



FLORIDA BOARD OF PROFESSIONAL ENGINEERS

An Official FBPE Publication for the Dissemination of Information of Importance to the Professional Engineers Licensed to Practice in Florida

Gov. Bush Appoints Five to FBPE Board

On November 29, 1999 Governor Jeb Bush appointed five new members to the Board of Professional Engineers. The new members of the Board are:

Dr. Murthy V. Bondada, PE.

Dr. Murthy Bondada, 62, is Vice President of Mehta and Associates in Winter Park and is responsible for transportation planning. He has a bachelors degree in civil engineering from Andhra University, a masters of

civil engineering from the University of Pennsylvania, and a doctorate in civil engineering from University of West Virginia. He replaces Liela Nodarse, PE.

Henn Rebane, PE.

Henn Rebane, 66, is a self-employed consulting engineer from Orlando. He holds a bachelors of science in electrical engineering from Georgia Institute of Technology and holds licenses in four states as well as Ireland. He replaces David Whitston, PE, of Ocala.

Silvia Lacasa, PE.

Silvia Lacasa, 32, is a senior electrical engineer with Martin-Vilato Associates in Miami. She has a bachelors of science degree in electrical engineering from the University of Miami. She replaces Pedro O. Martinez, PE, of Miami.

Gloria Velazquez, Esquire.

Gloria Velazquez, 32, is an attorney specializing in land use and zoning and practices with the Greenberg-Traurig law firm in Miami. She will serve as a

public member on the Board and replaces Chester Rhodes of Panama City.

Robert Matthews, PE.

Robert Matthews, 52, is a civil engineer in the Ft. Myers office of Camp Dresser and McKee. He has a bachelor of science in civil engineering from the University of Florida and replaces Jaykumar Patel, PE, of Ft. Lauderdale.

(For FBPE Board in Review, please see page 4)

FEMC Board Has Opening

The recent appointment by Governor Jeb Bush of Henn Rebane, P.E. to the Board of Professional Engineers created a vacancy on the Board of Directors of the Florida Engineers Management Corporation. Registrants interested in being considered for appointment to the FEMC Board of Directors contact the Board Office for an application. FEMC Board members meet two to three times per year and have corporate responsibilities relating to the providing of administrative services to the Board of Professional Engineers. Deadline for receiving applications is February 15, 2000.

THE CHAIR'S POINT OF VIEW

Plan Sealing Rules Change

Melvin W. Anderson Ph.D., P.E., Chair, Florida Board of Professional Engineers



Many of the thousands of telephone calls the Board office gets each year deal with questions concerning Florida's requirements for signing and sealing plans. Florida is one of a few jurisdictions that require each sheet of plans filed for record to contain the impression seal, signature and date of the professional engineer responsible for the plans. The Board has received numerous comments suggesting that the requirement be changed to allow rubber stamps or CADD generated signature and seals; however, it is the position of the Board that the impression seal and the original signature and date of the engineer is the best protection to the public against

unauthorized, and perhaps unwise, changes to plans. Understanding that it is time consuming to sign, date, and place the impression seal on each of what could be a number of plan sheets it should be pointed out that the requirement is only for plans "filed for record". Those plan sheets that are provided to contractors or sub contractors for bid purposes and are not plans filed with any federal, state, county, district, authority, municipal or other governmental agency in

(Continued on page 5)



Disciplinary Enforcement Activity

John J. Boswell, P.E.

PE 9276

Case No. 98-02938

The licensee was charged with signing and sealing stormwater calculations that were not prepared under his responsible supervision. He was also charged with negligence for mathematical errors in the calculations.

He entered into a Stipulation with FEMC for a Reprimand, a \$1,000 fine, and a two-year probationary term during which he will submit a list of projects for peer review, complete the Board's Study Guide, and complete a course in Professionalism and Ethics.

Cornerstone Engineering and Surveying, Inc.

EB 2129

Case No. 99-00042

This engineering business was charged with offering engineering services while its license was in delinquent status and with failing to timely notify the Board of its change of address and qualifying engineer.

The business entered into a Stipulation with FEMC for a \$1,000 fine.

George T. Crouse, P.E.

PE 8892

Case No. 98-14761

The licensee was charged with negligence in the practice of engineering. He acted as a delegated engineer for a project known as the Dadeland North Station Mall in Miami, Florida. As such he was responsible for the design of the pre-cast, pre-stressed concrete joists used in this three-story building. He was charged with three counts of negligence relating to deficiencies in structural calculations, sealing joist drawings that did not have the structural capacity to support the live loads

specified on the joist drawings and on the structural engineering drawings, and with failing to properly coordinating shoring of the joists between shop drawings and calculations.

The licensee entered into a Stipulation with FEMC for payment of a \$3,000 fine, a Reprimand, probation for two years with submission of a list of projects in forty-five days for peer review and submission of a second list within one year, and completion of a course in Professionalism and Ethics.

Allen A. Davis, P.E.

PE 8986

Case No. 97-13407

Licensee was charged with negligence in regard to a set of electrical engineering plans. Licensee is a civil/structural engineer but sealed an electrical plan in a set of residential drawings. He disputed the allegation that he was negligent and elected a formal hearing before an Administrative

Law Judge. The Judge found the

licensee guilty because he had signed and sealed the deficient document but that he had violated the Board's rules unintentionally. The

Recommended Order was presented to the Board which imposed a reprimand.

Gary P. Grunau, P.E.

PE 34737

FEMC Case No. 99-00021

The licensee was charged with violating a provision of Chapter 471 for offering engineering services through a company that does not hold a Certificate of Authorization and with permitting his seal to be affixed to plans that were not prepared under his responsible supervision.

The licensee is the Chief Executive Officer of the Grunau Company, a mechanical contractors and fire protection company located in Orlando, Florida. The Grunau Company offers engineering services in the state of Florida but did not hold the required Certificate of Authorization. The licensee's company also submitted final engineering plans in approximately nineteen different projects that were sealed with the licensee's seal, but had not been prepared by him or under his responsible supervision, direction, or control.



Members of the Board of Professional Engineers

Melvin W. Anderson, Ph.D., P.E., Chair

(Educator)
1/9/96 - 10/31/01

Murthy V. Bondada, Ph.D., P.E.

(Civil)
11/29/99 - 10/31/02

Alvin G. Coby

(Public)
2/10/92 - 10/31/99

Silvia Vilato Lacasa, P.E.

(Electrical)
11/29/99 - 10/31/02

Robert Matthews, P.E.

(Civil)
11/29/99 - 10/31/03

R. Gerry Miller, Ph.D., P.E.

(Mechanical)
11/1/97 - 10/31/01

Henn Rebane, P.E.

(Electrical)
11/29/99 - 10/31/03

John W. Springstead, P.E., P.L.S.

(Civil)
3/27/97 - 10/31/01

Gloria M. Velazquez, Esquire

(Public)
11/29/99 - 10/31/02

Board of Directors

Florida Engineers Management Corporation

Eugene Bechamps, P.E., Chairman

Charles E. Langbein, P.E., Vice Chairman

Jill Collins

Robert Dlouhy, P.E.

William H. Palm, P.E.

Michael Shorstein, Esquire

Officers of Florida Engineers Management Corporation and Staff to the Board of Professional Engineers

Dennis Barton

FEMC President and BPE Executive Director

Natalie Lowe

FEMC Vice President and BPE Prosecutor

Carrie Flynn

BPE Assistant Executive Director

Phyllis Burkhart

FEMC Secretary/Treasurer

Jerry Ongley

BPE Investigator

Teresa Baker

BPE Legal Assistant

Gloria "Lyn" Barrington

BPE Application Technician

Amy Guyne

Receptionist/Administrative Assistant

Ezrone McDaniels

Administrative Assistant

Lyndsey Ongley

Administrative Assistant

Board Office Location

1208 Hays Street
Tallahassee, Florida 32301
850-521-0500 Telephone
850-521-0521 Fax
E-Mail address: Board@FBPE.org
Web page: www.FBPE.org



The licensee entered into a Stipulation with FEMC for a \$2,000 fine, a Reprimand, probation, and the completion of the Board's Study Guide and a course in Engineering Professionalism and Ethics.

Douglas Lowe, P.E.

PE 13355
Case No. 98-A0023

The licensee was charged with violating a previous Board Final Order in that he failed to pay \$2,000 of a \$5,000 administrative fine. The licensee elected a formal hearing before an Administrative Law Judge who found the licensee guilty of violating the Final Order and recommended the Board impose a six-month suspension of his license. The Board voted to impose a suspension for fifteen days.

Orlando Martinez-Fortun, P.E.

PE 22249
Case Nos. 97-20378 and 98-A0027

The licensee was charged with negligence in the practice of engineering in that in 1993, he acted as Special Inspector on a re-roofing job and failed to note numerous code violations. The licensee was also charged with fraud in the practice of engineering for filing a Certificate of Compliance with the City of Miami Beach. A third charge concerns a Final Order filed on December 19, 1996 in DBPR Case Number 96-01677. The licensee was charged with violating the Final Order by failing to submit a list of projects in a timely manner.

The licensee entered into a Stipulation with FEMC for a \$1,500 fine, an appearance before the Board, and probation for a period of two years with completion of a course in ethics within one year and submission of a list of projects each year for review.

Haskel Mayer, P.E.

PE 51432
Case No. 99-00029

The licensee was charged with providing engineering services through a corporation that did not hold a current Certificate of Authorization.

The licensee did not dispute the charges and the Board ordered a \$400 fine and issued a Letter of Caution.

Carl L. McConnell, P.E.

PE 18477
Case No. 98-A0125

The licensee was charged with permitting

his seal to be affixed to plans that were not prepared under his responsible supervision and with negligence for pre-signing blank forms that were later filled out and sealed by an unlicensed employee of the licensee.

In April 1997, the licensee agreed to design a site and development plan for a storage facility located in Charlotte County, Florida. On June 12, 1997 and April 20, 1998, an employee in the licensee's office signed and sealed engineering plans using a rubber stamp with the licensee's signature.

The Storage Project drawings dated June 12, 1997 and April 20, 1998 were not prepared by the licensee or under his responsible supervision or control in that the licensee pre-signed blank forms to be filled out according to job specifications, which forms were then sealed by an unlicensed employee of Alpha-Omega Enterprises, Inc. The licensee did not dispute the allegations and the Board issued a \$2,000 fine, probation for one year with the completion of the Board's Study Guide and a course in ethics.

Walter P. Medley, P.E.

PE 46861
Case No. 98-A0098

The licensee was charged with two counts of violating a previous Board Final Order in that the licensee failed to complete the Board's Study Guide and failed to pay his \$2,000 administrative fine.

The licensee entered into a Stipulation with FEMC for a \$3,000 fine, an appearance before the Board, completion of the Board's Study Guide and a course in Professionalism and Ethics.

Robert L. Plowfield, P.E.

PE 39759
Case No. 99-00014

The licensee was charged with one count of negligence in the practice of engineering and with one count of violating a provision of Chapter 471 by sealing plans that were incomplete.

The licensee was the Structural Engineer of Record for the 121 Alhambra Towers project, a multi-story commercial building in Coral Gables, Florida. In October 1998, Respondent signed and sealed a set of plans which were submitted to the City of Coral Gables Building and Zoning Department. When Respondent's plans were reviewed for a foundation permit, serious deficiencies with the building's foundation and wind lateral loads resisting systems were discovered.

The licensee entered into a Stipulation

with FEMC for a ninety days suspension effective December 22, 1999, a three-year probation with the submission of project lists each six months for peer review, restriction of his practice to structures below three stories until successful completion of the Structural I exam, payment of a \$2,000 fine, completion of a course in Professionalism and Ethics, and a Reprimand.

Antonio Jesus Riva, P.E.

PE 30278
Case No. 98-14764

The licensee was charged with two counts of negligence in the practice of engineering.

The licensee was the engineer of record for a project known as the Loews Miami Beach Convention Center Hotel. The Loews Hotel is a 17-story structure located in Miami Beach, Florida. On January 7, 1997, the licensee signed and sealed a set of structural engineering plans for the Loews Hotel project. The licensee was charged with sealing a shearwall design that was insufficient to withstand its intended loads and with designing a beam/column system that was overstressed and displayed an approximately 10-inch lateral deflection.

The licensee did not dispute the allegations and was issued a \$2,000 fine, a Reprimand, a suspension for ninety days, probation for three years with the submission of project lists each six months for peer review, the completion of the Board's Study Guide and a course in Professionalism and Ethics.

Donald Shackelford, P.E.

PE 24803
Case No. 99-00027

The licensee was charged with one count of violating a previous Board Final Order in that he failed to complete his course on Professionalism and Ethics within the time frame permitted by the Final Order. The licensee did not dispute the facts and was issued a \$500 fine to be paid within thirty days.

Harry O. Wagner, P.E.

PE 22663
Case No. 99-00102

The licensee charged with one count of practicing on a delinquent license. The engineer's license was delinquent for a period of approximately five months during which time he signed and sealed documents.

The licensee has entered into a Stipulation with FEMC for a Reprimand and a \$500 fine.

Florida Board of Professional Engineers In Review

At the December 8-9 meeting of the Florida Board of Professional Engineers, the Board received information or took action on the following issues:

▶ Welcomed five new members to the Board:

Murthy V. Bondada, Ph.D., PE, to replace Leila Nodarse, PE;

Robert Matthews, PE to replace Jay Patel, PE;

Henn Rebane, PE to replace David Whitston, PE;

Silvia Lacasa, PE to replace Pedro O. Martinez, PE;

Gloria Velazquez, Esquire, to replace Chester Rhodes;

▶ Approved the minutes to the October 5-6, 1999, meeting and the October 20, 1999, conference call meeting;

▶ Approved a report from the Applications Review and Educational Advisory Committees which resulted in:

▶ Approval of 57 applications for licensure by examination;

▶ Denial of 11 applications for licensure by examination;

▶ Approval of 103 applicants for licensure by endorsement;

▶ Denial of 11 applicants for licensure by endorsement;

▶ Approval of 20 applications for the Fundamentals Exam;

▶ Approval of nine applications for the Fundamentals Exam pending certain conditions;

▶ Denial of 20 applications for the Fundamentals Exam;

▶ Received a report from the Probable Cause Committee that the Panel met on November 16th, 1999 and:

▶ Found probable cause in seven cases;

▶ Found no probable cause in two cases;

▶ Reconsidered one case but did not change the previous finding of probable cause;

▶ Sent one case for additional review;

▶ Received a report on the sunset review of the Florida Engineers Management Corporation indicating there were several contentious issues that may not be resolved until OPPAGA completes its report in January;

▶ Discussed the issue of mandatory continuing education as a requirement for relicensure and concluded that, if the requirement was imposed by the legislature, the NCEES model should be followed;

▶ Received a financial report indicating FEMC is operating well within the contracted budget amount;

▶ Received a report that the EI exam scores will be available about January 13, 2000, and the PE scores on January 30, 2000;

▶ Nominated former Board member Pedro O. Martinez, P.E. for the NCEES Southern Zone Service Award;

▶ Discussed the use of the NCEES FE exam as an engineering education assessment tool;

▶ Expressed concern on the anticipated December 22, 1999, adoption of a rule defining "principle practice" and directed that the issue be placed on the February agenda;

▶ Discussed a proposed amendment to the existing sealing and signature rule to require that the registrant also place his printed name and PE or Engineering Business number on each plan sheet as well as the signature, date and impression seal;

▶ Approved a proposed rule amendment to clarify issuance of citations and notices of non-compliance and the use of mediation;

▶ Approved a proposed rule amendment to the "Responsibility Rule of Professional Engineers Concerning the Design of Fire Protection Systems";

▶ Asked that a proposed rule creating a Responsibility Rule for Professional Engineers Offering Threshold Building Inspection Services be placed on hold until language concerning "key concrete pours" be worked out;

▶ Approved a meeting schedule for the year 2000;

▶ Reviewed correspondence from the Florida Building Code Commission concerning the requirement for a PE seal for product approval by an approved product approval entity and directed Counsel Bayó to respond indicating that a Florida PE should seal and sign those Florida specific product approvals;

▶ Reviewed a number of requests for clarification on the necessity for a Florida registrant to sign and seal projects for federal property and directed Counsel Bayó to review the issue and report his recommendation to the Board in February;

▶ Reviewed a request from a national code writing group for guidance on the necessity to require a PE to design "designated anchors" to secure maintenance efforts on existing buildings and suggested that the

requirement should be for a licensed engineer in the state in which the building is located;

▶ Reviewed a request from a registrant for an interpretation as to whether or not typical documents for roof trusses are "plans" as anticipated under Rule 61G15-23.002(2), F.A.C., and require a seal, signature, and date on each page or a "specification" under the same provision and require the seal, signature and date only on the cover sheet and ruled that roof trusses plans are, in fact, plans and require the seal, signature, and date on each plan sheet;

▶ Discussed the necessity of a grandfather provision for ship designers under Chapter 471, F.S., and agreed to continue the issue to the February meeting;

▶ Discussed draft language for a rule amendment to allow an Inactive Florida Registrant to become an Active Florida Registrant without the requisite 12 hours per year of inactive status provided he was on Active status in another state and directed that it be filed as a rule amendment;

In Informal hearings:

▶ Upheld previous denials in six requests to take the FE exam;

▶ Upheld previous denial in one case to take the PE exam;

▶ Upheld previous denial in five requests for licensure by endorsement;

▶ Granted three continuances;

▶ Approved one request for licensure by endorsement with certain conditions;

▶ Denied one request for formal hearing;

▶ Adopted one Administrative Law Judge's (ALJ) recommendation to license an applicant;

▶ Adopted one ALJ's recommendation to dismiss the petition of the applicant for licensure by endorsement;

In Disciplinary Proceedings:

▶ Adopted one ALJ's recommended order in which a reprimand was recommended;

▶ Amended and adopted one ALJ's recommended order in which a suspension and a fine were recommended;

▶ Adopted eight stipulated settlements;

▶ Held four informal hearings in which the findings of fact and conclusions of law were found and various levels of discipline imposed;

▶ Deferred election of officers until the February meeting.



FLORIDA BOARD OF PROFESSIONAL ENGINEERS

1208 HAYS STREET
TALLAHASSEE, FL 32301



2000 FBPE MEETING CALENDAR

(As of Dec. 29, 1999)

Thursday, January 20, 2000
beginning at 2:00 p.m.
Board Meeting
Conference Call

January, 2000
Probable Cause Panel
At a date, time and location to be announced

February 16, 2000
Application Review and Education
Advisory Committees
10:00 a.m.
Board Office
Tallahassee, FL

Tuesday, February 22, 2000
beginning at 1:00 p.m.
Board Meeting
Best Western Gateway Grand
Gainesville, FL

Tuesday, February 22, 2000
beginning at 6:00 p.m.
Reception for College of Engineering
students and faculty
J. Wayne Reitz Union, University of Florida

Wednesday, February 23, 2000
beginning at 8:30 a.m.
Board Meeting
Best Western Gateway Grand
Gainesville, FL

Tuesday, March 14, 2000
beginning at 10:00 a.m.
Probable Cause Panel Meeting
Board Office, Tallahassee, FL

Wednesday, March 15, 2000
beginning at 10:00 a.m.
Application Review / Educational Advisory
Committees
Board Office, Tallahassee, FL

Wednesday, March 22, 2000
beginning at 2:00 p.m.
Board Meeting
Telephone Conference Call

**Thursday through Saturday
April 6 - 8, 2000**
NCEES Southern Zone Meeting
Ft. Worth, Texas

Friday, April 14, 2000
6:00 a.m. to 6:00 p.m.
Principles and Practice Exam
Miami, Orlando, and Tallahassee

Saturday, April 15, 2000
6:00 a.m. to 6:00 p.m.
Fundamentals Exam
Miami, Orlando, Tampa, Tallahassee,
Gainesville

Tuesday, April 25, 2000
beginning at 1:00 p.m.

Wednesday, April 26, 2000
beginning at 8:30 a.m.
Board Meeting
Double Tree Inn
Orlando Airport

Monday, May 15, 2000
beginning at 9:00 a.m.
Application Review /Educational Advisory
Committees
Board Office, Tallahassee, FL

Tuesday, May 16, 2000
beginning at 10:00 a.m.
Probable Cause Panel Meeting
Board Office, Tallahassee, FL

Monday, May 22, 2000
beginning at 2:00 p.m.
Board Meeting
Telephone Conference Call

Thursday, June 15, 2000
beginning at 9:00 a.m.
Application Review /Educational Advisory
Committees
Board Office, Tallahassee, FL

Tuesday, June 20, 2000
beginning at 1:00 p.m.
Wednesday, June 21, 2000
beginning at 8:30 a.m.
Board Meeting
Westin Beach Resort
Key Largo, FL

Wednesday, July 12, 2000
beginning at 9:00 a.m.
Application Review /Educational Advisory
Committees
Board Office, Tallahassee, FL

Thursday, July 13, 2000
beginning at 10:00 a.m.
Probable Cause Panel Meeting
Board Office, Tallahassee, FL

Wednesday, July 19, 2000
beginning at 2:00 p.m.
Board Meeting
Telephone Conference Call

Please Distribute
to others who may
be interested

