

SEAI NEWSLETTER

November 2006



Structural Engineers Association of Idaho

P.O. Box 8733, Boise, ID 83707

www.seaidaho.org

SEAI Mission Statement:

"To promote and enhance the Structural Engineering profession in Idaho by educating the public about the activities of Structural Engineers and their benefit to society and by providing professional development and support to SEAI members that is relevant, reliable, and inspirational to modern engineering practices."

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NEXT SEAI MEETING — NOV 21ST

SEAI holds regular meetings every third Tuesday of the months September thru June.

Please RSVP with entrée selection to Wilson Antoniuk at antoniw@trusjoist.com or 395-2458 by noon the Friday before the meeting.

We will turn no one away at the door, but if we do not receive your RSVP on time we cannot guarantee that there will be any food for you to eat! Please note that, regardless of whether you eat or not, you will still need to pay meeting fees, so get those RSVP's in! **Also, if you RSVP and decided not to show, Murphy's will still charge SEAI for your lunch and SEAI will politely pass this charge on to you.**

HAVE A SUGGESTION FOR A MEETING?

If you have any suggestions for future speakers, items of discussion or anything else that you think would be beneficial to the structural engineers attending SEAI meetings, please send your comments/ideas to Wilson Antoniuk by email at antoniw@trusjoist.com or by phone at 395-2458.

Meeting Location:

Murphy's Seafood & Steakhouse
1555 Broadway Ave.
Boise, ID 83705



Food Entrées:

- 1) Mushroom Ravioli
- 2) Whiskey Chicken
- 3) Beef Chop Burger

Meeting Focus:

Hurricane Katrina Damage

Speaker:

Ed Houston (see www.seaidaho.org for more info)

Schedule:

Social:	11:45 am – 12:00 pm
Lunch:	12:00 pm – 1:00 pm
Program:	12:00 pm – 1:00 pm

Cost Per Person:

Member:	\$15
Non-Member:	\$20
Full Time Student:	\$10



ASK A CONSTRUCTION LAWYER

ATTORNEY FRANKLIN G. LEE

In this month's edition of "Ask a Construction Lawyer" two questions have been answered (which are the same as last month's questions in case you missed them).

AM I LIABLE IF I DON'T STAMP DRAWINGS?

Reader's Question: I am a licensed professional engineer. I don't stamp any of my own drawings or calculations due to my company's office policy. If something goes wrong on a project I worked on but didn't stamp, what is my liability?

Frank's Answer: This question raises three independent issues. The first issue is the responsibility of an engineer for his or her own errors. The second issue is the responsibility of an engineer who supervises the work of others, but does not actually "stamp" the other's work. The third issue is the responsibility of a "stamping" engineer. As you will see from the discussion below, an engineer's liability under the law generally follows practical responsibility.

An engineer is generally liable for his or her own errors and omissions, whether or not another engineer stamps his or her work. An engineer's error is not excused because another engineer failed to discover it.

An engineer who works on a project, but does not stamp the project drawings or calculations, would ordinarily be responsible for his or her own

errors and omissions, unless the engineer supervised (or was otherwise responsible for) the person who made the error or omission. For example, an engineer who supervises others would likely be responsible for the errors or omissions of the people under his or her supervision, even if another engineer in the firm (e.g., the senior partner) stamps the drawings and calculations.

An engineer who stamps a set of drawings or calculations adopts those drawings or calculations as his or her own work product. Accordingly, the engineer would ordinarily be responsible for any error or omission in the drawings or calculations, whether or not the engineer actually made the error or omission.

I recommend that engineering firms have sufficient professional liability insurance coverage to protect everyone in the firm, which moots questions about which engineer(s) bears responsibility for an alleged error or omission.

AM I LIABLE FOR ERRORS MADE AFTER I LEAVE MY FIRM?

Reader's Question: I stamped the drawings for a project that is about to be constructed. My current firm holds the contract with the owner, so the project will stay with the firm if I leave. Am I still liable for the project if I leave the firm? For example, could I be dragged into litigation if the engineer that takes over the project makes an error or omission in answering a future RFI?

Frank's Answer: As discussed in the answer to the previous question, an engineer who stamps a set of drawings adopts those drawings as his or

her own work product. Accordingly, that engineer would ordinarily be responsible for any professional engineering errors or omissions in the drawings that were stamped, whether or not the engineer actually made the error or omission. This liability is personal to the engineer and stays with the engineer whether or not the engineer changes firms. However, if an engineer stamps a set of drawings for a project and then ceases working on the project, that engineer would ordinarily not be responsible for errors or omissions that occurred after his or her involvement in the project.

If an engineer makes an error or omission in answering an RFI, it is easy to see how the first engineer may be dragged into litigation over the second engineer's mistakes. An owner (i) may not always be able to determine which engineer made the error, or (ii) may argue that first engineer's stamped drawings contributed to the circumstances that cause the erroneous RFI.

Finally, when an engineer leaves a firm, he or she should make sure the firm's professional liability insurance continues to provide coverage for any errors and omissions that occurred while the engineer was with the firm.

Frank Lee is an attorney and partner at the local law firm of Givens Pursley LLP who focuses his practice on real estate, construction and land use law.

NOTE: THIS COLUMN ADDRESSES GENERAL LEGAL ISSUES ONLY. IT WILL NOT BE LEGAL ADVICE TO YOU AND SHOULD NOT BE RELIED ON AS SUCH. IF YOU WANT LEGAL ADVICE, YOU WILL NEED TO HAVE A DIRECT CONSULTATION WITH A LAWYER. THE COLUMN IS NOT INTENDED TO CREATE, AND DOES NOT CREATE, A LAWYER-CLIENT RELATIONSHIP. YOU SHOULD NOT ACT UPON ANYTHING IN THIS COLUMN WITHOUT SEEKING PROFESSIONAL COUNSEL

DO YOU HAVE A LEGAL QUESTION THAT WOULD BE OF INTEREST TO THE STRUCTURAL ENGINEERING COMMUNITY?

Submit it to sarah.mcclendon@mcm-eng.com with "Ask a Construction Lawyer (c/o Sarah McClendon)" in the subject line or by fax to (208) 342-4216. Although you will not receive a personal reply, your question may be addressed and published as part of this column. All questions will be anonymous, unless specifically directed otherwise.

Announcements:

The 2008 Northwest Structural Engineers Association Conference will be held in beautiful Sun Valley, Idaho. The NW SEA Conference Committee has only one open position left: **Social Chair**. If you are interested in being part of the Conference Committee and you would like to be in charge of all social activities including planning the meals, night time entertainment, and daytime activities for family members please contact Chris Holladay at cholladay@ahjengineers.com.

As part of your SEAI membership you should be receiving **STRUCTURE® magazine** in the mail every month. If you are not, please verify that you have paid your SEAI dues this year and then send your name and mailing address to Sarah McClendon at sarah.mcclendon@mcm-eng.com.

HAVE AN INTEREST IN STRUCTURAL ASSESSMENT AFTER DISASTERS?

SEAI has been asked to form a Structural Engineers Emergency Response (SEER) Committee Program. Volunteers will need to complete the SEER training program and then they will be placed on the national SEER committee data base. After successful completion of the training course you could be called to help in the structural assessment of buildings after earthquakes, hurricanes, terrorist attacks, etc. across the nation. If interested, please send your contact information to sarah.mcclendon@mcm-eng.com.

SEA NORTHWEST CONFERENCE & WCSEA MEETING – SUMMER 2008

Thank you to all of those who have volunteered and, if you have not yet considered volunteering, please look into the last position available.

The Structural Engineers Association Northwest Conference and Western States Roundup are to be hosted by the Idaho Chapter during the summer of 2008. This event will be a three day conference combining SEA Board Meetings, technical programs, vendor exhibits, social events, and recreational events all hosted by SEAI. This is a well attended event that brings in structural engineers from Idaho, Washington, Oregon, and British Columbia. Keep checking the Newsletter each month for updated information.

GET INVOLVED WITH YOUR NEWSLETTER!

The SEAI Newsletter is a monthly publication. Newsletter submissions are encouraged from the SEAI community. If you have a suggestion, feature, link, product review or anything else that may be of interest to the newsletter readers, please email them to our newsletter editor, David Sansotta, at david.sansotta@ehmengineers.com

Check out this interesting link:

<http://www.engineeringsights.org/>

This site has a record of engineering sites located throughout the country. If you are going to be traveling and want to see what is along the way, take a look and maybe even take a picture to send into your newsletter.

LET YOUR MEMBERSHIP WORK FOR YOU!

Please feel free to contact our board members with ideas or suggestions for program/speaker topics or how SEAI can better represent the Structural Engineers of Idaho.

**WISH TO PLACE AN AD
IN THE NEWSLETTER?**

If so, please contact our Treasurer, Brian Garner, at bgarner@callengineering.com or at 323-0199.

Monthly Rates for Advertising

Standard Business Card.....\$50
Quarter Page.....\$90
Half Page.....\$120
Full Page.....\$150

10% discount for ads running multiple months

EVENT CALENDAR

(EVENTS ARE SUBJECT TO CHANGE)

- November 21:** Ed Houston – Katrina Damage
- December:** No Meeting
- January 16:** Ron Reaveley – Lessons Learned in Structural Engineering
- February 20:** Ron Hamburger – Progressive Collapse: Steel Structures
- March 20:** Tony Young – NWCMA Masonry Code Update
- April 17:** **Full Day Seminar: S.K. Ghosh – Transitioning from the 2003 IBC to the 2006 IBC**
- May 15:** Dave Curtis - Responsible Charge

Engineering problems are under-defined; there are many solutions, good, bad and indifferent. The art is to arrive at a good solution. This is a creative activity, involving imagination, intuition and deliberate choice.

- Ove Arup



STRUCTURAL ENGINEERING LINKS

FEATURED LINK: **"Structures are held up by both luck and skill" By Ken Carper**
<http://www.djc.com/special/const97/10023874.htm>

Applied Technology Council - <http://www.atcouncil.org>

Idaho Board of Professional Engineers and Land Surveyors - <http://www2.state.id.us/ipels/>

City of Boise Sp. Insp. Checklist – http://www.cityofboise.org/pds/applications/Building/Special_Inspections.pdf

Design Build Magazine (McGraw-Hill) - <http://www.designbuildmag.com/>

Engineering & (Bi-Weekly Newsletter) - <http://www.engineeringand.com>

Engineering Forum - <http://www.eng-tips.com/>

Structural Engineers Association International - <http://www.seaint.org/>

Structural Engineers Association of Utah - <http://www.seau.org/>

Structural Engineers Association of Washington - <http://www.seaw.org/>

Structural Engineers of Oregon - <http://www.seao.org/main.htm>

Structural Engineers of Idaho - <http://www.seao.org/main.htm>

National Council of Structural Engineers Association - <http://www.ncsea.com>