



PE Signing and Sealing Update

Kendal R. Walus, PE
State Structure and Bridge Engineer
December 18, 2007



PE Signing and Sealing Committee Membership

COMMITTEE COMPOSITION:

Sponsor: Malcolm T. Kerley, PE – Chief Engineer

Chairman: Kendal R. Walus, PE – Division Administrator, State S&B Engineer

William D. Arel, PE – Section Manager, C. O. Location and Design Division;
Larry C. Caldwell, PE – Asst. Division Administrator, Traffic Engineering Division;
Robert Cary, PE, LS – Preliminary Engineering Manager, Salem District;
Emily S. Elliott – Assistant Division Administrator, Human Resource Division;
Robert W. Hofrichter – Asst. Division Administrator, Asset Management Division;
Adam J. Jack, PE – Preliminary Engineering Manager, Hampton Roads District;
John D. Lynch, PE – District Location and Design Engineer, NOVA District;
David D. Nuckols, PE – Assistant Division Administrator, S&B Division;
Matthew Shiley, PE – Regional Traffic Engineer, Northwestern Traffic Operations;
Kenneth J. Shirley, PE – District Construction Engineer, Culpeper District;
Jim Smith – Central Region Operations Director;
Nancey Widgen Woodson, PE – District S&B Engineer, Salem District; and
Michael W. Zmuda, PE, LS – State Survey Engineer, Location and Design Division

Committee Mandates

MANDATES:

- 1A. The Committee will determine what technical documents developed by VDOT will require sealing and signing by a professional (Professional Engineer (PE), Licensed Surveyor (LS), Landscape Architect (LA))
- 1B. The Committee will determine the global impact to VDOT's staffing as a result of this requirement
2. The Committee will review and determine the requirements created by the revisions to the DPOR's regulations dated February 1, 2007
3. The Committee will review and highlight existing liability insurance coverage and address liability concerns

Engineering Disciplines Reviewed

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- Traffic Engineering
- Structure and Bridge
- Location and Design
- Scheduling and Contract
- Survey
- Materials
- Residency
- Right of Way and Utilities
- Environmental

Technical Document Determination Process

Mandate 1A - The Committee established a recommended list of technical documents requiring the sealing and sealing by a professional by the following process:

- Committee members individually generated technical documents within each discipline which were then combined into a consolidated technical document list to be reviewed and voted on by the entire Committee
- Each document was reviewed and through consensus the Committee decided which would require a professional seal and signature
- Both lists of those documents requiring and not requiring sealing and signing are provided



Mandate 1B – Number of Affected Positions

VDOT REQUIRED PROFESSIONAL ENGINEERING POSITIONS - JULY 2007

Location of Personnel	Central Office	Bristol	Culpeper	Fredericksburg	Hampton Roads	Lynchburg	NOVA	Richmond	Salem	Stuanton	Totals	Net Change
Administrative Services	1	0	0	0	0	0	0	0	0	0	1	0
Commissioner's staff	1	0	0	0	0	0	0	0	0	0	1	0
Land Development	0	0	1	0	0	0	4	0	0	0	5	0
Location and Design	24	4	4	4	6	4	7	7	5	5	70	16
Maintenance	0	0	0	0	1	0	0	0	0	0	1	0
Materials	14	2	2	2	2	2	2	2	2	2	32	9
PE Manager	0	0	1	1	1	0	1	1	1	0	6	0
Project Management	0	0	0	0	4	1	4	1	0	0	10	0
Research Council	15	0	0	0	0	0	0	0	0	0	15	0
Residency	0	6	4	4	3	5	0	8	6	5	41	28
ROW & Utilities	1	0	0	0	0	0	0	0	0	0	1	0
Scheduling and Contract	6	6	3	4	6	4	8	8	7	7	59	2
Structure and Bridge	30	5	5	4	3	6	6	5	7	4	75	15
SUBTOTALS =	92	23	20	19	26	22	32	32	28	23	317	70

Location of Personnel	Central Office	South Western Region	Central Region	Eastern Region	Northern Region	North Western Region	Totals	Net Change
Operations/Traffic	7	7	5	7	5	5	36	12

Grand Total = 353 82

VDOT REQUIRED LANDSCAPE ARCHITECT POSITIONS - JULY 2007

Location of Personnel	Central Office	Bristol	Culpeper	Fredericksburg	Hampton Roads	Lynchburg	NOVA	Richmond	Salem	Stuanton	Totals	Net Change
Landscape Architects	2	0	0	0	0	0	1	0	0	0	3	0

Mandate 1B – Number of Affected Positions

Licensed Surveyors - July 2007		
Location of Personnel	Number Required	Net Change
Bristol	4	(1)
Culpeper	3	1
Fredricksburg	3	1
Hampton Roads	5	1
Lynchburg	4	(1)
NOVA	4	0
Richmond	5	1
Salem	5	1
Staunton	3	0
Central Office	3	0
TOTALS =	39	3

Mandate 2 – DPOR Regulation Changes

February 1, 2007 – New Regulations Released

Changes of significant interest to VDOT

- “Numerous clarifying changes including amendments to clarify the Board’s requirements relating to “responsible charge” and “direct control and personal supervision.”

Mandate 3 – Liability Insurance Coverage

- **Virginia is Self Insured - Department of the Treasury, Division of Risk Management issued a certificate of coverage**
- **What is the coverage:**
 - **\$100,000 – covers all cases as outlined in the Code of Virginia**
 - **\$2,000,000 - situations that are specifically not covered by the Code of Virginia**
 - Employment practice issues
 - Federal lawsuits
 - Out of state lawsuits (car accident)
- **Who is covered:**
 - **Professionals performing professional services for the State**
- **Who is not covered:**
 - **Professionals performing professional services for someone other than the State (i.e. side jobs, volunteer work)**
 - **Gross negligence by the professional**

RECOMMENDATIONS

- The technical documents recommended should be sealed and signed by a professional or an exempt employee
- VDOT should designate to the highest level of responsible charge that still meets the requirement of direct supervision outlined in the DPOR's Regulation
- Exempt employees shall sign the work they produce or supervise until July 1, 2010. In addition to the Exempt employees signature the following wording shall accompany the signature "Exempt by Code Article 54.1-402.1"
- An implementation plan should be effective as soon as possible in order for VDOT to be in compliance with DPOR's September 8, 2006 ruling

RECOMMENDATIONS

- Develop the standard practice by which the recommended technical documents will be sealed and signed.
- Training should be provided for all affected employees
- The Human Resource Division should perform an analysis of the proposed new licensure positions in order to determine if the existing incumbents in these positions have a professional license or are exempt by Code.

Implementation Status

- VDOT will begin the implementation of the committees recommendations starting July 1, 2008
- VDOT will inform DPOR in January 2008 of our plans
- VDOT will develop the process of how to sign and seal documents Jan-April 2008
- VDOT will provide internal training May–June 2008



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