

From: [Warren Schaefer](#)
To: [Madani, Mo](#)
Cc: [jstone7@tampabay.rr.com](#); [dcompton.fbc@gmail.com](#); [nandean@deansteelbuildings.com](#); [dgilson@ctsf1.us](#); [Robert.hamberger@browardschools.com](#); [Brian@tamparoofting.com](#); [Jalal Farooq](#); [Frank L. Bennardo P.E.](#); [Pedro Figueiredo](#)
Subject: Public comments
Date: Thursday, March 29, 2018 1:01:25 PM

Mo,

During the POC meeting today, I was not given a chance to comment after you made your comments, so I am taking this opportunity to do so.

Your comment regarding this situation with lack of detailing that "it has been going on for many years", as if that justifies the situation, is, as I stated in my comments today, wrong on every level. None of us engineer's police the approval system nor should we have to. As this situation has, situations can easily go on for years undetected considering the lack of watch over the process and the documents uploaded into the approvals. The only reason I discovered this issue now is because I recently had a couple large manufacturer's (clients) contact me with complaints over their competitor's documents & another client that had a recent window approval prepared by another engineer with the same lack of detail we are arguing over, that repeatably caused negative issues on jobs as a result. This client was so displeased with the results of their under-detailed approval, they went to the expense of having us redo the entire approval.

Additionally, you commented that there has not been any problem with these under detailed approval products in the field. With all due respect, how would you know? On the other hand, I do know this to be a problem with jobs and permitting. I deal with distributors, installers, contractors and building officials every day while, with all due respect, I believe you do not. This lack of detailing is a huge problem with all approvals, especially 1A approvals. I simply have chosen to only address the evaluation method at this time in hopes of making some headway in the direct arena I participate in so that all of us engineers can do the right things on an equal playing field.

As part of your justification, you argued that the approval 14911 has been around for years without question. That is true, but what you failed to recognize is that the original approval and its revisions were by a different engineer and had all the necessary detail until the latest engineer took it over less than a year ago. The same holds true for FL14994, while the other 8 approvals in question are less than 2 years old with most being just a few months old. Additionally, if you look closely at the approvals in question, you will even find that in a number of them, some listings have the detail while others do not which tells me there has been a recent gravitation to the lesser detailed conditions by the engineer who's name is on the approvals. Therefore, based on the 10 approvals in question, your argument that this has been going on for 15 years has an obvious leak in it.

In the end, your legal council recommended that if it is a problem with the rule that we wish to address, we should handle that on a different stage. I believe that should be done, but he never clearly gave us a proper path to do so & I do not believe that a DEC statement is the proper way to go. There should be a forum that includes applicable test lab engineers, QA representatives, Certification entity representatives, evaluation engineers, validators, building officials, and a representative from the FBPE so all can give a true assessment of what is happening with the approvals & their actual use in the real world, eliminate the speculation

that is currently driving the rule and allow for a proper outcome.

Please know that, while I hope the POC eventually comes to a better conclusion on their end in addressing the flaws with the approval rule, my next step, as recommended by the FBPE legal council, is to take this to the Florida Board of Professional Engineers for a rule change of their own to more clearly clarify the responsibility of an engineer with product evaluations and their resulting documents. If updated to our recommendations, we will then all have to do what is necessary to require the updates of all effective approvals accordingly.

Note that you are all way too comfortable with the QA's and their ability to insure product compliance. Know that QA is simply a single inspection once a year that only randomly inspects a couple products off what is available on the assembly line at that time. Along with witnessing errors in most test reports produced, accepted & used by QA's, I constantly witness the ongoing flaws in the QA process that results from their unquestioned inability to fully police the manufacturing process of which they are QA. While the Certification entities have the QA under their wings, engineer's do not. So when a QA misses something, our liability is wrongfully put at risk by an entity we have no control over. And this is a deep concern.

It is too bad that we have engineer's out there that are willing to lower their standards in order to skirt grey areas in a rule to benefit their financial bottom line. The result, most times, is the suffering of the good and the negative domino affect that tends to turn the good into the bad.

I request that this statement be put on public record with our comments for reference as we take this further to higher authorities.

Best regard,

Warren W. Schaefer, P.E.

W. W. Schaefer Engineering & Consulting, P.A.

Tel: 561-744-3424

e-mail: warren@wvschaefer.net