OF LAW

1. Respondent shall, in the future, comply with Chapters 471 and 455, Florida Statutes, and the rules promulgated pursuant thereto.

2. Should Respondent fail to comply with the terms of the Final Order, an administrative complaint for failure to comply with final order will automatically be opened against Respondent.

3. Respondent shall pay an **ADMINISTRATIVE FINE** of $1,000.00 and **COSTS** of $3,656.70 to the Board one (1) year of the date that the Final Order adopting this Stipulation is filed with the Agency Clerk.

4. Respondent shall **APPEAR** before the Board when this Stipulation is presented. Respondent must be prepared to discuss how this situation occurred, what improvements and quality control measures Respondent plans to implement to improve Respondent's work product, and how Respondent intends to prevent this circumstance from occurring in the future.

5. Respondent shall be placed on **PROBATION** for two (2) years from the date the Final Order adopting this Stipulation is filed with the Agency Clerk., with the following terms:

a. Respondent shall successfully complete a Board-approved course in **BASIC ENGINEERING PROFESSIONALISM AND ETHICS** within one (1) year of the date the Final Order adopting this Stipulation is filed with the Agency Clerk. Prior to that date, Respondent shall submit to the Board a Certificate of Completion of the course. It is the Respondent's responsibility to notify the Board that he has completed the course in a timely manner. Respondent may contact the Florida Engineering Society ("FES"), 125 South Gadsden St., Tallahassee, FL 32301, (850)224-7121, for information regarding the availability of such courses in Florida; however, if the FES provides any information regarding such a course to the Respondent, the Respondent must submit that course information to the FEMC for review and determination as to whether or not it will

comply with the Board's requirements. Respondent may also elect to complete one of the following correspondence courses offered by:

Murdough Center for Engineering Professionalism
Texas Tech University, PO Box 41023, Lubbock, Texas 79409
Engineering Ethics Basic
Telephone 806-742-3525; Fax 806-742-0444; E-mail: engineering.ethics@ttu.edu

EPD Program
Auburn University
Engineering Extension Service
217 Ramsay Hall, Auburn, Alabama 36849-5331
Ethics and Professionalism
Phone 800-446-0382 or 334-844-4370

An Accredited College or University course if that course information is first submitted to the FEMC for review and determination as to whether or not it will comply with the Board's requirements.

Courses offered by Continuing Education Programs or Professional Business Programs (Exp: SunCam, Inc., C2Ed), are not Board Certified, and will not meet the requirements.

b. Respondent shall successfully complete the **STUDY GUIDE** which has been prepared by the Board and which will be furnished to Respondent, regarding the Engineering Practice Act, Chapter 471, Florida Statutes, and the Rules of the Board. Respondent is required to provide a personal email address that will be used to access the on-line study guide. The study guide must be completed within thirty (30) days of the date on which the Final Order incorporating this Stipulation is filed with the Agency Clerk.

c. Respondent shall submit to the Board a detailed list of all completed projects (signed, sealed, and dated), by the Respondent for **PROJECT REVIEW** at six (6) and eighteen (18) month intervals from the date the Final Order adopting this Stipulation is filed with the Agency Clerk. The projects shall include: **all structural engineering projects signed and sealed by Respondent.**

d. **A FEMC Consultant** will select Two (2) projects from each submitted list for review. **Respondent is responsible for promptly furnishing any set of completed plans**

(signed, sealed, and dated), calculations, and any other supporting documentation requested by the Consultants. The Respondent must sign, date, and seal all materials that are submitted for project review using a non-embossed, seal. Sealed project review materials may be copied and submitted electronically, if desired by the Respondent. Respondent is also responsible for the Consultant's fees for reviewing the projects, and shall remit payment in the amount of $2,000.00 by check or money order made payable in the name of the Board's Consultant at the time that the project lists are submitted to FEMC. In the event that the project review cost exceeds $2,000.00, then the Respondent is responsible for the deficiency. In the event that the cost of the reviews is less than $2,000.00, then the unused portion will be refunded to respondent. Should the Consultant return an unfavorable report concerning Respondent's projects, that report shall be submitted to the Probable Cause Panel for determination of whether additional disciplinary proceedings should be initiated.

e. If the Respondent has not performed engineering services on a sufficient number of projects to make the submissions required by 5c., above, the initial or, if applicable, the subsequent submission required by the terms of probation shall be extended for a period of six (6) months to allow Respondent to perform the services necessary for the required review. **However, if, after the extension has expired, Respondent does not perform sufficient engineering services to meet the requirements of the terms of probation, Respondent's license will be placed on voluntary inactive status as defined in Section 455.227, Florida Statutes, by the Board, without any further necessity for action on the part of Respondent.** Respondent's license shall remain on such status, provided Respondent meets the requirements of Section 455.227, unless and until Respondent notifies the Board that he wishes to recommence practice and obtains Board authorization to reactivate his license under such terms of probation that the Board deems appropriate at that time.

f. Should the FEMC Consultant return a favorable report after reviewing the plans submitted during the first year of probation, the requirements for the second year of probation may be waived and the probation may be terminated. A "favorable report" is herein defined as a report that, in the sole opinion of the Consultant with the concurrence of the Board, finds that the plans reviewed were considered to be free of any material deficiencies.

g. Should the Respondent fail to timely comply with the terms of the Final Order with regard to the Project Reviews discussed herein, this case will be submitted to the Probable Cause Panel for review and determination of whether additional disciplinary action should be taken.

6. Respondent acknowledges that neither Respondent's attendance at the Board Meeting when this Stipulation is presented, nor any continuing education or college level courses taken as a requirement of the terms of this Stipulation may be used to comply with the continuing education requirements of Chapter 61G15-22, Florida Administrative Code.

7. It is expressly understood that this Stipulation is subject to approval of the Board and FEMC and has no force and effect until the Board issues a Final Order adopting this agreement.

8. This Stipulation is executed by Respondent for the purpose of avoiding further administrative action with respect to this cause. In this regard, Respondent authorizes the Board to review and examine all investigative file materials concerning Respondent prior to or in conjunction with consideration of the Stipulation. Furthermore, should this joint Stipulation not be accepted by the Board, it is agreed that presentation to and by the Board shall not unfairly or illegally prejudice the board or any of its members from further participation, consideration or resolution of these proceedings.

9. Respondent expressly waives all further procedural steps and expressly waives all rights to seek judicial review of or otherwise challenge or contest the validity of the joint Stipulation of Facts, Conclusions of Law, imposition of discipline and the Final Order of the Board incorporating said Stipulation.

10. Respondent waives the right to seek any attorney's fees or costs from the Board in connection with this disciplinary proceeding.

WHEREFORE, the parties hereto request the Board to enter a Final Order accepting and implementing the terms contained herein.

Christopher O'Shea, P.E.
Respondent
Case No. 2022060671

APPROVED this Sixth day of September, 2023.

Zana Raybon, Executive Director
Florida Board of Professional Engineers

John Rimes (Sep 7, 2023 08:28 EDT)

BY: John J. Rimes, III
Chief Prosecuting Attorney

FILED
Florida Engineers Management Corp
CLERK Rebecca Valentin
DATE 7/18/2023

FILED
Department of Business and Professional Regulation
Deputy Agency Clerk
CLERK: Evette Lawson-Proctor
Date: 7/18/2023
File #:

STATE OF FLORIDA
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

FLORIDA BOARD OF PROFESSIONAL ENGINEERS,

Petitioner,

v. FEMC Case No. 2022060671

CHRISTOPHER OSHEA, P. E.

Respondent,
_____/

ADMINISTRATIVE COMPLAINT

COMES NOW the Florida Engineers Management Corporation (FEMC) on behalf of Petitioner, Florida Board of Professional Engineers, hereinafter referred to as "Petitioner," and files this Administrative Complaint against CHRISTOPHER OSHEA, P.E., hereinafter referred to as "Respondent." This Administrative Complaint is issued pursuant to Sections 120.60 and 471.038, Florida Statutes. Any proceeding concerning this complaint shall be conducted pursuant to Section 120.57, Florida Statutes. In support of this complaint, Petitioner alleges the following:

1. Petitioner, Florida Board of Professional Engineers, is charged with regulating the practice of engineering pursuant to Chapter 455, Florida Statutes. This complaint is filed by the Florida Engineers Management Corporation (FEMC) on behalf of Petitioner. FEMC is charged with providing administrative, investigative, and prosecutorial services to the Florida Board of Professional Engineers pursuant to Section 471.038, Florida Statutes (1997).

2. Respondent is, and has been at all times material hereto, a licensed professional engineer in the State of Florida, having been issued license number PE 82281. Respondent's last known address is Post Office Box 2165, Peachtree City, Georgia 30269.

3. On October 11, 2022, Respondent electronically signed and sealed plans for retaining walls at a single-family residence located in Niceville, Florida (Wallace Project). The plans consisted of 3 sheets, sheet C101 Wall Plan and sheets C201 and C202 Wall Details (Retaining Wall Design). Subsequent thereto, a building permit utilizing the Retaining Wall Design plans was issued by the City of Niceville, and the Wallace Project was constructed. Thereafter, on November 22, 2022 Respondent sealed and signed an engineering inspection letter (Letter) addressed to the Okaloosa County Building Department that was provided to the City of Niceville which in material part stated that "[t]he subject property has been reviewed for completeness and conformity with the design drawings/manufacturer's recommendations for installation... [and] it is our opinion that the retaining wall design strength meets or exceeds those loads subjected to the wall(s) in typical operation."

4. Section 471.033(1)(g), Florida Statutes, provides that an engineer is subject to discipline for engaging in negligence in the practice of engineering. Rule 61G15-19.001(4), Fla. Admin. Code, provides that negligence constitutes "failure by a professional engineer to utilize due care in performing in an engineering capacity or failing to have due regard for acceptable standards of engineering principles."

5. The Board has adopted Responsibility Rules of Professional Engineers ("Responsibility Rules"). These Rules are contained in Chapters 61G15-30 to 61G15-36, Fla. Admin. Code. Professional Engineers who perform services covered by the Responsibility Rules are required to comply with the Rules.

6. Rule 61G15-19.001(4), Fla. Admin. Code, also provides that "[f]ailure to comply with the procedures set forth in the Responsibility Rules as adopted by the Board of Professional Engineers shall be considered as non-compliance with this section unless the deviation or

departures therefrom are justified by the specific circumstances of the project in question and the sound professional judgment of the professional engineer."

7. Rule 61G15-30.002(1), Fla. Admin. Code, mandates that Respondent, as the engineer of record for the Wallace Project is professionally responsible for the documents prepared. As such, Respondent is responsible for producing documents that comply with the applicable portions of the Responsibility Rules.

8. Respondent acted as the Structural, Engineer of Record for the Wallace Project as that term is defined in Rules 61G15-30.002(1), 61G15-31.002(1), Fla. Admin. Code. As such, all engineering documents prepared, signed, sealed and dated by Respondent must contain the information set out in Rule 61G15-30.003(1): When prepared for inclusion with an application for a general building permit, the Documents shall meet all Engineer's Responsibility Rules, set forth in Chapter ...61G15-31, ..., F.A.C., and be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of the Florida Building Code[FBC], adopted in Section 553.73, F.S., and applicable laws, ordinances, rules and regulations, as determined by the Agency Having Jurisdiction (AHJ). The Documents shall include:

(a) Information that provides material specifications required for the safe operation of the system that is a result of engineering calculations, knowledge and experience.

(b) List Federal, State, Municipal, and County standards, codes, ordinances, laws, and rules, with their effective dates, that the Engineering Documents are intended to conform to.

(c) Information, as determined by the Engineer of Record, needed for the safe and efficient operation of the system.

(d) List engineering design criteria; reference project specific studies, reports, and delegated Engineering Documents.

(e) Identify clearly elements of the design that vary from the governing standards and depict/identify the alternate method used to ensure compliance with the stated purpose of these Responsibility Rules.

9. The Florida Building Code (2007) – Building (FBC-B) Section 106.1.1 "Information on construction documents" states: "Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations,..."

10. Rule 61G15-31.002(5) "Definitions", "Structural Engineering Documents" states: The structural drawings, specifications and other documents setting forth the overall design and requirements for the construction, alteration, repair, removal, demolition, arrangement and/or use of the structure, prepared by and signed and sealed by the engineer of record for the structure. Structural engineering documents shall identify the project and specify design criteria both for the overall structure and for structural components and structural systems. The drawings shall identify the nature, magnitude and location of all design loads to be imposed on the structure. The structural engineering documents shall provide construction requirements to indicate the nature and character of the work and to describe, detail, label and define the structure's components, systems, materials, assemblies, and equipment.

11. The Letter is an engineering "certification" as that term is defined in Rule 61G15-18.011(4), Florida Administrative Code, ("a statement signed and/or sealed by a professional engineer representing that the engineering services addressed therein, as defined in Section 471.005(6), F.S., have been performed by the professional engineer, and based upon the professional engineer's knowledge, information and belief, and in accordance with commonly accepted procedures consistent with applicable standards of practice,..."). "Certifications" are subject to the standards set out in Rule 61G15-29.001.

12. Rule 61G15-29.001 requires that if an engineer is presented with a "certification" that "...involve[s] matters which are beyond the engineer's scope of services actually provided..." that the engineer must "... (a) modify such certification to limit its scope to those matters which the engineer can properly sign and/or seal, or (b) decline to sign such certification."

13. Respondent's Retaining Wall Design Structural Engineering Design Documents for the Wallace Project are materially deficient as follows:

A. Grading on the Wall Plan was based on topographic land contours from an unspecified source and unspecified datum.

B. The details on the two Wall Details sheets were copied directly from the manufacturer's website and not modified to fit the project. For example, three terraces are shown on the details, not two; the 'Structural Backfill' note appears to be for a cementitious material, not earth; the wall height shown is 20 feet and not modified to fit the Wallace Project on the Typical Reinforced Cross Section; a vegetated swale is shown behind the walls on the details but not incorporated into the wall plan. In addition, there

are no specifications for the earth backfill, for backfill compaction, for the drainage aggregate, for the geotextile, or for the geogrid/geosynthetic reinforcement.

14. Respondent's Letter for the Wallace Project is materially deficient as follows:

A. The Letter states that "[t]he subject property has been reviewed for completeness and conformity with the design drawings/manufacturer's recommendations for installation." However, since there is no evidence Respondent or his representative ever visited the site for an inspection during or after construction, the Letter should have been clear on the basis for any review and limitations of the method of review.

B. There are several material differences between the plans and actual construction that are not addressed in the Letter. The location of the stairs from the upper terrace to the lower terrace was shifted, and the curvature of the walls was changed; the walls were moved significantly down-slope away from the home as compared to the drawings which would increase the wall heights assuming the same terrace elevations.

C. The Letter states "[w]ith assumed surcharge loads and installation methods, it is our opinion that the retaining wall design strength meets or exceeds those loads subjected to the wall(s) in typical operation". The wording "assumed...installation methods" indicates Respondent did not have sufficient knowledge of the wall construction to opine that the walls were constructed in accordance with the plans and thus to render the opinion that the wall as constructed would meet loads to which the wall would typically be subjected.

15. Section 471.033(1)(a), Florida Statutes, provides in material part: "[t]he following acts constitute grounds for which the disciplinary actions in subsection (3) may be taken: (a) [v]iolating any other provision of [Chapter 471] or rule of the [B]oard ...."

16. Based upon the facts set forth in Paragraph 14. A., Respondent failed to comply with the requirements of Rule 61G15-29.001 by sealing, signing and dating the Letter on November 20, 2020, when the Letter contained engineering conclusions which were not based upon services actually provided on or before the Letter was dated, signed, and sealed. As a result, the Letter was not issued "...accordance with commonly accepted procedures consistent with applicable standards of practice."

17. Respondent's engineering drawings for the Wallace Project and the findings in the Letter contain deficiencies including but not limited to, those set forth in Paragraphs Thirteen (13) and Fourteen (14) B. and C. As a result of those deficiencies, Respondent violated the provisions of Section 471.033(1)(g), Florida Statutes, and Rule 61G15-19.001(4), F. A. C., by sealing and signing structural engineering documents that were issued and filed for public record when such documents were materially deficient in that Respondent: (1) did not exercise due care in the preparation of the final engineering documents for the Wallace Project and the findings in the Letter and (2) the final engineering documents for the Wallace Project and the findings in the Letter were not issued in compliance with acceptable engineering principles.

18. Based on the foregoing, Respondent is charged with violating Section 471.033(1)(a), Florida Statutes, by violating Rule 61G15-29.001.

19. Based on the foregoing, Respondent is charged with violating Section 471.033(1)(g), Florida Statutes, and Rule 61G15-19.001(4), F. A. C., by being negligent in the practice of engineering.

WHEREFORE, the Petitioner respectfully requests the Board of Professional Engineers to enter an order imposing one or more of the following penalties: permanent revocation or suspension of the Respondent's license, restriction of the Respondent's practice, imposition of an

administrative fine, issuance of a reprimand, placement of the Respondent on probation, the assessment of costs related to the investigation and prosecution of this case, other than costs associated with an attorney's time, as provided for in Section 455.227(3), Florida Statutes, and/or any other relief that the Board deems appropriate.

SIGNED this 18th day of July, 2023.

Zana Raybon
Executive Director

BY: John J. Rimes, III
Prosecuting Attorney

COUNSEL FOR FEMC:

John J. Rimes, III
Prosecuting Attorney
Florida Engineers Management Corporation
2400 Mahan Dr.
Tallahassee, Florida 32308
Florida Bar No. 212008
JR/rv
PCP DATE: July 07, 2023
PCP Members: MATTHEWS, PISTORINO & RAMSEY

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was furnished to Respondent Christopher OShea, P.E. by service upon his attorney of record: Dana C. "D.C." Matthews at 2930 West County Highway 30A, Suite 101, Santa Rosa Beach, Florida 32459, by certified mail and First-Class U. S. Mail, on the 19 of July, 2023.

Rebecca Valentine
Rebecca Valentine, Paralegal

FILED
Florida Engineers Management Corp
CLERK Rebecca Valentin
DATE 10/17/2023

FILED
Department of Business and Professional Regulation
Senior Deputy Agency Clerk
CLERK: Brandon Nichols
Date: 10/17/2023
File #: 2023-08163

STATE OF FLORIDA
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

FLORIDA BOARD OF PROFESSIONAL ENGINEERS,

Petitioner,

v. FEMC Case No. 2022060671

CHRISTOPHER OSHEA, P. E.

Respondent,
_____/

FINAL ORDER ADOPTING SETTLEMENT STIPULATION

THIS CAUSE came before the FLORIDA BOARD OF PROFESSIONAL ENGINEERS ("Board"), pursuant to Sections 120.569 and 120.57(4), Florida Statutes, on October 12, 2023 in Tampa, Florida, for the purpose of considering a Settlement Stipulation (attached hereto as "Exhibit A to Final Order") entered into between the parties in this cause. Upon consideration of the stipulation, the documents submitted in support thereof, and the arguments of the parties, it is hereby:

ORDERED AND ADJUDGED that the Settlement Stipulation as submitted be and is hereby adopted *in toto* and incorporated herein by reference. Accordingly, the parties shall adhere to and abide by all the terms and conditions of the stipulation.

This Final Order shall take effect upon being filed with the Clerk of the Department of Business and Professional Regulation.

DONE AND ORDERED this 17 day of October, 2023.

FLORIDA BOARD OF PROFESSIONAL ENGINEERS

_____
Zana Raybon, Executive Director
For Dylan Albergo, P.E., CHAIR

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing filed *Final Order Adopting Settlement Stipulation* has been furnished by U.S. First Class Mail and email to

Respondent Christopher OShea, P.E. by service upon his attorney of record: Jeff Peters, Esquire at 3551 Blairstone Road, Suite 105, Tallahassee, Florida 32301 and jgpesq@msn.com this 18 day of October, 2023.

Rebecca Valentine

Rebecca Valentine,
Paralegal

STATE OF FLORIDA
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

FLORIDA BOARD OF PROFESSIONAL ENGINEERS,

Petitioner,

v. FEMC Case No. 2022060671

CHRISTOPHER OSHEA, P. E.

Respondent,
_____/

SETTLEMENT STIPULATION

CHRISTOPHER OSHEA, P.E. ("Respondent") and the Florida Board of Professional Engineers ("Board") by and through the Florida Engineers Management Corporation ("FEMC"), hereby stipulate and agree to the following joint stipulation and Final Order of the Board, incorporating this Stipulation in the above-styled manner.

STIPULATED FACTS

1. For all times pertinent hereto, Respondent was a licensed engineer in the State of Florida, having been issued license number PE 82281.

2. Respondent was charged by an Administrative Complaint ("Compliant") filed by FEMC, and properly served upon Respondent with violations of Chapters 471 and 455, Florida Statutes. A true and correct copy of the filed Administrative Complaint is attached hereto and incorporated by reference as "Exhibit A to Settlement Stipulation".

STIPULATED CONCLUSIONS OF LAW

1. Respondent, in his capacity as a licensed engineer, admits that in such capacity he is subject to provisions of Chapters 455 and 471, Florida Statutes, and the jurisdiction of the Department of Business and Professional Regulations ("Agency"), FEMC, and the Board.

2. Respondent admits that the facts set forth in the Complaint, if proven, constitute violations of Chapters 455 and 471, Florida Statutes, as alleged in the Complaint.

STIPULATED DISPOSITION OF LAW

1. Respondent shall, in the future, comply with Chapters 471 and 455, Florida Statutes, and the rules promulgated pursuant thereto.

2. Should Respondent fail to comply with the terms of the Final Order, an administrative complaint for failure to comply with final order will automatically be opened against Respondent.

3. Respondent shall pay an **ADMINISTRATIVE FINE** of $1,000.00 and **COSTS** of $3,656.70 to the Board one (1) year of the date that the Final Order adopting this Stipulation is filed with the Agency Clerk.

4. Respondent shall **APPEAR** before the Board when this Stipulation is presented. Respondent must be prepared to discuss how this situation occurred, what improvements and quality control measures Respondent plans to implement to improve Respondent's work product, and how Respondent intends to prevent this circumstance from occurring in the future.

5. Respondent shall be placed on **PROBATION** for two (2) years from the date the Final Order adopting this Stipulation is filed with the Agency Clerk., with the following terms:

a. Respondent shall successfully complete a Board-approved course in **BASIC ENGINEERING PROFESSIONALISM AND ETHICS** within one (1) year of the date the Final Order adopting this Stipulation is filed with the Agency Clerk. Prior to that date, Respondent shall submit to the Board a Certificate of Completion of the course. It is the Respondent's responsibility to notify the Board that he has completed the course in a timely manner. Respondent may contact the Florida Engineering Society ("FES"), 125 South Gadsden St., Tallahassee, FL 32301, (850)224-7121, for information regarding the availability of such courses in Florida; however, if the FES provides any information regarding such a course to the Respondent, the Respondent must submit that course information to the FEMC for review and determination as to whether or not it will

comply with the Board's requirements. Respondent may also elect to complete one of the following correspondence courses offered by:

Murdough Center for Engineering Professionalism
Texas Tech University, PO Box 41023, Lubbock, Texas 79409
Engineering Ethics Basic
Telephone 806-742-3525; Fax 806-742-0444; E-mail: engineering.ethics@ttu.edu

EPD Program
Auburn University
Engineering Extension Service
217 Ramsay Hall, Auburn, Alabama 36849-5331
Ethics and Professionalism
Phone 800-446-0382 or 334-844-4370

An Accredited College or University course if that course information is first submitted to the FEMC for review and determination as to whether or not it will comply with the Board's requirements.

Courses offered by Continuing Education Programs or Professional Business Programs (Exp: SunCam, Inc., C2Ed), are not Board Certified, and will not meet the requirements.

b. Respondent shall successfully complete the **STUDY GUIDE** which has been prepared by the Board and which will be furnished to Respondent, regarding the Engineering Practice Act, Chapter 471, Florida Statutes, and the Rules of the Board. Respondent is required to provide a personal email address that will be used to access the on-line study guide. The study guide must be completed within thirty (30) days of the date on which the Final Order incorporating this Stipulation is filed with the Agency Clerk.

c. Respondent shall submit to the Board a detailed list of all completed projects (signed, sealed, and dated), by the Respondent for **PROJECT REVIEW** at six (6) and eighteen (18) month intervals from the date the Final Order adopting this Stipulation is filed with the Agency Clerk. The projects shall include: **all structural engineering projects signed and sealed by Respondent.**

d. **A FEMC Consultant** will select Two (2) projects from each submitted list for review. **Respondent is responsible for promptly furnishing any set of completed plans**

(signed, sealed, and dated), calculations, and any other supporting documentation requested by the Consultants. The Respondent must sign, date, and seal all materials that are submitted for project review using a non-embossed, seal. Sealed project review materials may be copied and submitted electronically, if desired by the Respondent. Respondent is also responsible for the Consultant's fees for reviewing the projects, and shall remit payment in the amount of $2,000.00 by check or money order made payable in the name of the Board's Consultant at the time that the project lists are submitted to FEMC. In the event that the project review cost exceeds $2,000.00, then the Respondent is responsible for the deficiency. In the event that the cost of the reviews is less than $2,000.00, then the unused portion will be refunded to respondent. Should the Consultant return an unfavorable report concerning Respondent's projects, that report shall be submitted to the Probable Cause Panel for determination of whether additional disciplinary proceedings should be initiated.

e. If the Respondent has not performed engineering services on a sufficient number of projects to make the submissions required by 5c., above, the initial or, if applicable, the subsequent submission required by the terms of probation shall be extended for a period of six (6) months to allow Respondent to perform the services necessary for the required review. **However, if, after the extension has expired, Respondent does not perform sufficient engineering services to meet the requirements of the terms of probation, Respondent's license will be placed on voluntary inactive status as defined in Section 455.227, Florida Statutes, by the Board, without any further necessity for action on the part of Respondent.** Respondent's license shall remain on such status, provided Respondent meets the requirements of Section 455.227, unless and until Respondent notifies the Board that he wishes to recommence practice and obtains Board authorization to reactivate his license under such terms of probation that the Board deems appropriate at that time.

f. Should the FEMC Consultant return a favorable report after reviewing the plans submitted during the first year of probation, the requirements for the second year of probation may be waived and the probation may be terminated. A "favorable report" is herein defined as a report that, in the sole opinion of the Consultant with the concurrence of the Board, finds that the plans reviewed were considered to be free of any material deficiencies.

g. Should the Respondent fail to timely comply with the terms of the Final Order with regard to the Project Reviews discussed herein, this case will be submitted to the Probable Cause Panel for review and determination of whether additional disciplinary action should be taken.

6. Respondent acknowledges that neither Respondent's attendance at the Board Meeting when this Stipulation is presented, nor any continuing education or college level courses taken as a requirement of the terms of this Stipulation may be used to comply with the continuing education requirements of Chapter 61G15-22, Florida Administrative Code.

7. It is expressly understood that this Stipulation is subject to approval of the Board and FEMC and has no force and effect until the Board issues a Final Order adopting this agreement.

8. This Stipulation is executed by Respondent for the purpose of avoiding further administrative action with respect to this cause. In this regard, Respondent authorizes the Board to review and examine all investigative file materials concerning Respondent prior to or in conjunction with consideration of the Stipulation. Furthermore, should this joint Stipulation not be accepted by the Board, it is agreed that presentation to and by the Board shall not unfairly or illegally prejudice the board or any of its members from further participation, consideration or resolution of these proceedings.

9. Respondent expressly waives all further procedural steps and expressly waives all rights to seek judicial review of or otherwise challenge or contest the validity of the joint Stipulation of Facts, Conclusions of Law, imposition of discipline and the Final Order of the Board incorporating said Stipulation.

10. Respondent waives the right to seek any attorney's fees or costs from the Board in connection with this disciplinary proceeding.

WHEREFORE, the parties hereto request the Board to enter a Final Order accepting and implementing the terms contained herein.

Christopher O'Shea, P.E.
Respondent
Case No. 2022060671

APPROVED this Sixth day of September, 2023.

Zana Raybon, Executive Director
Florida Board of Professional Engineers

John Rimes (Sep 7, 2023 08:28 EDT)

BY: John J. Rimes, III
Chief Prosecuting Attorney

FILED
Florida Engineers Management Corp
CLERK Rebecca Valentin
DATE 7/18/2023

FILED
Department of Business and Professional Regulation
Deputy Agency Clerk
CLERK: Evette Lawson-Proctor
Date: 7/18/2023
File #:

STATE OF FLORIDA
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

FLORIDA BOARD OF PROFESSIONAL ENGINEERS,

Petitioner,

v. FEMC Case No. 2022060671

CHRISTOPHER OSHEA, P. E.

Respondent,
_____/

ADMINISTRATIVE COMPLAINT

COMES NOW the Florida Engineers Management Corporation (FEMC) on behalf of Petitioner, Florida Board of Professional Engineers, hereinafter referred to as "Petitioner," and files this Administrative Complaint against CHRISTOPHER OSHEA, P.E., hereinafter referred to as "Respondent." This Administrative Complaint is issued pursuant to Sections 120.60 and 471.038, Florida Statutes. Any proceeding concerning this complaint shall be conducted pursuant to Section 120.57, Florida Statutes. In support of this complaint, Petitioner alleges the following:

1. Petitioner, Florida Board of Professional Engineers, is charged with regulating the practice of engineering pursuant to Chapter 455, Florida Statutes. This complaint is filed by the Florida Engineers Management Corporation (FEMC) on behalf of Petitioner. FEMC is charged with providing administrative, investigative, and prosecutorial services to the Florida Board of Professional Engineers pursuant to Section 471.038, Florida Statutes (1997).

2. Respondent is, and has been at all times material hereto, a licensed professional engineer in the State of Florida, having been issued license number PE 82281. Respondent's last known address is Post Office Box 2165, Peachtree City, Georgia 30269.

3. On October 11, 2022, Respondent electronically signed and sealed plans for retaining walls at a single-family residence located in Niceville, Florida (Wallace Project). The plans consisted of 3 sheets, sheet C101 Wall Plan and sheets C201 and C202 Wall Details (Retaining Wall Design). Subsequent thereto, a building permit utilizing the Retaining Wall Design plans was issued by the City of Niceville, and the Wallace Project was constructed. Thereafter, on November 22, 2022 Respondent sealed and signed an engineering inspection letter (Letter) addressed to the Okaloosa County Building Department that was provided to the City of Niceville which in material part stated that "[t]he subject property has been reviewed for completeness and conformity with the design drawings/manufacturer's recommendations for installation... [and] it is our opinion that the retaining wall design strength meets or exceeds those loads subjected to the wall(s) in typical operation."

4. Section 471.033(1)(g), Florida Statutes, provides that an engineer is subject to discipline for engaging in negligence in the practice of engineering. Rule 61G15-19.001(4), Fla. Admin. Code, provides that negligence constitutes "failure by a professional engineer to utilize due care in performing in an engineering capacity or failing to have due regard for acceptable standards of engineering principles."

5. The Board has adopted Responsibility Rules of Professional Engineers ("Responsibility Rules"). These Rules are contained in Chapters 61G15-30 to 61G15-36, Fla. Admin. Code. Professional Engineers who perform services covered by the Responsibility Rules are required to comply with the Rules.

6. Rule 61G15-19.001(4), Fla. Admin. Code, also provides that "[f]ailure to comply with the procedures set forth in the Responsibility Rules as adopted by the Board of Professional Engineers shall be considered as non-compliance with this section unless the deviation or

departures therefrom are justified by the specific circumstances of the project in question and the sound professional judgment of the professional engineer."

7. Rule 61G15-30.002(1), Fla. Admin. Code, mandates that Respondent, as the engineer of record for the Wallace Project is professionally responsible for the documents prepared. As such, Respondent is responsible for producing documents that comply with the applicable portions of the Responsibility Rules.

8. Respondent acted as the Structural, Engineer of Record for the Wallace Project as that term is defined in Rules 61G15-30.002(1), 61G15-31.002(1), Fla. Admin. Code. As such, all engineering documents prepared, signed, sealed and dated by Respondent must contain the information set out in Rule 61G15-30.003(1): When prepared for inclusion with an application for a general building permit, the Documents shall meet all Engineer's Responsibility Rules, set forth in Chapter ...61G15-31, ..., F.A.C., and be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of the Florida Building Code[FBC], adopted in Section 553.73, F.S., and applicable laws, ordinances, rules and regulations, as determined by the Agency Having Jurisdiction (AHJ). The Documents shall include:

(a) Information that provides material specifications required for the safe operation of the system that is a result of engineering calculations, knowledge and experience.

(b) List Federal, State, Municipal, and County standards, codes, ordinances, laws, and rules, with their effective dates, that the Engineering Documents are intended to conform to.

(c) Information, as determined by the Engineer of Record, needed for the safe and efficient operation of the system.

(d) List engineering design criteria; reference project specific studies, reports, and delegated Engineering Documents.

(e) Identify clearly elements of the design that vary from the governing standards and depict/identify the alternate method used to ensure compliance with the stated purpose of these Responsibility Rules.

9. The Florida Building Code (2007) – Building (FBC-B) Section 106.1.1 "Information on construction documents" states: "Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations,..."

10. Rule 61G15-31.002(5) "Definitions", "Structural Engineering Documents" states: The structural drawings, specifications and other documents setting forth the overall design and requirements for the construction, alteration, repair, removal, demolition, arrangement and/or use of the structure, prepared by and signed and sealed by the engineer of record for the structure. Structural engineering documents shall identify the project and specify design criteria both for the overall structure and for structural components and structural systems. The drawings shall identify the nature, magnitude and location of all design loads to be imposed on the structure. The structural engineering documents shall provide construction requirements to indicate the nature and character of the work and to describe, detail, label and define the structure's components, systems, materials, assemblies, and equipment.

11. The Letter is an engineering "certification" as that term is defined in Rule 61G15-18.011(4), Florida Administrative Code, ("a statement signed and/or sealed by a professional engineer representing that the engineering services addressed therein, as defined in Section 471.005(6), F.S., have been performed by the professional engineer, and based upon the professional engineer's knowledge, information and belief, and in accordance with commonly accepted procedures consistent with applicable standards of practice,..."). "Certifications" are subject to the standards set out in Rule 61G15-29.001.

12. Rule 61G15-29.001 requires that if an engineer is presented with a "certification" that "...involve[s] matters which are beyond the engineer's scope of services actually provided..." that the engineer must "... (a) modify such certification to limit its scope to those matters which the engineer can properly sign and/or seal, or (b) decline to sign such certification."

13. Respondent's Retaining Wall Design Structural Engineering Design Documents for the Wallace Project are materially deficient as follows:

A. Grading on the Wall Plan was based on topographic land contours from an unspecified source and unspecified datum.

B. The details on the two Wall Details sheets were copied directly from the manufacturer's website and not modified to fit the project. For example, three terraces are shown on the details, not two; the 'Structural Backfill' note appears to be for a cementitious material, not earth; the wall height shown is 20 feet and not modified to fit the Wallace Project on the Typical Reinforced Cross Section; a vegetated swale is shown behind the walls on the details but not incorporated into the wall plan. In addition, there

are no specifications for the earth backfill, for backfill compaction, for the drainage aggregate, for the geotextile, or for the geogrid/geosynthetic reinforcement.

14. Respondent's Letter for the Wallace Project is materially deficient as follows:

A. The Letter states that "[t]he subject property has been reviewed for completeness and conformity with the design drawings/manufacturer's recommendations for installation." However, since there is no evidence Respondent or his representative ever visited the site for an inspection during or after construction, the Letter should have been clear on the basis for any review and limitations of the method of review.

B. There are several material differences between the plans and actual construction that are not addressed in the Letter. The location of the stairs from the upper terrace to the lower terrace was shifted, and the curvature of the walls was changed; the walls were moved significantly down-slope away from the home as compared to the drawings which would increase the wall heights assuming the same terrace elevations.

C. The Letter states "[w]ith assumed surcharge loads and installation methods, it is our opinion that the retaining wall design strength meets or exceeds those loads subjected to the wall(s) in typical operation". The wording "assumed…installation methods" indicates Respondent did not have sufficient knowledge of the wall construction to opine that the walls were constructed in accordance with the plans and thus to render the opinion that the wall as constructed would meet loads to which the wall would typically be subjected.

15. Section 471.033(1)(a), Florida Statutes, provides in material part: "[t]he following acts constitute grounds for which the disciplinary actions in subsection (3) may be taken: (a) [v]iolating any other provision of [Chapter 471] or rule of the [B]oard …."

16. Based upon the facts set forth in Paragraph 14. A., Respondent failed to comply with the requirements of Rule 61G15-29.001 by sealing, signing and dating the Letter on November 20, 2020, when the Letter contained engineering conclusions which were not based upon services actually provided on or before the Letter was dated, signed, and sealed. As a result, the Letter was not issued "...accordance with commonly accepted procedures consistent with applicable standards of practice."

17. Respondent's engineering drawings for the Wallace Project and the findings in the Letter contain deficiencies including but not limited to, those set forth in Paragraphs Thirteen (13) and Fourteen (14) B. and C. As a result of those deficiencies, Respondent violated the provisions of Section 471.033(1)(g), Florida Statutes, and Rule 61G15-19.001(4), F. A. C., by sealing and signing structural engineering documents that were issued and filed for public record when such documents were materially deficient in that Respondent: (1) did not exercise due care in the preparation of the final engineering documents for the Wallace Project and the findings in the Letter and (2) the final engineering documents for the Wallace Project and the findings in the Letter were not issued in compliance with acceptable engineering principles.

18. Based on the foregoing, Respondent is charged with violating Section 471.033(1)(a), Florida Statutes, by violating Rule 61G15-29.001.

19. Based on the foregoing, Respondent is charged with violating Section 471.033(1)(g), Florida Statutes, and Rule 61G15-19.001(4), F. A. C., by being negligent in the practice of engineering.

WHEREFORE, the Petitioner respectfully requests the Board of Professional Engineers to enter an order imposing one or more of the following penalties: permanent revocation or suspension of the Respondent's license, restriction of the Respondent's practice, imposition of an

administrative fine, issuance of a reprimand, placement of the Respondent on probation, the assessment of costs related to the investigation and prosecution of this case, other than costs associated with an attorney's time, as provided for in Section 455.227(3), Florida Statutes, and/or any other relief that the Board deems appropriate.

SIGNED this 18th day of July, 2023.

Zana Raybon
Executive Director

John Rimes (Jul 18, 2023 09:25 EDT)
BY: John J. Rimes, III
Prosecuting Attorney

COUNSEL FOR FEMC:

John J. Rimes, III
Prosecuting Attorney
Florida Engineers Management Corporation
2400 Mahan Dr.
Tallahassee, Florida 32308
Florida Bar No. 212008
JR/rv
PCP DATE: July 07, 2023
PCP Members: MATTHEWS, PISTORINO & RAMSEY

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was furnished to Respondent Christopher OShea, P.E. by service upon his attorney of record: Dana C. "D.C." Matthews at 2930 West County Highway 30A, Suite 101, Santa Rosa Beach, Florida 32459, by certified mail and First-Class U. S. Mail, on the 19 of July, 2023.

Rebecca Valentine
Rebecca Valentine, Paralegal