

## **TDI Oversight Working Group Recommendations February 14, 2011**

Members of the Oversight Working Group were Mike Scanlon, PE, committee chairman, David Franklin, PE, Max Hagan, PE, Lenard Nelson (builder), Dennis Paul, PE, Ed Sample, PE, Raymond Stone, PE, Ronald A Voss, PE and Dr. Dan Wheat, PE, Professor at University of Texas Austin.

Dr. Charles Pennington, PE represented the Texas Board of Professional Engineers (TBPE). Dr. Paul Bove, PE, Alexis Dick-Paclik, Sam Nelson, PE, Welch Watt, and Chris Harrigan represented the Texas Department of Insurance (TDI).

Orientation, education and testing requirements are beyond the scope of the Oversight Working Group. The committee discussed these topics at the meetings and agreed that existing and newly appointed engineers should attend a mandatory orientation and pass a qualification test. The committee did not reach a consensus as to whether the test should be technical or non-technical or whether or not TDI should require appointed engineers to complete continuing education on windstorm.

Due to the complexity of the issues addressed and short duration of the meetings, the recommendations of the Oversight Working Group are limited to the Oversight Process and Required Documentation. Currently TDI has the authority to audit any project that has been enrolled in the windstorm program by the submittal of a WPI-1 form by an appointed engineer. The audits may be pre-construction, on site oversight during construction or post-construction.

### **Oversight Process Recommendations**

1. TDI shall randomly audit an engineer or engineering firm no more than once per calendar year. TDI shall not initiate random audits on jobs older than their required length of records retention, which is currently three years.
2. TDI shall give no less than ten working days notice or as mutually agreed when they perform an audit of new structures and additions unless the audit is due to a complaint. The engineer may request a shorter time frame if the 10-day notice will cause a delay in the construction schedule.
3. TDI shall give the engineer no less than two working days notice or as mutually agreed when they perform an audit of roofs, siding and minor alterations.
4. TDI shall not require an engineer to attend an audit of documentation in Austin unless there are extenuating circumstances or it is requested by the engineer. Most issues should be resolved with communication by mail, email and/or phone. TDI should use their local field offices when possible when they need to discuss a project in person with the engineer.
5. The engineer of record shall produce the documentation listed in Appendices A and B as needed to justify certification of the structure.
6. Creation of a Dispute Resolution Committee for resolving professional differences on technical issues. The Dispute Resolution Committee shall be composed of neutral parties from the Texas Board of Professional Engineers, private engineering firms, or academia. A threshold of items shall be defined when the committee is created.
7. TDI shall not require the engineer to maintain records in excess of 3 years.
8. TDI shall maintain historical records of approved Product Evaluations for 10 years.