

MINUTES
POLICY ADVISORY OPINION COMMITTEE MEETING
TEXAS BOARD OF PROFESSIONAL ENGINEERS
1917 S. IH 35
Austin, Texas 78741
November 15, 2018—9:30 AM

CALL TO ORDER. Kyle Womack, P.E., Chair, called the Policy Advisory Opinion Committee meeting of the Texas Board of Professional Engineers to order at 9:38 a.m. on November 15, 2018, at the Texas Board of Professional Engineers, 1917 S. IH 35, Austin, TX. A quorum was present. (NOTE: all votes are unanimous unless noted.)

1. Roll call and welcome visitors.

Ms. Bodden called the roll. It was noted for the record that a quorum was present.

The following Committee members were present:

Kyle Womack, P.E.	Chair
Lamberto Ballí, P.E.	Member
Dr. Sina Nejad, P.E.	Member
Albert Cheng	Member

Ms. Veena Mohan, Assistant Attorney General, was present to provide legal counsel to the Board. Dr. Edward Summers, Board Member; Ms. Catherine Norwood, P.E., Board Member; Dr. Daniel Wong, P.E., Board Chair were present.

The following staff members were present:

Lance Kinney, Ph.D., P.E.	Executive Director
David Howell, P.E.	Deputy Executive Director
Rick Strong, P.E.	Director of Licensing
Michael Sims, P.E.	Director of Compliance and Enforcement
Morgen Cuming, JD	Staff Attorney
Cristabel Bodden	Executive Assistant

Visitors: Terry Bilderback, P.E., Texas Society of Professional Engineers (TSPE); Kent O'Brien, P.E., Texas Department of Transportation; Stephanie Stanford, P.E., TSPE; Scott Stewart, American Council of Engineering Companies of Texas.

2. Public comment. None.

DISCUSS AND POSSIBLY ACT ON THE FOLLOWING (AGENDA ITEMS 3-6):

3. Discuss and possibly approve the August 23, 2018, Policy Advisory Opinion Committee Meeting Minutes.

It was MOVED/SECONDED (Ballí/Nejad) to approve the August 23, 2018, Policy Advisory Opinion Committee minutes as submitted. A vote was taken and the MOTION PASSED.

4. Discuss and possibly approve the response for:

- **Request for Policy Advisory Opinion Regarding Texas P.E. Licensing Requirements for Contractors and Subcontractors.**

Mr. Sims relayed that the request was received in late July from Steve Davidow with Quanta Subsurface. The requestor seeks clarification on whether a primary contractor who is not an Engineering Firm can manage and be fully responsible for the engineering portion of an overall project.

Mr. Sims relayed that after review, the questions posed are already adequately addressed by existing Board rules. Mr. Sims stated that staff have prepared a response letter to the requestor and is included in the Board materials. Upon Board approval, the response letter will be sent to Mr. Davidow. The response letter and a copy of the initial letter will be posted on the Board's website.

Board Members discussed the letter and the responsibility of the Professional Engineer, firm, and contractors and subcontractors.

Mr. Womack asked that staff report back at February's committee meeting with the questions posed by the Board Members and discussion that ensued on this request and any possible changes to the response that may be needed.

It was MOVED/SECONDED (Ballí/Nejad) to table this Agenda item for future discussion. A vote was taken and the MOTION PASSED.

5. Issues for consideration for future board meetings. None.

6. ADJOURN.

It was MOVED/SECONDED (Nejad/Ballí) to adjourn the meeting at 10:08 a.m. A vote was taken and the MOTION PASSED.

Date minutes were approved by Committee as submitted:
Date Board accepted minutes:

February 14, 2019
February 14, 2019