

# SEAI NEWSLETTER



## Structural Engineers Association of Idaho

P.O. Box 8733, Boise, ID 83707

[www.seaidaho.org](http://www.seaidaho.org)

## BOARD OF DIRECTORS & AND COMMITTEE CHAIRS

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.

### President

Sarah McClendon – McMillen Engineering  
[sarah.mcclendon@mcm-eng.com](mailto:sarah.mcclendon@mcm-eng.com) 342-4214 x306

### Vice-President

Chris Holladay – AHJ Engineers  
[cholladay@ahjengineers.com](mailto:cholladay@ahjengineers.com) 323-0199

### Treasurer

Brian Garner – Call Engineering  
[bgarner@callengineering.com](mailto:bgarner@callengineering.com) 321-2656

### Secretary

Kent Soelberg – CH2M Hill  
[Kent.soelberg@ch2m.com](mailto:Kent.soelberg@ch2m.com) 383-6349

### Director and QBS Representative

Scott Soule – Treasure Valley Engineers  
[ssoule@tveinc.com](mailto:ssoule@tveinc.com) 333-9611

### Director

Greg Leishman – Stapley Engineering  
[Gregl@stapley.net](mailto:Gregl@stapley.net) 375-8240

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### Past President

Shawn Reeder – Performance Engineers  
[shawnr@idahotruss.com](mailto:shawnr@idahotruss.com) 888-5200

### Program/Seminar Chair

Wilson Antoniuk – Trus Joist  
[antoniw@trusjoist.com](mailto:antoniw@trusjoist.com) 395-2458

### Membership Chair

Ash Hobbs  
[ashhobbs@hotmail.com](mailto:ashhobbs@hotmail.com) 884-8560

### Newsletter/Website Editor

Tyler Haney – Treasure Valley Engineers  
[thaney@tveinc.com](mailto:thaney@tveinc.com) 333-9611

### Building Code Chair

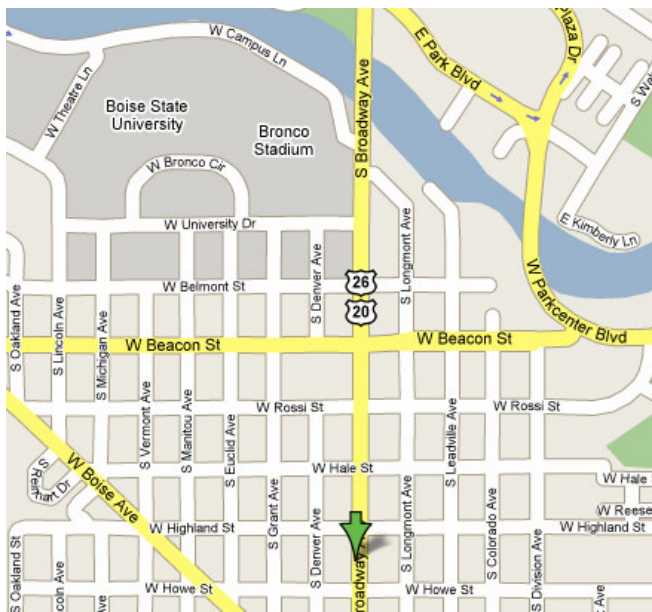
Mike Brown – EHM Engineers  
[Mike.brown@ehmengineers.com](mailto:Mike.brown@ehmengineers.com) 386-9170

## NEXT SEAI MEETING — SEPT 19<sup>TH</sup>

**SEAI is BACK!** Now don't get all depressed because you think the summer is over, you actually have a few more days—fall officially starts September 23, 2006. SEAI will now continue our regular meeting schedule of every third Tuesday of the month, beginning on September 19<sup>th</sup>, 2006. Please RSVP with entrée selection to Wilson Antoniuk at 395-2458 or [antoniw@trusjoist.com](mailto:antoniw@trusjoist.com) for this meeting by Friday at noon!!! We will turn no one away at the door, but if we do not receive your RSVP on time we can't guarantee that there will be any food for you to eat! Also, please note that you will still have to pay meeting fees whether you eat or not so get those RSVP's in!

### NEW 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:

Quality Assurance per IBC Chapter 17

### Speaker:

Sue Frey from CH2M Hill's Corvallis, OR office

### 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

### 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](mailto:antoniw@trusjoist.com) or by phone at 395-2458.



*Scientists dream about doing great things.  
 Engineers do them.*

— James A. Michener



## A MESSAGE FROM THE PRESIDENT

**SARAH MCCLENDON**

### – THE STATE OF SEAI –

Welcome to a new year of SEAI meetings and activities! I am very excited to be working with this year's newly elected Board Members and Committee Chairs. I hope together we can all work towards promoting the Structural Engineering profession here in Idaho!

SEAI represents people, buildings, and bridges in Idaho. We are responsible for designing the life safety of our state. We all recognize that our profession is growing and changing and SEAI is working diligently to help everyone stay current with those changes.

There are several items that the SEAI Board Members have been discussing over the summer months. We have focused a large portion of our energy on the near future which includes the possible adoption of the 2006 IBC and IRC in late 2007. We have been investigating the current state and local amendments to the codes for their accuracy and relevance and we are working towards having a louder voice when it comes to revising the amendments in the future. We have also been forming a committee that will organize and run the Northwest Structural Engineers (NW SEA) Conference that Idaho will be hosting in 2008.

### **THE PROFESSION, THE ORGANIZATION**

Structural Engineers are getting more publicity in some areas and not enough in other areas. When something collapses whether it's due to Mother Nature, terrorist attack, or unforeseen loads; we are usually criticized or blamed. When a structure is left standing long enough for people to exit safely; we are given no credit. Like any profession we are bound by ethics, codes, and politics. It's a constant balancing act of informing our clients of what we can do and understanding the reasoning behind the code authors who tell us what we have to do. More importantly SEAI is striving for means to apply relevance through practical examples and education to the local conditions of Idaho.

SEAI is being strengthened by our recent proactive approach to making connections with other state SEA chapters. Last July, I attended the Northwest Structural Engineers Association (NW SEA) and Western Council Structural Engineers Association (WC SEA) Conferences as a delegate. This month SEAI is sending two delegates to the National Council Structural Engineers Association (NC SEA) Conference. These conferences enable SEAI with political power at the State, Regional, and National levels on issues such as licensing, certification, code adoptions and amendments, and public awareness.

Our most important task, however, has been brainstorming on how to make SEAI more valuable to our members in this upcoming year.

We received positive feedback last year about moving our meetings to lunch time. So, our meetings will continue to be at lunch. We have selected a new location, Murphy's Seafood and Steakhouse, which offers convenient parking, excellent food, and large banquet room facilities. Our goal this year is to turn no one away at the door due to lack of space!

### THE INDIVIDUAL MEMBER

SEAI offers its members a variety of benefits including professional development and networking opportunities. We have worked hard during the summer months to put together a schedule of programs that directly relate to current codes and what will prepare us for the near future changes. We strive to make these future transitions a little easier by anticipating the inevitable code changes, new materials and products.

Our lunch programs are designed to educate and encourage responsible engineering design. We have invited high quality speakers to present to us on topics ranging from code changes to "lessons learned" from structural failures. The lunch time format offers, not only a good meal, but a time to interact with colleagues in an informal, more social environment.

We also offer the opportunity to ask free legal advice in our monthly newsletter, a monthly subscription to Structure Magazine, and discounts to monthly meetings and seminars. SEAI members saved over \$200 on the registration fee

at last months AISC Steel Manual Seminar in Boise!

Although Idaho does not require professional development hours (PDH) other neighboring states do. If you are licensed in a state that requires PDH's you can collect up to 24 units annually through your SEAI involvement.

#### PROFESSIONAL DEVELOPMENT HOURS AVAILABLE THROUGH SEAI INVOLVEMENT

(7) 50 minute lunch programs	= 7 PDH
(1) 6 hour seminar	= 6 PDH
SEAI paid membership	= 3 PDH
Active SEAI participation	= 3 PDH *
Technical published article	= 5 PDH **
<b>Possible Annual PDH Units</b>	<b>= 24 PDH</b>

\* Active participation includes becoming a board member, officer, or committee chair.

\*\* Article may be published in the SEAI monthly newsletter. Up to 5 PDH units are assigned based on the extent at which the article added to the engineer's knowledge base and the article is relating to the Structural Engineering field.

**NOTE:** It is the individual's responsibility to keep their own records of PDH units acquired and verify all qualifying requirements with any jurisdiction or agency outside of Idaho.

Finally, the old saying that "you get out of it what you put into it" is true for SEAI too. There are plenty of opportunities for anyone to get involved in. We have committee openings still available for the NW SEA Conference hosted by Idaho in 2008. There are open committee positions on the current SEAI Board as well, and our newsletter is the perfect medium to write an article sharing one of your professional experiences. Just ask any board member how you can get involved.

## THE BOARD MEMBERS

Now for an introduction on this year's Officers and Committee Chairs and a description of the projects they are working on for SEAI:

**Chris Holladay**, Vice President, has been working in preparation of Idaho hosting the 2008 Northwest Structural Engineers Association conference. This multi-day conference attracts structural engineers from neighboring states and Canada for numerous round table discussions and technical lectures. It is an excellent opportunity for Idaho engineers to show off their accomplishments in the profession.

**Mike Brown**, Building Code Chair, has been relentless in getting involved with the 2006 IBC adoption process. He will be attending the 2006 Nation Council Structural Engineers Association (NC SEA) Conference in Salt Lake City this month as a SEAI delegate to discuss the upcoming codes and the amendments that are specific to Idaho's needs.

**Scott Soule**, Director, has been supporting Mike with the building code adoption process while also acting as our Quality Based Selection (QBS) representative. QBS is an objective and fair process used to select design professionals based on their qualifications in relation to the project and not by lowest fee.



**Brian Garner**, Treasurer, has been diligently keeping our finances in order. This task is critical to our operation as the cost of living is skyrocketing in Idaho. How many of you have had lunch in downtown Boise lately and noticed the increase in price of food and beverages? Balancing this increase in cost with our lunch meetings and the increase in cost to get quality speakers for our programs has been a daunting task!

**Wilson Antoniuk**, Program Chair, has been contacting experts in the Structural Engineering field all summer long. He has listened to the feedback of our members and has put together a program schedule for this year unlike any in the past. His programs promise to be practical, cutting edge, and offer something to members at all levels of experience. Mark your calendars now because you won't want to miss any!

Our state is exploding in growth, which for anyone in the construction industry means we are busy! Many of us are working longer hours

and weekends to try to meet our demanding project schedules.

**Tyler Haney**, Newsletter/Website Chair, is going above and beyond the hours required of him at his primary job and has been laboriously and artistically putting together our monthly newsletters and updating our website. Communication is the key to success for any organization. Tyler's monthly dedication has not only provided our members the means to access updated information but to truly show off the sophistication and growth of SEAI!

The task of maintaining our membership roster, and therefore maintaining our lifeline of communication, belongs to **Ash Hobbs**, Membership Chair. Ash for years now has been updating and revising our membership database, adding new members almost monthly, and tracking down members who have become newly licensed. He's making his list, checking it twice, and he knows who's been naughty or nice in paying their membership dues on time! Have you paid yours yet?

**Kent Soelberg**, Secretary, **Greg Leishman**, Director, and **Shawn Reeder**, Past President, should be considered the backbone of the Officers Board. Each one of them has dedicated consecutive years to SEAI to promote a continuity of growth and ideas. Their collective experience and expertise is crucial in guiding SEAI into a positive, growing future.

So why join SEAI? If you are still asking that question then I am not yet done with my job! I, **Sarah McClendon**, SEAI President, want you to feel confident in your decision to join SEAI. I have been overseeing all the activities and committees to make sure that they are moving in the direction that benefits our members and profession. I have been listening to the needs of our members and incorporating new ideas and suggestions into our organization. I have been networking with other state chapters to help SEAI gain political power within Idaho and across the nation and I will keep our members informed of the progress every step of the way.

I hope to see you all next week at Murphy's!



*When you do right, no one remembers.  
When you do wrong, no one forgets.*  
— Unknown



**ASK A  
CONSTRUCTION  
LAWYER**  
**ATTORNEY FRANKLIN G. LEE**

**– How Long Are Engineers Liable? –**

**Reader’s Question:** I understand that an engineer of record is held liable for the building for approximately seven years after his work is finished. Does his liability lessen, or disappear, if the building changes owners? In other words, is the engineer’s legal responsibility with the client or with the building? Since the engineering scope of work was defined by the contract between the engineer and the client (i.e., the building owner), it seems that if the owner leaves the building, then the contract of engineering responsibility should also be terminated.

**Frank’s Answer:** Let’s start with the short answers. First, an engineer’s legal exposure for professional malpractice in Idaho sunsets *eight* years after substantial completion of the project. Second, an engineer has public duties to anyone lawfully on the premises of a project that is independent of any obligations the engineer may have to the client. Third, ownership of the project is generally irrelevant to an engineer’s exposure to liability, so the sale of a building does not affect the engineer’s legal exposure to the client or the general public.

Now for the somewhat longer answers. The general rule in Idaho is that a professional

malpractice action arising out of the design or construction of improvements to real property must be brought within two years of the discovery of the alleged malpractice and in no event later than eight years following the completion of the construction. This general rule flows from two statutes. First, Idaho’s statute of repose for construction projects, set forth in Idaho Code § 5-241, commences the running of the regular statute of limitations for actions related to the design and construction of real property (if not already commenced) six years after substantial completion of the project. Second, Idaho’s general statute of limitations for professional negligence, set forth in Idaho Code § 5-219(4), requires a malpractice claim to be made within two years after the claim accrues. The net effect of these two statutes is that a claim must be discovered and brought no later than eight years after substantial completion of the project, and no more than two years after discovery of the problem.

An engineer’s public duty extends to anyone lawfully on the premises of the project, whether as an owner, tenant, user, guest or passerby. In the seminal Idaho case on point, the Idaho Supreme Court stated:

“[A design professional] may be liable for negligence in failing to exercise the ordinary skill of his profession, which results in the erection of an unsafe structure whereby anybody lawfully on the premises is injured. . . . They are under a

duty to exercise such reasonable care, technical skill and ability, and diligence as are ordinarily required of [such design professionals] in the course of their plans, inspections and supervisions during construction for the protection of any person who foreseeably and with reasonable certainty might be injured by the failure to do so."

*Stephens v. Stearns*, 106 Idaho 249, 678 P.2d 41 (1984).

The above public duty is part of being a design professional. It is independent of, and in addition to, any contractual obligations to a client. Further, because this public duty applies to engineers as a matter of law, nothing in a contract with a client can reduce or eliminate this public duty. For example, those engineers who negotiate a limitation of liability clause in contracts with clients will find that those clauses are not enforceable against members of the general public. That is why some engineers who get limitation of liability clauses also request an indemnification from their clients for third-party claims in excess of the agreed liability limit.

A real-life example of a design professional's public duty is the *Stephens v. Stearns* case. The plaintiff in that case found herself, after a couple of drinks, in a body cast from a nasty tumble down a stairway that was caused, at least in part, by the absence of a legally required handrail. She filed her lawsuit directly against the design

professional over five years after the project was completed and sold to another party by the design professional's client. The design professional's obligations to the client (or the lack thereof) and the current ownership of the project were irrelevant to the court.

*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](mailto: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.

## BY THE WAY... ENGINEERING NEWS AND GENERAL INTEREST

### **EARTHQUAKES IN IDAHO!!!**

The University of Utah has reported that three earthquakes have occurred in southeastern Idaho during this past summer. The quakes recorded a magnitude of 4.3 on June 30, a magnitude of 4.0 on July 14 and the most recent a magnitude of 3.6 on September 2. This just goes to show why Idaho is ranked the fifth most seismic state.

### **NEW MEMBERSHIPS AND RENEWALS**

Renewal forms were due as of September 1, 2006. If you still haven't sent your renewal form in, then please hurry and do so.

If you know someone who would like to submit a new member application form, please direct them to the "Forms, Etc." section of the SEAI website ([www.SEAIIdaho.org](http://www.SEAIIdaho.org)) or follow the link to the application below.

Along with membership renewal, SEAI is also offering an opportunity to get the word out about your company by listing it in the 2006-2007 SEAI Business Directory which will be displayed on the website. Only one form needs to be filled out per company and the company must at least have one SEAI member to be eligible.

### **Membership Renewal Application:**

<http://www.seaidaho.org/Misc%20Downloads/Forms/SEAI%20Renewal%202006-2007.pdf>

### **New Membership Application:**

<http://www.seaidaho.org/Misc%20Downloads/Forms/SEAI%20App.pdf>

### **SEAI Business Directory Application:**

<http://www.seaidaho.org/Misc%20Downloads/Forms/SEAI%20Business%20Directory.pdf>

### **SEA NORTHWEST CONFERENCE & WCSEA MEETING – SUMMER 2008**

As you have probably noticed in the past few newsletters, we have been trying to round up volunteers for current committee openings. We have received a healthy response of volunteers and have filled some of the positions, but we still have a few to fill. Thank you to all of those who have volunteered and, if you have not yet considered volunteering, please look into the positions 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 at a destination resort located here in Idaho. This is a well attended event that brings in structural engineers from Idaho, Washington, Oregon, and British Columbia.

Different committee positions are available for volunteers and they will each require different time commitments and expertise. However, all positions will provide an excellent opportunity to build networking connections with your peers and colleagues and give you the knowledge that you are actively encouraging the advancement of the structural engineering profession.

If any of the positions listed below interest you and you would like a brief description, or if you have any questions, please contact Sarah McClendon by phone at (342-4214) or email at [sarah.mcclendon@mcm-eng.com](mailto:sarah.mcclendon@mcm-eng.com) or Chris Holladay by phone at (323-0199) or email at [cholladay@ahjengineers.com](mailto:cholladay@ahjengineers.com), and they will help you.

## CURRENT OPENINGS

- **Committee Director**
- **Treasurer/Secretary**
- **Delegates Dues Chair**
- **Registration Chair**
- **Program/Speakers Chair**
- **Social Events Coordinator**
- **Recreation Coordinator**
- **Water Event Chair**
- **Vendors/Displays Chair**
- **Publicity Chair**
- **Local Arrangements Coordinator**
- **Transportation Coordinator**

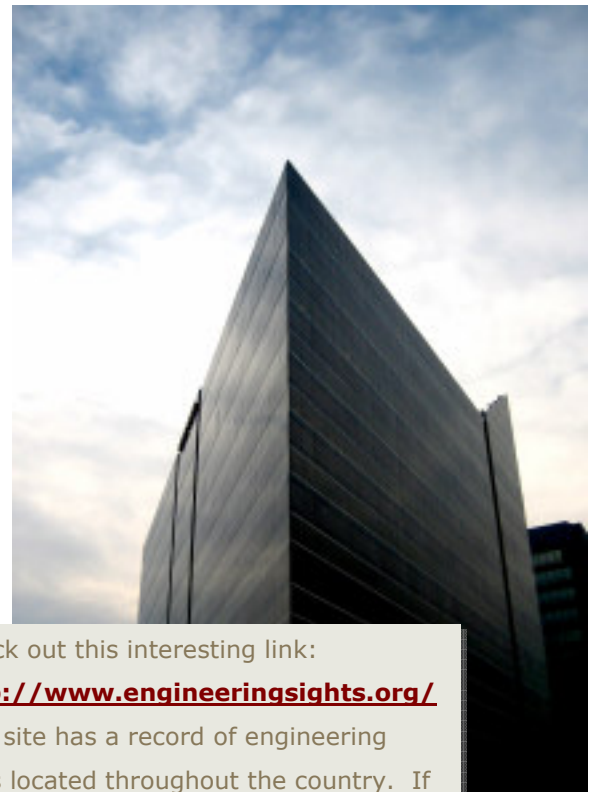
### WISH TO PLACE AN AD IN THE NEWSLETTER?

If so, please contact our Treasurer, Brian Garner, at [bgarner@callengineering.com](mailto: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*



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.



*The man who does not make any mistakes  
does not usually make anything.*

— William Connor Magee

## EVENT CALENDAR

(EVENTS ARE SUBJECT TO CHANGE)

- Sept. 1:** Deadline for Membership Renewal Applications to be submitted with payment.
- Sept. 19:** Next SEAI Meeting – For more information, visit our website, [www.seaidaho.org](http://www.seaidaho.org)
- October:** History Channel scheduled to present a two-hour special on EGYPT: ENGINEERING AN EMPIRE. For a link to more information, visit our website, [www.seaidaho.org](http://www.seaidaho.org)

### BE 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 maybe of interest to the newsletter readers, please email them to our newsletter editor, Tyler Haney at [thaney@tveinc.com](mailto:thaney@tveinc.com)

## 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>

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](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>