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Message from the President-elect

Harold Hite PE

**Plan now to attend ASPE's Annual Meeting in Sandestin FL!
Earn up to 12 pdh's! Play golf! Bring the Family! Enjoy the Fun
and Sun!**

June 24-27

[click here for more information](#)

JECA Report

Current Alabama law allows a claim to be brought in court against licensed engineers, architects, and contractors for up to 13 years after they have performed a service. This is stated as a 13 year statute of repose. Among our 50 states only Iowa (15 years) has a longer statute of repose. Alabama's 13 year statute of repose law was passed in about 1994 after many years of effort by engineers and our partners. Between 1957 when federal case law stripped engineers of other liability limitations and the passing of this law there was no time limit in Alabama. The number one legislative priority of JECA and our partners this year is reducing this statute of repose to eight years which would match our regional median.

Individual engineers can assist this effort in many ways but I would like to ask you to join me in helping in three ways.

1. Find out who represents you in the Alabama Legislature and contact them by letter, e-mail, or phone letting them know you are an engineer. You can find your legislature by going to www.Alabama.gov and clicking on Alabama Government. All you need to know beyond this is your Zip Code.
2. JECA and our partners will host a day with the Legislature on Tuesday April 24, 2007. This day will start with a lobbying day briefing, continue with visits with our individual legislators, and conclude with a reception for the legislature and their employees. Join me. As we get closer to the day look at www.JECA.org to get details.
3. Consider making a donation to the Alabama Engineers Political Action Committee. This PAC funds our lobbying effort and is also a source that allows us to help legislators who help us with their campaign expenses. Our engineering organizations are rightly concerned with losing their tax-exempt status if they are heavily involved in politics but individuals have no limitation. Renee Casillas is the Secretary/Treasurer of the PAC. You can send a donation to her at her work address 531 Herron Street, Montgomery, AL 36104.



ASPE Sustaining Partners

Platinum Level (\$2000)

B E & K, Inc,
Birmingham

UAB School of Engineering,
Birmingham

Prism Systems, Inc., Mobile

Alabama Power Company,
Birmingham

Volkert & Associates,
Mobile

Gold Level (\$1500)

Silver Level (\$1000)

Bronze Level (\$500)

Connie Gipson, PE, Huntsville
Tennessee Valley Authority,
Muscle Shoals

Supporter Level (\$250)

Teledyne Brown Engrg, Inc
Huntsville, AL

Contributor Level (\$100)

Williamson's Inc.
Engineering, Survey &
Construction Supply Company
Crane Hill, AL

If your company would like to partner with us, please contact our Executive Director at 205-934-8470.

NSPE's New Executive Director: Larry Jacobson has left his position as Executive Director of MATHCOUNTS to assume the role of Executive Director of NSPE. We congratulate the NSPE board on their selection and are confident that Larry's leadership ability, passion and strategic thinking will make a positive impact on the organization.

Life Christian Academy from Harvest, Alabama Receives Society of Fire Protection Engineers' Award at the National Engineers Week Future City Competition

Washington, DC – February 21, 2007 – The Life Christian Academy from Harvest, Alabama was awarded for best fire protection engineering that keeps people and property safe from fire. This award was presented by the Society of Fire Protection Engineers (SFPE) at the 2007 National Engineers Week Future City Competition.

“The Future Cities competition gives students the opportunity to apply the math and science they learned in school to a real-world application,” said SFPE Engineering Program Manager Chris Jelenewicz. “America needs of good engineers and this competition will encourage these exceptional students to become the engineers of the future.”

Using computer software, the seventh and eighth grade students designed a city of the future. The students worked as a team with a teacher and volunteer engineer mentor to build a large tabletop scale model of a city and presented their design concepts before a panel of judges at the competition.

“The fire protection engineering award winners were recognized for incorporating lessons learned from 9/11 to make their simulated city safer from fire,” said Jelenewicz. “Along with considering how humans behave in fire, the students required enhanced structural fire protection for all tall buildings in their simulated city.”

About the Future City Competition

The National Engineers Week Future City Competition is a program developed for seventh and eighth grade students to help them discover and foster interests in math, science and engineering. Future City, celebrating its 15th anniversary, asks middle school students to create cities of the future, first on computer and then in large tabletop models. Working in teams with a teacher and volunteer engineer mentor, students create their cities. They write a city abstract and an essay on using engineering to solve an important social need. Then they present and defend their cities before engineer judges at the competition. Some 30,000 students from more than 1,000 schools participated in 2006-07.

Dates to Remember

- March 11 Daylight Savings Time Begins (Spring Forward)
- March 10 State MathCounts Competition, Grissom HS, Huntsville AL
- April 13 ASPE Board of Directors meeting (conference call)
- June 24-27 Tri-State Annual Meeting (ASPE, LES, MES) at Sandestin FL
- July 26-29 NSPE Annual Meeting, Denver CO

MATHCOUNTS Update

The Huntsville Chapter will host the State MathCounts competition at Grissom High School on March 10, 2007. If you can assist, please contact James Drake jands2002-jwd@knology.net

Chapter Officers:

Birmingham

President Alicia Rudolph PE
V-President Dr Fouad Fouad PE
Secretary Timothy Bryant PE
Treasurer Greg Mullinax PE
Mathcounts Buzz Vance PE

Huntsville-Decatur

President David Bledsoe PE
Mathcounts Walter Hammond PE

Mobile

President Melinda Immel PE
V-President Steve Stewart PE
Secretary John Crawford PE
Treasurer Kim Sanderson PE
Mathcounts Sean Shea EI

Montgomery

President Kevin Blake PE
V-President Greg Gillian PE, PLS
Sec/Treas Ray Womack PE
Mathcounts Brian Shelton PE

Muscle Shoals

President "Denny" Sockwell PE
V-President Steve Merry PE
Sec/Treas "Don" Lokey PE
Mathcounts "Don" Lokey PE

Chapter Updates

Auburn

26 members

Birmingham

160 members

Two ASPE members received awards at the Engineering Council of Birmingham annual banquet held February 23 at the McWane Center: Ed Segner PhD PE - Distinguished Service Award (nominated by ASPE) and Harold Hite PE - Engineer of the Year (nominated by ISA).

The Birmingham Chapter hosted a luncheon on February 20, 2007 to honor new PE's in the Birmingham and Tuscaloosa areas. Ms. Regina Dinger spoke to the group on "So you've got your license, what do you do now?" She also brought us up to date on current board business.

Our next meeting will be held on March 20, 2007 at UAB. Ms. Paula Marino, General Manager of Design within Southern Company Generation's Engineering & Construction Services organization will be our speaker. Please contact Timothy Bryant (tbryant@southernco.com) for reservations.

Huntsville-Decatur Chapter News

71 members

Melinda Nye has been named Vice President and Manager at Volkert's new office in Huntsville.

Mobile

115 members

Wes Chiniche received the ASPE Mobile Chapter Outstanding Service Award at the Mobile Area Council OF Engineers (MACE) Banquet held Friday, February 23.

Perry Hand PE has been named President and Chief Marketing Officer at Volkert Inc.

Muscle Shoals

32 members

Winter-quarter sessions of the Muscle Shoals chapter included an evening meeting and two lunch meetings. James P. Davis and Jeffrey D. Ross PE of the U.S. Army Corps of Engineers (USACE) spoke at our 1-16-07 evening meeting about the USACE role in managing the Tennessee River and the recent project to repair damage to the Wilson Dam Lock caused by a barge collision. The meeting was well attended with 20 engineers and six guests. We watched two videotapes in the Career Track series "The Manager as Coach" at our 12-14-06 and 2-20-07 lunch meetings, with attendance averaging 12 engineers for the two meetings.

Current chapter membership totals 32 professionals, and has been fairly stable in recent years. As membership recruitment, we have been sending chapter newsletters to licensed engineers and engineer interns listed in the AL PE/PLS Board of Licensure roster for the 5 Northwest Alabama counties (totaling about 250 postal and electronic addresses). We recently sent about a dozen letters congratulating newly licensed engineers and interns and welcoming engineers who have moved to our district. Inquiries and meeting attendance in response to these efforts has been encouraging. Chapter newsletters have also been posted on the chapter news webpage of the ASPE website.

Two chapter members participated in the Florence Middle School Career Fair on 2-2-07.

National Contacts:

Member Services email
<mailto:memserv@nspe.org>

State and Chapter
Outreach Manager
Felicia Battle
<mailto:fbattle@nspe.org>

Steve Merry PE brought an infrared camera from TVA's Colbert Fossil Plant that attracted a lot of attention. Several dozen students were encouraged to consider an engineering career.

Seven schools from four counties participated in the Muscle Shoals MathCounts competition at the University of North Alabama (UNA) on 2-24-07. Eight engineers helped score and proctor this contest. Our MathCounts program was funded by a \$500 Sustaining Partners contribution from TVA. The Muscle Shoals Middle School team captured 1st place, earning \$100 for their school's Math department, and the highest-ranking individual was awarded a \$50 U.S. savings bond and a \$25 gift certificate.

Dr. Nolan Richards, retired director of the Reynolds Metals research laboratory, will speak on the topic "Field Study of Anodic Overvoltages in Industrial Aluminum Cells" at our next chapter meeting at Logan's Roadhouse Restaurant in Florence on Tuesday evening 3-20-07. We will watch the final Career Track video at our noon meeting on 4-17-07, and a tour of the SCA Tissue Plant in Barton, AL is scheduled for Tuesday evening 5-15-07.

Call/e-mail if questions arise: Don Lokey 256-386-2035 jdlokey@tva.gov

<u>Northeast</u>	<u>Southeast</u>	<u>Tuscaloosa</u>
11 members	20 members	35 members

Has Your Contact Information Changed?

If so, send your corrections to memserv@nspe.org
It's the quickest and easiest way to let us know what's new with you!

NSPE Updates

The NSPE Mentoring Task Force is Accepting Nominations for the 2007 Mentor of the Year Award.

This annual award will be given to the NSPE member who best exemplifies the ideal image of a mentor. A nomination form is available on the NSPE web site at <http://www.nspe.org/awards/aw1-mentoraward.asp>.

Questions? Contact Mary Maul at (703) 684-2833.

NSPE Leader Orientation Guide----

Link: <http://www.nspe.org/leadership/membonly/ld-society-leadership.asp>

Description: The NSPE Leader Orientation Guide is now available. This guide was created to assist elected and appointed members to be a strong society leader in our organization.

Now FREE to download-----

Link: <http://www.nspe.org/membonly/pdfs/cam.pdf>

Description: Are you managing your most valuable asset, your career, with the same care and attention you give your financial and real estate investments? The *IEEE Career Asset Manager (CAM)* can help you examine your career development objectives and identify ways to achieve your goals.

Members can download CAM inserts for free. This file is large and may take time to download.

The Engineering Income and Salary Survey-----

Link: <http://nspe.enetrix.com>

Description: ASPE members are encouraged to participate in The Engineering Income and Salary Survey. Deadline is March 31, 2007!
All participants will be entered into a drawing to win a Video iPod!

SPRING EDUCATION OFFERINGS FROM NSPE-----**March 13 1:30 – 3:00 p.m. (E.D.T.)**

PEPP Council of Principals Presents: Recruiting & Retention 2007: Challenges to the Engineering Workforce

Peter Koval, P.E., Director of Human Resources, O'Brien & Gere

[Register now.](#)

March 14 12:30 – 1:30 p.m. (E.D.T.)

NSPE 2007 Ethics Forum: Engineering Ethics and the Law

Session 1 -- Contract Documents and Procurement of Engineering Services

[Register here.](#)

March 21 12:30 – 2:00 p.m. (E.D.T.)

PEC Presents: Brownfields Sites – Grants and Incentives to Cleanup and Redevelop

John A. Sartor, P.E., PP, Senior Vice President, Paulus, Sokalowski and Sartor, LLC (P

S & S)

[Register today!](#)

April 10 1:30 – 3:00 p.m. (E.D.T.)

Design Liability & Copyright Protection: Legal Issues and Practical Tips for Engineers

[Register here](#)

April 11 12:30 – 1:30 p.m. (E.D.T.)

NSPE 2007 Ethics Forum: Engineering Ethics and the Law

Session 2 --Employment Agreements and Intellectual Property

[Register today.](#)

April 18 12:30 – 2:00 p.m. (E.D.T.)

PEC Presents: Through the Roof – Escalating Construction Costs

Michael Kennedy, Principal, Stantec Consulting, Inc.

[Register today!](#)

April 23 1:30 – 3:00 p.m. (E.D.T.)

Increasing your Management and Leadership Excellence: How to Get from Good to Great

GaryS. Topchik, managing partner, SilverStarEnterprises

[Detailed information.](#)

[Register here.](#)

May 16 12:30 – 1:30 p.m. (E.D.T.)

NSPE 2007 Ethics Forum: Engineering Ethics and the Law

Session 3 -- The PE as an Expert Witness

[Register now](#)

May 3-5

PEPP Council of Principals Presents: Chief Financial Officers' Roundtable

Join us in a supportive learning environment that will provide a valuable national forum for CFOs and/or Principals of A/E/C firms to network, benchmark current activities, identify

trends, and discuss emerging financial issues.

[Click here for more information and to register online!](#)

from NSPE Government Relations: *State Watch*

Arizona Introduces Good Samaritan Bill

The Arizona House has introduced legislation that would protect engineers from liability for injury, death, property damage, or loss of nature as a result of error or omission when providing engineering services during a declared local, state, or national emergency.

House Bill 2075 stipulates that the services rendered must be voluntary, within 90 days from the start of the declared emergency, and at the request of a local, state, or national authority. The bill does not protect against willful nor wanton misconduct.

Mississippi Grant Program Introduced in Mississippi

Legislation introduced in Mississippi seeks to create a grant program that would provide funding to municipalities for construction or improvement projects of highways, roads, drainage structures or devices, utilities, and related roadway infrastructure.

House Bill 584 defines projects to include design and engineering services. The bill also creates the Municipal Street, Road, and Highway Grant Program Fund within the Treasury Department, which enables the Mississippi Development Authority to pay for the services of engineers for application and plan review.

Mississippi Seeks to Aid Small Businesses

A provision in Senate Bill 2378 would require the Department of Finance and Administration to set aside 20% of the amount expended on any public construction project that the department oversees to be contracted to small businesses.

The set aside portion of the contract would be awarded to the lowest and best small contractor. A small contractor is defined as a contractor whose bonding capacity is no more than \$5,000,000.

Missouri Introduces Bill to Penalize Unlicensed Practice

Recently introduced legislation in Missouri would make unlicensed practice a Class A misdemeanor. The bill, H.B. 117, defines unlicensed practice as 1) engaging in or offering to engage in engineering; 2) using the title to convey the impression that a person is licensed; 3) attempting to use someone else's license, providing false information to the licensure board to obtain a license; and 4) aiding or abetting an unlicensed person in the practice of engineering.

The penalties for any of these violations can include up to a \$5,000 fine per day of unlicensed practice, and the board may assess the total cost of the investigation and penalize the individual for the investigation. The bill does, however, provide that an individual may refer to himself or herself as an engineer without penalty, "so long as such use is reflective of that person's profession or vocation and is clearly not indicating or implying that such person is holding himself or herself out as being a professional engineer...."

Energy Efficiency Standards Bill Introduced in Montana

Legislation introduced in the Montana House would require most state-owned buildings to meet energy efficiency standards for energy and water usage, as well as greenhouse gas emissions by 2015. House Bill 238 requires state agencies to track and report utility cost and usage along with an estimate of greenhouse gas emissions to the Department of Environmental Quality on an annual basis.

Following determination by the department, energy efficiency measures may be implemented. In buildings where the efficiency measures have been implemented, the agency must conduct or procure a qualified provider to conduct efficiency audits to estimate potential and realized reductions in energy, water, and greenhouse gas emissions.

A qualified provider is defined as "a person who is experienced in the evaluation, design, and implementation of efficiency measures and building improvement measures." There is no mention that the provider be a licensed professional engineer.

South Dakota Senate Bill Changes Duties of Engineers

A recent Senate Bill, S.B. 35, seeks to remove from the definition of engineering the practice of providing expert technical testimony. The bill also requires a business entity to submit evidence of qualifications to the state licensure board in order to practice engineering in the state.

Good Samaritan Legislation Introduced in Texas

Texas recently introduced legislation that would provide civil immunity to professional engineers providing engineering services at the request of a public official during a declared federal, state, or local emergency.

Senate Bill 177 would provide immunity from liability provided that any error or omission was not as a result of gross negligence or wanton, willful, or intentional misconduct. The bill would, however, remove this civil immunity from an engineer who solicits business or performs the engineering services for compensation at the scene of the emergency.

Illinois Legislation Protects QBS

Illinois professional engineers, architects, and surveyors are celebrating Governor Rod Blagojevich's signing of legislation that requires local governments to use qualifications-based selection when hiring design professionals.

"This is a major victory for design professionals in Illinois that will go a long way toward ensuring that quality design remains the priority in public construction," says ISPE Executive Director Kim Robinson.

Since 1987, Illinois law has specified that local governments must first consider the qualifications of engineers, architects, and surveyors before negotiating price. The legislation was introduced, however, after a court ruling conflicted with this law, allowing local governments to consider price before determining the most-qualified design firms.

The new law, which amended the Local Government Professional Services Selection Act, took effect immediately.

The Illinois Society of Professional Engineers worked with the Illinois Professional Land Surveyors Association and the Illinois chapters of the American Council of Engineering Companies and the American Institute of Architects to support the measure. The bill was also supported by many other professional groups and agencies, including the Federation of Women

Contractors, the Hispanic American Construction Industry Association, the Illinois Construction Industry Committee, and the Illinois Department of Transportation.

What Would A Day Without PEs Be Like?

To celebrate 100 years of engineering licensure, NSPE and the National Council of Examiners for Engineering and Surveying will be producing a special issue of *PE* magazine in June. Since PEs and EIs are the best people to tell how engineers make a difference, we'd like to hear from you. The contest is simple. In 100 words or less, answer the following question: What would a day without PEs be like?

Top entries will be published in the June issue of *PE* magazine, and you'll also be eligible to win an iPod, gift certificates, a free registration at the NSPE annual conference in Denver, and a free registration to take part in the NCEES Records Program (\$100-\$150 value).

Submit your [entry](#) by March 23.

from NSPE Government Relations: *Washington Watch*

NSPE L&GA Committee Meets With Congress

On February 14, 13 members from the NSPE Legislative & Government Affairs Committee and the NSPE-PAC Board of Trustees met with 21 members of Congress and congressional staff representing 13 states. These NSPE leaders discussed the following issues during the visit:

1. Support for qualifications-based selection: NSPE believes qualified engineers, on the basis of design ability, experience, and integrity, should perform all engineering services. NSPE supports the procurement of design professional services on the basis of qualifications. Qualifications-based selection ensures that projects are designed in a manner that is safe, innovative, environmentally sound, and cost effective over the project's life cycle.

2. Creation of a national registry of volunteer engineer responders: NSPE supports the creation of a national registry of volunteer engineer responders to provide technical, managerial, and logistical expertise to local, state, and federal agencies to supplement recovery efforts that follow disasters.

As an organization of professional engineers of all technical disciplines, NSPE is uniquely structured to lead the effort to organize technical professionals who, through licensure, have pledged to protect the public health and safety. NSPE supports the recruitment of volunteer professional engineers to populate the national registry.

NSPE leaders and the key issues were well received by the members of Congress and their staff, and NSPE plans to continue building relationships during the 110th Congress.

COFPAES Litigation Heard in Federal Court

On February 23, a lawsuit filed by NSPE, the American Society of Civil Engineers, the Council on Federal Procurement of Architectural and Engineering Services, and the Management Association for Private Photogrammetric Surveyors against the U.S. government was heard in federal court. The lawsuit seeks to force the Federal Acquisition Regulation Committee to promulgate regulations that provide for federal procurement of architectural and engineering services, including surveying and mapping, to adhere to the qualifications-based selection process as written in the Brooks Act (40 USC 1101 et. seq).

Currently, the FAR council excludes a large number of mapping services contracts from federal QBS rules, even though Congress has enacted legislation to broaden the application of QBS to mapping services, and numerous states have updated definitions of A/E services in law to include mapping. Such disregard for both federal and state legislative intentions could have grave consequences for procurement of A/E services.

No ruling was handed down at the close of arguments, as is usual in this type of litigation, but NSPE and its partners expect a ruling to be issued in the spring. For more information on the litigation or any of the partnering organizations, see [COFPAES](#). [[return to top](#)]

NSPE Signs Letter in Support of H.R. 539

On February 21, NSPE signed a letter congratulating the Honorable Allyson Schwartz (D-PA) for introducing the Building for the 21st Century Act (H.R. 539).

The bill would extend the Commercial Building Tax Deduction incorporated into the Energy Policy Act of 2005 until 2013. Under current law, the tax deduction would sunset in 2008. The bill would also increase the tax deduction for "energy efficient commercial buildings" from \$1.80 per square foot (under current law) to \$2.25 per square foot. The deduction is available to owners of buildings who reduce annual energy and power consumption by 50% compared to the American Society of Heating, Refrigerating, and Air Conditioning Engineers' 2001 standard.

The provisions in this bill are consistent with the [NSPE Position Statement on Energy \(1721\)](#), which urges congress to develop incentives that encourage the use of the most energy-efficient designs and construction methods and materials for both private and public buildings. [[return to top](#)]

House Resolution May Delay Construction of Wastewater Plants

The Water Quality Financing Act of 2007 (House Resolution 720), introduced in January, and recently marked up by the House Transportation and Infrastructure Committee requires that all contracts for architectural, engineering, design, program management, construction management, surveying, mapping, and other professional services in contracts for improvements to America's aging wastewater treatment plants be procured using qualifications-based selection.

Section 302 of the resolution, however, would permit procurement of these services by states using "an equivalent State qualifications-based requirement," as those requirements may be determined by the state's governor. There are two primary problems with section 302:

1. Allowing a governor to determine the applicability of state law may delay the funding, design, and construction of critical wastewater treatment plants; and
2. Using the word "requirement" may not have the force of law that the word "statute" would have.

For more information, see NSPE's position on [water resources](#). [[return to top](#)]

TISP Congress to be Held Later in March

The Infrastructure Security Partnership will hold the [6th Annual TISP Congress](#) at the Crystal Gateway Marriott in Arlington, Virginia, March 28-29.

This two-day conference, focused on "Achieving Resilience: From Readiness to Restoration," will feature keynote presentations by experts in the private and public sectors including a highly

acclaimed Senior Executive forum on "Priority Challenges to Achieving Disaster Resilience" featuring

- Lt. Gen. Henry Hatch, P.E., USA (Ret.);
- Brig. Gen. Richard J. Capka, P.E., F.SAME, USA (Ret.), Administrator, FHWA;
- Tom Murta, Director, Infrastructure Protection, CSX Inc.;
- Tom Jacobus, Project Manager, Washington Aqueduct; and
- Michael A. Lewis, Vice President, Distribution Engineering & Operations, Progress Energy.

Sessions and panel discussions will address multiple aspects of infrastructure resilience based on the following topics:

- Building Regional Public Information Capabilities and Resilient Communications Infrastructure;
- Understanding Infrastructure Interdependencies;
- Fostering Public-Private Cooperation and Coordination;
- Ensuring Business Continuity & Support Chain Management;
- Building Resilience into Recovery & Restoration;
- Addressing Response Challenges; and
- Effective Exercises & Training.

[If it's election time you'll need CAPWIZ!!!](http://capwiz.com/nspe/home)

<http://capwiz.com/nspe/home>

This is a relatively new tool for anyone interested in what's happening in government, at the state OR federal level !!

Want to know who your representatives/senators are? **Capwiz** will find it for you quickly---just input your zipcode!

Want to know how Senator Richard Shelby voted during the past year? **Capwiz** will show you!

Need to write to your Senator or Congressman? **Capwiz** will help you!

State and Federal Election Results, Issues, Legislation, House and Senate Schedules, **it's all there!**

YOU'VE GOT TO SEE THIS! VISIT TODAY!

END OF NEWSLETTER