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<small>Department of Business and Professional Regulation Deputy Agency Clerk</small>	
CLERK	Brandon Nichols
Date	3/21/2013
File #	2013-01585

STATE OF FLORIDA
BOARD OF PROFESSIONAL ENGINEERS

FLORIDA ENGINEERS MANAGEMENT
CORPORATION,

Petitioner,

vs.

FEMC Case No.: 2011-002295
DOAH Case No.: 11-5348PL
License No.: PE31542

ROBERT WOOD, P.E.,

Respondent.

FILED
Florida Engineers Management
Corporation

MAR 21 2013

FINAL ORDER

Clerk: *Sandee Malge*

THIS CAUSE came before the BOARD OF PROFESSIONAL ENGINEERS (Board) pursuant to Sections 120.569 and 120.57(1), Florida Statutes, on February 14, 2013, in Orlando, Florida, for the purpose of considering the Administrative Law Judge's Recommended Order, a copy of which is attached hereto as Exhibit A, and Respondent's Notice and Memorandum of Objections to the Recommendation Order Entered in This Case, attached hereto as Exhibit B; in the above-styled cause. Petitioner was represented by John Rimes, Chief Prosecutor. Respondent was represented at the hearing by Nicholas Martino, Esq.

At the hearing, Respondent WITHDREW his Motion to Remand to the Division of Administrative Hearings for Further Evidentiary Proceedings Based upon Newly Discovered Evidence.

Upon review of the Recommended Order, the argument of the parties, the exceptions filed, and after a review of the complete record in this case, the Board makes the following findings and conclusions:

RULINGS ON EXCEPTIONS

1. Respondent's exception termed as "General Exception to the ALJ's Findings Related to Counts 6A through 6E, Inclusive and Counts 7.A. through 7.E. of the Administrative Complaint" is hereby REJECTED as the administrative law judge's findings were based on competent substantial evidence.

2. Respondent's exceptions termed as "First Exception" through "Twentyth Exception" (sic) are hereby REJECTED as the administrative law judge's findings in those paragraphs were based on competent substantial evidence and for the reasons set forth in Petitioner's Response.

FINDINGS OF FACT

1. The Findings of Fact set forth in the Recommended Order are approved and adopted and incorporated herein by reference.

2. There is competent substantial evidence to support the Findings of Fact.

CONCLUSIONS OF LAW

1. The Board has jurisdiction of this matter pursuant to Section 120.57(1), Florida Statutes, and Chapter 471, Florida Statutes.

2. The conclusions of law set forth in the Recommended Order are approved and adopted and incorporated herein by reference.

DISPOSITION

Upon a complete review of the record in this case, the Board determines:

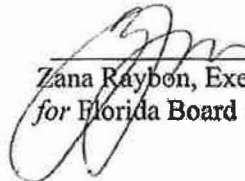
1. Respondent's license shall be REPRIMANDED.
2. Respondent shall pay a fine of \$2,000.00, payable within thirty (30) days of this Final Order.
3. Respondent's license is RESTRICTED from practicing structural engineering related to aluminum structures, until such time as he passes and submits proof of passing the NCEES Civil Engineering Examination with the Structural Component, or completes ten (10) hours of Board approved continuing education in structural engineering related to aluminum structures and the Florida Building Code.
4. Respondent's license shall then be placed on probation for a period of two (2) years from the date of filing of this Final Order. The terms of probation are:
 - a. Respondent shall provide a detailed list of completed projects (sign, sealed, and dated) at the six (6) month and eighteen (18) month intervals of the term of probation.
 - b. A FEMC Consultant will pick two (2) projects from each submitted list for review. Respondent is responsible for the Consultant's fee for reviewing the projects. If the Consultant provides an unfavorable review of a project, the review will go to the Probable Cause Panel for a determination of whether additional disciplinary proceedings shall be initiated.
 - c. Respondent shall complete the Study Guide prepared by the Board of Professional Engineers regarding Chapter 471, Florida Statutes, and Rules of the Florida Board of Professional Engineers, and return the Study Guide to the Board at 2639 North Monroe St., Suite B-112, Tallahassee FL 32303, within thirty (30) days of the date of this Final Order.

d. Respondent shall complete a Board approved intermediate course in Engineering Professionalism and Ethics within one (1) year of the date of filing of this Final Order. Respondent shall submit a Certificate of Completion of the course prior to such date.

This Final Order shall take effect upon being filed with the Clerk of the Department of Business and Professional Regulation.

DONE AND ORDERED this 18th day of March, 2013.

BOARD OF PROFESSIONAL ENGINEERS



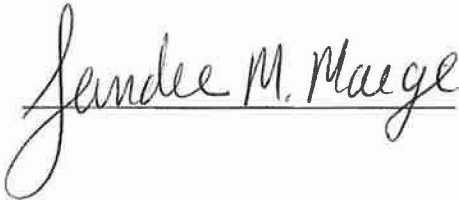
Zana Raybon, Executive Director
for Florida Board of Professional Engineers

NOTICE OF RIGHT TO JUDICIAL REVIEW

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE FLORIDA ENGINEERS MANAGEMENT CORPORATION AND A SECOND COPY, ACCOMPANIED BY FILING FEES PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, OR WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by U.S. Mail to ROBERT WOOD, 2000 Sandpiper Point, Neptune Beach, Florida 32266; to Nicholas Martino, Esq. and Michael McCabe, Esq., 1400 Prudential Drive, Jacksonville, Florida 33156; to E. Gary Early, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; and by interoffice delivery to Michael T. Flury, Assistant Attorney General, PL-01 The Capitol, Tallahassee FL 32399-1050; and John J. Rimes, III, FEMC, 2639 North Monroe St., Suite B-112, Tallahassee FL 32303 this 26th day of March, 2013.


Jendee M. Marge