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The Nebraska Professional

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Nebraska Board of Engineers and Architects

Volume 42, June 25, 2024

Board Rule 6.5 Technical Submissions

The Board continues to see many plans that are not in compliance with Board Rule 6.5. The improper sealing of plans on non-exempt projects violates the E&A Act. The Board can discipline any person or organization found to be violating the E&A Act in accordance with *Neb. Rev. Stat. § 81-3444*. Violations could include a \$100 fine, with more severe penalties possible for habitual offenders.

As a reminder, this language requires licensees to provide identifying information, such as their name and the project location, on technical documents that constitute the practice of architecture or engineering. The Board's position is that this information helps the general public, building officials, state agencies, and other entities identify the individuals and organizations that prepared the work.

Technical submissions that constitute the practice of architecture or engineering shall include **both**:

- **the name** and
- **the address or location**

This information is required on each drawing, and the cover page and/or first page of specifications, reports, studies, and other documents.

Additional information is also required, depending whether the work is or is not being performed through an organization.

If the work **is not** being performed through an organization, technical submissions must include:

- **the licensee's name** and
- **contact information**

If the work **is** being performed through an organization(s), technical submissions must include:

- **the organization(s) legal name or DBA**
- **contact information** and
- the organization(s) **Certificate of Authorization number(s)**

Another new rule deals with usage of standard details like those prepared by a city's utility or transportation division. If sealed standards such as drawings, details, and specifications prepared by a jurisdiction are used in a project, the name of the jurisdiction that prepared the standards shall be noted on the technical submissions.

Below is an overview of the information required by state law on technical submissions:

Seal/Info Type	Reference	Drawings	Specifications, Reports, Studies, and Other Documents
Seal of licensee(s) who prepared the work	N.R.S. § 81-3437.01 Rule 6.1.4	Each sheet	Cover/first page and last page
Coordinating Professional seal/designation (if applicable)	N.R.S. § 81-3437.02	Cover sheet	Cover sheet
Project name and address/location [required on all projects]	Rule 6.5.1	Each sheet	Cover/first page
Licensee information [work not done through an organization(s)], OR	Rule 6.5.2	Each sheet	Cover/first page
Organization(s) information [work done through an organization(s), including the Coordinating Professional's organization if applicable]	Rule 6.5.3 N.R.S. § 81-3437.02	Each sheet, except cover sheet only for Coordinating Professional	Cover/first page

NBEA Lunch and Learn Webinar Series

The Board will host its next installment in its Lunch and Learn webinar Series on Wednesday, June 26th, at noon Central time. This webinar will review recent changes to the E&A Act, Board Rule 6.5 regarding technical submission requirements, and an update to the public works exemption level. To register, please click here (<https://sonvideo.webex.com/webappng/sites/sonvideo/meeting/register/30e7670581d04daf8717181a66603c62?ticket=4832534b0000000772c250df9d6d552e3a1767a4878458d4d7995d5a7e912feeaf8b555844deefec×tamp=1718652887933&>)

In the fall, the Board is planning a webinar to focus on ethical issues of professional practice.

Continuing Education Reminders

The Board **DOES NOT** pre-approve continuing education (CE) courses or providers. A CE provider who says they are approved in Nebraska or "all 50 states" is a **red flag**.

The Board does not require that portions of CE be completed in person. This is a misinterpretation of Rule 9.3.2.1.

Web-based course offerings provided by the following types of providers may constitute the entire biennial requirement:

- International Association for Continuing Education and Training (IACET) approved providers,
- Institutions of higher education that have an accredited program in architecture or engineering,
- Professional engineering or architectural societies,
- Technical societies and associations recognized at a national level,
- Governmental agencies, or
- NCARB and NCEES may constitute all of the biennial education requirement

Web-based course offerings provided by other providers may constitute no more than one-fourth of the biennial education requirement, which is six hours for architects or seven and one-half hours for professional engineers.

Rule 9.3.2 clarifies that web-based course offerings led by an instructor that enable both the instructor and attendees to give, receive, and discuss information in real time are not restricted under Rule 9.3.1.

Web-based offerings, including webinars, video conferences, and online meetings led by an instructor that enable both the instructor and attendees to give, receive, and discuss information in real time, are not restricted under Rule 9.3.2.

Public Works Exemption Level Adjusted

At its June 7, 2024, meeting, the Board voted to adjust the public works projects exemption level from \$118,000 to \$144,000, effective July 1, 2024.

This means that on public works projects where the total expenditures do not exceed \$144,000, licensed architects and professional engineers are not required to be involved in the project's design or construction.

In accordance with the Nebraska E&A Act, the exemption level for public works projects is adjusted every fifth year, equal to the then-current amount adjusted by the cumulative percentage change in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics, rounded up to the next highest thousand.

Should you have questions, please contact Jon Wilbeck at jon.wilbeck@nebraska.gov (mailto:jon.wilbeck@nebraska.gov) or (402) 471-2021.

UNL Wins 2024 NCEES Engineering Education Award

The Board extends its congratulations to the University of Nebraska-Lincoln's Charles W. Durham School of Architectural Engineering and Construction on being selected as a recipient of the 2024 NCEES Engineering Education Award.

The Durham School won \$10,000 for its *U.S. Department of Veterans Affairs Ambulatory Care Center* project.

The NCEES Engineering Education Award recognizes engineering programs that encourage collaboration between students and professional engineers. EAC/ABET-accredited programs from all engineering disciplines may submit projects that integrate professional practice and education.

A jury of NCEES members and representatives from academic institutions and engineering societies selected the winners from 38 entries. The jury members considered the following criteria:

- Successful collaboration of faculty, students, and licensed professional engineers
- Protection of public health, safety, and/or welfare of the public
- Multidiscipline and/or allied profession participation
- Knowledge or skills gained
- Effectiveness of display board, abstract, and project description

2024 NCARB Annual Business Meeting

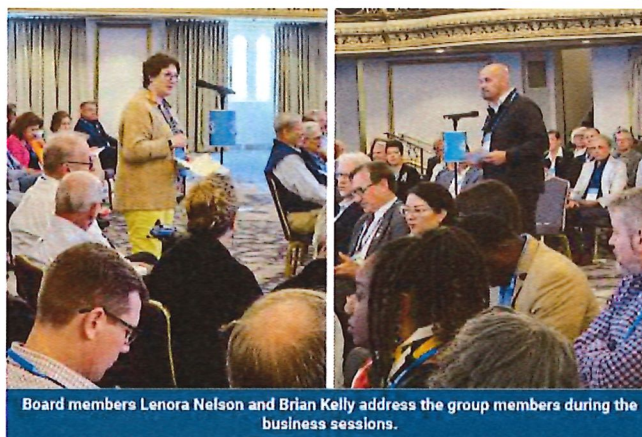


On June 13-15, 2024, board members and staff from the 55 U.S. architecture licensing boards convened for the National Council of Architectural Registration Boards' (NCARB) 2024 Annual Business Meeting.

At this meeting, attendees provided their jurisdiction's unique perspective to elect the FY25 Board of Directors, voted on resolutions, and discussed current trends. Additionally, attendees engaged in workshops with conversations around competency, overlapping practice, and multiple paths to licensure.

NCARB members voted on several resolutions (<https://www.ncarb.org/press/summary-report-of-vote-resolutions-ncarb-s-2024-annual-business-meeting>)—including

- Sunsetting several resolutions in conflict with current NCARB Policies;
- Updating existing mutual recognition agreements with Australia/New Zealand and Canada/Mexico;
- Adding a requirement that the Secretary/Treasurer, Vice President, President, and Immediate Past President of NCARB Board hold an active NCARB Certificate at the time of election or succession; and
- Modifying NCARB Model Law to sit for the ARE after high school graduation or its equivalent without eliminating or modifying the requirements for initial licensure.



Board members Lenora Nelson and Brian Kelly address the group members during the business sessions.

NBEA Board Member Opening

NBEA has an opening for an architect member! Board members are appointed by Governor Jim Pillen. Interested architects must be:

- A U.S. citizen,
- A resident of Nebraska for at least a year,
- Engaged in the active practice of the design profession for at least 10 years and
- Licensed as an architect for at least five years.

To be considered, you must apply on Governor Pillen's website (<https://governor.nebraska.gov/board-comm-req>). If you have questions about the Board, its mission, and responsibilities as a board member, contact Board Executive Director Jon Wilbeck at jon.wilbeck@nebraska.gov (<mailto:jon.wilbeck@nebraska.gov>).

NCEES Exam Development Volunteer Opportunities

Every year, hundreds of licensed professional engineers—some of the best and brightest in their fields—support state licensing boards and NCEES headquarters by helping to write and evaluate exam questions. For many, it is a great chance to strengthen their profession while meeting colleagues from various professional backgrounds and earning professional development hours.

If you are interested in volunteering with NCEES, please click here (<https://bit.ly/2OMJODs>).

Licensure Updates

NEWLY-LICENSED PROFESSIONAL ENGINEERS

Civil

Blake M. Casper	Omaha, NE
Jacob A. Dubbelde	Omaha, NE
Benjamin F. Ficenec	Omaha, NE
Matthew J. Marra	Lincoln, NE
Gage N. Parsons	Bellevue, NE
Jacob P. Sellin	Omaha, NE

Electrical and Computer

Matthew A. Moore	Papillion, NE
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Mechanical

Tyler J. Janeczek	Papillion, NE
Geoffrey B. Spain	Urbandale, IA

Recently Resolved Compliance Cases

24.07 – Professional Misconduct

Summary: A complaint was submitted alleging professional misconduct regarding a licensed architect's continuing education (CE) audit. Specifically, the complaint alleges **Tobias Gay** submitted forged documents and provided false statements when fulfilling a random CE audit.

Action: The Board held a hearing for Disciplinary Action and found Gay submitted documents that constituted 19 violations of *Neb. Rev. Stat. §81-3442(1)(f)*, and *81-3442(1)(j)*, Board Rules 5.4.1, 5.4.3, 5.5.3, 5.5.4, 5.5.7, and 5.5.8, and violated a settlement agreement. The Board revoked Gay's architecture and professional engineer licenses. Gay is not eligible to apply for an architect or professional engineer license for five years and must meet the re-issue requirements as determined by the Board at the time of application as set forth in *Neb. Rev. Stat. §81-3443(5)*.

24.17 – Unlicensed Practice

Summary: A complaint was submitted alleging that the Respondent was engaging in the unlicensed practice of architecture in commercial construction involving the construction of a new single-story building [Assembly (A) Occupancy] comprising approximately 8,400 square feet.

Action: This project was subject to the Act due to the building area comprising more than 1,000 square feet of A-Assembly occupancy. Following an investigation, the Respondent engaged a licensed architect to bring the project into compliance with the Act. The Board dismissed the complaint after sending the Respondent a Letter of Caution.

The Nebraska Professional Archive

The Nebraska Professional #41 (/sites/default/files/doc/May_Blog.pdf)

The Nebraska Professional #40 (https://ea.nebraska.gov/sites/default/files/doc/April_Blog.pdf)

Please click **here** (<https://ea.nebraska.gov/nebraska-professional-archive>) for past issues.

If you have questions about topics in this blog post, previous issues, or other topics that would be helpful to publish in our next release, please **contact us** (<mailto:nbea.marketing@nebraska.gov>).

