

BEFORE THE NEBRASKA BOARD OF ENGINEERS AND ARCHITECTS

IN THE MATTER OF:)	COMPLAINT NO.: 23.02
NEBRASKA BOARD OF ENGINEERS)	
AND ARCHITECTS,)	
)	
Petitioner,)	SETTLEMENT AGREEMENT
)	
v.)	
)	
ALEXANDER F. ZUENDT,)	
)	
Respondent.)	

COME NOW the Complainant, State of Nebraska Board of Engineers and Architects (the “Board”), and Respondent, Alexander Zuendt (“Zuendt”) (E-18794) and in consideration of the mutual covenants and agreements contained herein, stipulate and agree as follows:

THE PARTIES

1. Respondent, Alexander F. Zuendt (E-18794), is an individual who holds a license in the State of Nebraska for the practice of professional engineering.
2. Complainant, the Board, was created by the State of Nebraska to oversee the laws and rules which govern the practice of engineering and architecture in the state in order to safeguard life, health, property and promote public welfare pursuant to Neb. Rev. Stat. §§ 81-3401 – 81-3455 and Title 110 of the Nebraska Administrative Code.
3. On December 2, 2022, the Board received Respondent’s license renewal application wherein Respondent answered “Yes” to Question 2 regarding whether a complaint had ever been filed or formal disciplinary action ever been taken against Respondent in Nebraska or other jurisdictions.
4. Respondent reported that the North Carolina Board of Examiners for Engineers and Surveyors (“North Carolina”) revoked Respondent’s license because he did not respond to

North Carolina regarding a discipline in Florida. Respondent also reported that the Florida Board of Professional Engineers (“Florida”) restricted Respondent’s license from the practice of Mechanical and Electrical engineering.

5. Upon further investigation, the Board confirmed that Florida permanently restricted Respondent from the practice of Electrical and Mechanical engineering due to deficiencies found on electrical and mechanical engineering drawings submitted by Respondent in violation of Chapters 455 and 471, Florida Statutes. On July 12, 2021, Respondent entered into a Settlement Stipulation with Florida agreeing to the permanent restriction and the payments of administrative fines and costs.

6. On April 13, 2022, North Carolina entered a Decision and Order which formerly revoked Respondent’s certificate of licensure for the practice of engineering and if such certificate would be reinstated permanently restricted Respondent from the practice of engineering in Electrical Power and Mechanical HVAC. North Carolina found sufficient evidence to support a charge of gross negligence, incompetence, or misconduct. Specifically, North Carolina found that Florida and Oklahoma had disciplined Respondent and permanently restricted Respondent from the practice of engineering in electrical power and mechanical HVAC. In addition, Respondent had failed to report the disciplinary actions within 30 days and fully cooperate with North Carolina’s investigation.

7. The Board finds that Respondent is in violation of Neb. Admin. Code Title 110 5.4.1 and 5.5.4 and subject to Disciplinary Action pursuant to Neb. Admin. Code Title 110 5.4.3.

8. In an effort to resolve this matter without further formal proceedings, Respondent agrees to enter into this Settlement Agreement.

9. In the event there are any further violations of Nebraska statutes or regulations, the parties agree that the Settlement Agreement will not be construed as a legal admission by Respondent of a violation of law or regulation, except for the limited purpose as referenced in this Agreement.

10. Respondent is entitled to formal process, including a hearing as provided by law. However, the Board and Respondent have agreed by way of this Settlement Agreement to resolve this matter, without formal process, including a formal hearing. Respondent hereby waives his right to any hearing or procedure provided by law and further waives any right to review any order entered by the Board prior to an entry of final order in this case.

11. The Board agrees it will forego prosecuting the formal action against Respondent, except if necessary, to enforce the terms of this Settlement Agreement, if Respondent complies with the Settlement Agreement, including the following terms:

(A) Respondent's professional engineering license (E-18794) is hereby restricted, and Respondent is prohibited from practicing electrical or mechanical engineering. The license restriction will run concurrently with the Florida and North Carolina's restriction and will not be restored until such restrictions are lifted by Florida and North Carolina.

(B) Due to Respondent's voluntary disclosure of disciplinary action, the Board will not be assessing any costs, fines, or penalties.

12. Respondent voluntarily agrees to the terms of this Settlement Agreement.

13. Respondent agrees and understands that if he is found to violate any other or separate provision of Nebraska law or regulation which govern the activities of licensed professional engineers in the State of Nebraska within a period of five (5) years of executing this


Settlement Agreement, the Board may consider matters referenced in this Settlement Agreement in imposing any subsequent penalty against Respondent for separate offenses.

14. Respondent agrees and understands that if he does not comply in all respects with the terms of this Settlement Agreement the Board is entitled to pursue all other remedies allowed pursuant to Nebraska law and regulations, including a separate proceeding brought against Respondent with respect to the violations alleged in the complaint.

15. The parties agree and understand this Settlement Agreement is not binding unless and until it is accepted and approved by the Board.


DATED this 2 day of May, 2023.

By:



Sean Minahan - #22342
Special Assistant Attorney General
Nebraska Board of Engineers and Architects

By:

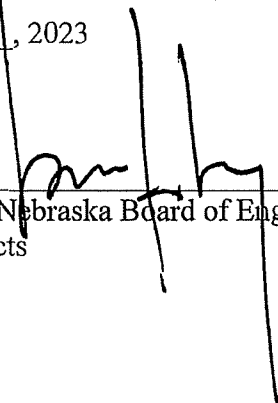


Alexander Zuendt

BOARD APPROVAL

The foregoing Settlement Agreement, having been signed and executed by Respondent, Alexander Zuentd (E-18794), as well as the Executive Director for the Board in this particular matter, has been reviewed by the members of the Nebraska Board of Engineers and Architects, and by virtue of the signature below, this Settlement Agreement is approved by the Board.

Dated this 12 day of MAY, 2023

By: 
As Chair, Nebraska Board of Engineers and Architects