

CLERK W. A. [Signature]
DATE 8-18-25

STATE OF FLORIDA
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

FLORIDA BOARD OF PROFESSIONAL
ENGINEERS,

Petitioner,

v.

FEMC Case No. 2024002721

ANDRE L. O. BIGATAO, 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 August 07, 2025, by Videoconference, 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 14 day of August, 2025.

FLORIDA BOARD OF PROFESSIONAL ENGINEERS

Zana Raybon

Zana Raybon, Executive Director
For Denise Ramsey, 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 A I hereby certify that a copy of the foregoing was furnished to Respondent Andre L. O. Bigatao, P.E. by service upon his attorney of record: Steven Graham, Esquire, 350 Camino Gardens Blvd., Suite 301, Boca Raton, FL 33432 and stevengrahamesq@aol.com this 19th day of August, 2025.

W. A. [Signature]
for Rebecca Valentine,
Paralegal

STATE OF FLORIDA
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ANDRE L. O. BIGATAO, P.E.,

Respondent,

_____ /

SETTLEMENT STIPULATION

ANDRE L. O. BIGATAO, 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 80977.
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 COSTS of \$2,010.60 to the Board within ninety (90) days 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 take and pass the Auburn University Online Professional Development Course "Engineering Ethics and Professionalism," Course No. V10F, within ninety (90) days of the filing date of this Final Order.

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

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.

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

7. 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.

8. 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.

9. 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.

10. 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.

11. 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.

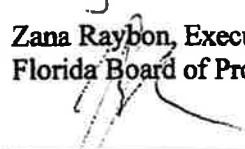


7/18/2025

Andre L.O. Bigatao, P.E.
Respondent
Case No. 2024002721

APPROVED this 18th day of July, 2025.

Zana Raybon, Executive Director
Florida Board of Professional Engineers


BY: John J. Rimes, III
Chief Prosecuting Attorney

FILED
Florida Engineers Management Corp
CLERK Rebecca Valent
DATE 5/21/2025



STATE OF FLORIDA
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

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_____ /

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 ANDRE L. O. BIGATAO, 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 80977. Respondent's last known address is 816 SW 2nd Street, Boca Raton, Florida 33486.

3. On June 7, 2023, Respondent signed and sealed a letter of certification (Letter) for the in-place roofing system at a single-family residence located at 415 31st Street, West Palm Beach, Fl. The Letter stated that the “roof to wall connections used for the roof connection at this property have a minimum of 4 fasteners per strap and comply with 2020 Florida Building Code 7th edition, Section 706.8.1 for existing buildings.”

4. However, contrary to Respondent’s statement in the Letter, the inspected connections materially deviate from the requirements of Section 706.8.1 of the 2020 Florida Building Code, Existing Building (FBC). The straps were installed over the tops of the roof framing but were fastened with screws to the tops of termite damaged blocking (spanning between the roof framing), with no connection to the load bearing wall below. This connection does not provide a continuous load path for uplift from the roof framing to the wall below. In addition, the screws fastened into the top of the blocking, would experience tension in a wind event and would have a reduced capacity because of the termite damage.

5. Respondent’s June 7, 2023 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,...”).

6. 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.”

7. By signing and sealing the Letter containing the material deficiencies set out in Paragraph 4, Respondent failed to utilize due care in performing in an engineering capacity and failed to have due regard for acceptable standards of engineering principles.

8. 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 engaging in negligence 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 20th day of May, 2025.

Zana Raybon
Executive Director


John J. Rimes, III, May 20, 2025 09:11 (P)

BY: John J. Rimes, III
Prosecuting Attorney

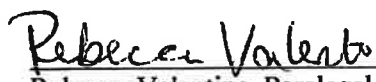
COUNSEL FOR FEMC:

John J. Rimes, III
Prosecuting Attorney
Florida Engineers Management Corporation

2400 Mahan Dr.
Tallahassee, Florida 32308
Florida Bar No. 212008
JR/rv
PCP DATE: May 07, 2025
PCP Members: MATTHEWS, PISTORINO, & MYERS

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was furnished to Respondent Andre L. O. Bigatao, P.E. at 816 SW 2nd Street, Boca Raton, Florida 33486, by certified mail and First-Class U. S. Mail, on the 22 of May, 2025.


Rebecca Valentine, Paralegal






Final Order-Bigatao

Final Audit Report

2025-08-14

Created:	2025-08-14
By:	Rebecca Valentine (rvalentine@fbpe.org)
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"Final Order-Bigatao" History

-  Document created by Rebecca Valentine (rvalentine@fbpe.org)
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-  Email viewed by Zana Raybon (zraybon@fbpe.org)
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-  Document e-signed by Zana Raybon (zraybon@fbpe.org)
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-  Agreement completed.
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