

MINUTES
POLICY ADVISORY OPINION COMMITTEE MEETING
TEXAS BOARD OF PROFESSIONAL ENGINEERS
1917 S. IH 35
Austin, Texas 78741
February 14, 2019—10:00 AM

Discuss and Possibly Act on the Following Agenda Items:

1. Preliminary Matters:

A. Call to Order

Mr. Lamberto Ballí, P.E., Chair, called the Policy Advisory Opinion Committee meeting of the Texas Board of Professional Engineers to order at 10:00 a.m. at the Texas Board of Professional Engineers, 1917 S. IH 35, Austin, TX. (NOTE: all votes are unanimous unless noted.)

B. Roll Call

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

The following Committee members were present:

Lamberto Ballí, P.E.	Chair
Ademola Adejokun, P.E.	Member
Sina Nejad, Ph.D., P.E.	Member
Rolando Rubiano, P.E.	Member

Veena Mohan, Assistant Attorney General, was present to provide legal counsel to the Board. Jose I. Guerra, P.E., and Govind Nadkarni, P.E., Advisory Members were present. Albert Cheng; Catherine Norwood, P.E.; Elvira Reyna; Rolando Rubiano, P.E.; Kiran Shah; Board Members and 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
Cristabel Bodden	Executive Assistant

C. Possibly excuse absent committee members. All committee members were present.

D. Welcome Visitors

Mark Hanna, P.E., Texas Society of Professional Surveyors (TSPS); Sockalingam Kannappan, P.E.; Robert Keys, Robert Keys & Associates; Bill O'Hara, P.E., TSPS; Stan Piper, Piper Surveying Company; June Melton, P.E., Amstar Engineering; Heather Sides, LJA Surveying; Trish Smith, P.E., Texas Society of Professional Engineers; Scott Stewart, American Council

of Engineering Companies of Texas; Dr. Edward Summers; Austin Taylor, Attorney General's Office; and Kyle Womack, P.E.

E. Public comment. None.

2. November 15, 2018 Policy Advisory Opinion Committee Meeting Minutes.

It was MOVED/SECONDED (Nejad/Ballí) to approve the November 15, 2018, Policy Advisory Opinion Committee minutes as submitted. A vote was taken and the MOTION PASSED. Mr. Adejokun and Mr. Rubiano abstained as they were not present at the November 15, 2018 Policy Advisory Opinion meeting.

3. Request for Policy Advisory Opinion Regarding Texas P.E. Sealing Requirements for Contractors and Subcontractors.

Mr. Ballí asked Mr. Sims to describe the Policy Advisory Opinion process to the new Board Members.

Mr. Sims stated that the process was established to assist those that have questions that are not clearly answered via the current statute and rules. They can send a letter to the Board asking for clarification for their specific situation and receive guidance from the Board.

Mr. Sims discussed the letter received from Mr. Davidow who sought 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 a response letter has been presented to the Committee for approval and recommendation to the full Board.

Committee Members discussed the letter and the responsibility of the Professional Engineer, firm, and contractors and subcontractors submitted at the last Committee meeting.

It was MOVED/SECONDED (Nejad/Rubiano) to present the letter response as presented to the full Board for approval. A vote was taken and the MOTION PASSED.

4. Issues for consideration for future board meetings.

Mr. Ballí asked that staff examine the process of answering the immediate questions on hand directly or consider larger policy implications and what the appropriate venue for these questions would be. Mr. Adejokun asked that guidelines be provided to Committee Members.

5. Adjourn.

It was MOVED/SECONDED (Rubiano/Adejokun) to adjourn the meeting at 10:24 a.m. A vote was taken and the MOTION PASSED.

Date minutes were approved by Committee as submitted:

May 23, 2019

Date Board accepted minutes:

May 23, 2019