



## WSPE eNews

**A monthly publication from the Wisconsin Society of Professional Engineers**

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#### 1. Professional Engineers Needed

By the National Institute for Certification in Engineering Technologies (NICET)

The [National Institute for Certification in Engineering Technologies \(NICET\)](#), a non-profit division of NSPE, is in the process of updating its [Highway Construction Inspection certification program](#). In order to create a quality product reflective of the industry's needs and the profession's requirements, they need the involvement of the entire engineering community. **The NICET needs professional engineers - like you- to give feedback and help with the content.**

[View the full request for your assistance by clicking on this link.](#)

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#### 2. Fulfill Personal Development Hours (PDH) Requirements with Spring Web Seminars from NSPE

[Focus on Shop Drawings: Vital Link Between Design and Construction](#)

May 15, 12:30 p.m. – 1:30 p.m. (E.D.T.), 1 PDH  
\$149.00/ \$99.00 Member Price

This program will focus on contractual and legal issues regarding the preparation, submittal, and review of shop drawings. This course will provide in-depth discussion of:

- Key issues arising from shop drawing provisions in standard construction contracts;
- Shop drawing review practices for contractors, architects, and engineers; and
- Court cases examining shop drawing duties and liabilities.

#### [Engineering Ethics – A Conversation About Business, Employment and Licensure Issues](#)

May 16, 2012, 12:30 – 1:30 p.m. (E.D.T.), 1 PDH  
\$149.00/ \$99.00 Member Price

Join NSPE Deputy Executive Director and General Counsel Arthur Schwartz and a panel of engineering ethics experts for a discussion of the signing and sealing of a subcontractor's calculations, a Canadian firm's noncompliance with engineering licensure laws, obtaining professional references and an employee's awareness of his employer's financial improprieties. Polling questions and opportunity for Q&A will allow opportunities for audience interaction.

Visit the [NSPE Website](#) for all other Web Seminar Listings.

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#### 3. Wisconsin Team Wins National Future City Competition

From the NSPE Today

Middle school students from St. Mary Parish School in Hales Corners, Wisconsin, took home the grand prize at the 2012 National Engineers Week Future City Competition in February for their city, Hyperion.

Thirty-seven regional winning teams brought their designs for a city of tomorrow to the national finals from February 18–22 in Crystal City, Virginia, during National Engineers Week. This year's theme, Fuel Your Future, asked students to design a way to provide electricity for a city using an energy source that doesn't deplete natural resources and has limited impact on the environment.

"This competition is so much work but it paid off in so many ways," said Emily Chmielewski, one of the three students on the winning team. "Not only did we learn a lot about engineering, but we also now can see more clearly than ever how kids can really make a difference. We are the future."

The Wisconsin students will receive a trip to U.S. Space Camp in Huntsville, Alabama, provided by Bentley Systems Inc. The infrastructure software company and competition sponsor will also provide a 10-seat academic suite of engineering software to the top three schools.

Second place honors went to the team from Hart-Ransom School in Modesto, California, for their city, Aqua-Sol-Viente. NSPE provided the school with a \$5,000 scholarship for its technology program. Our Lady Help of Christians School, in the Philadelphia area, won third place for their Future City, Tecumseh, and will receive a \$2,000 scholarship for their technology program from IEEE-USA.

For more information on the Future City program, visit [www.futurecity.org](http://www.futurecity.org).

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#### **4. Earth Day 2012: USDA recognizes Eagle River's water and sewer improvement project**

From MSA Professional Services

RHINELANDER, WISCONSIN: Earth Day 2012 will have special meaning for the City of Eagle River, Wisconsin. The U.S. Department of Agriculture Rural Development awarded this community a total of \$972,000 in a federal grant and loan combination to upgrade and rehabilitate its current sewer and water systems. In addition, Eagle River was selected as a 2012 Wisconsin Earth Day Project.

At a presentation on April 24, USDA Rural Development Community Programs Director Brian Deaner presented Eagle River Mayor Jeffrey Hyslop with an Earth Day Award. This award recognizes the City's initiative and accomplishments to provide area residents with clean and safe drinking water and allow for future growth of the community.



*Eagle River's project will improve and expand sewer and water services.*

MSA Professional Services, Inc. (MSA) prepared the design for the Silver Lake Road and Highway 70 West portions of the project to improve and expand sewer and water services for the community. MSA also provided construction related services and grant administration assistance for this project. The Silver Lake Road project includes the reconstruction of water and sewer lines where there currently are nitrate issues due to failing septic systems. The new lines will allow larger capacity to serve future growth on the north and east sides of the City. The Highway 70 West project will install new sewer and water lines and mains. The new infrastructure will remedy failing septic systems, improve water quality and taste, reduce odor and provide for future growth and development, according to the USDA.

With the completion of this project, the City now has the ability to meet existing and future needs of the community, increase efficiency, improve critical infrastructure and provide safe and clean drinking water to area residents, Deaner said.

USDA Rural Development approved loans for \$693,000 and a grant of \$279,000 toward the project through its Water and Environmental Programs. Additional funding for the project is coming in the form of a \$286,000 Department of Commerce grant, and a Wisconsin Department of Transportation grant totaling \$168,000. MSA helped Eagle River obtain all of the grants for the project.

The Water and Environmental Program provides loans and grants to ensure that necessary investments are made in water and wastewater infrastructure to ensure safe drinking water and protect the environment in rural areas.

For more information on water and sewer improvements, contact Jim Bollmann, P.E., MSA project manager, at [jbollmann@msa-ps.com](mailto:jbollmann@msa-ps.com) or at 800.844.7854.

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## 5. Designing Trading Pins for MATHCOUNTS

By Darwin D. Behlke, P.E.

To break the ice with other teams on Thursday night, Mathletes from Wisconsin Team trade pins with Mathletes from other states, territories, and departments. WSPE sponsors the purchase of these pins. For the past six years, I have designed the trading pins. I ask the Mathletes from the WI Team for suggestions. This year Chris said, "How about a dairy cow?" Since it is an animal that represents Wisconsin, I said "okay" and went to work with coming up with a design.

The best place for design ideas and models is Google. When I Googled "dairy cow" it displayed photos and drawings of cows. I used the "Print Screen" command to capture the interesting prospects for cows to use on a pin, as shown in Figure 1.



Figure 1: Directory of cows

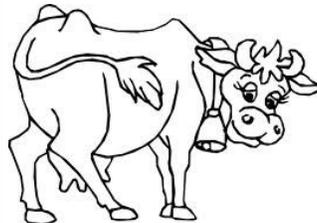


Figure 2: Best starting image

The best starting image is shown in Figure 2. It was facing the wrong direction, so I flipped the image about the vertical axis. To make it look like a cow that "got milk," I enhanced it from the other photos and added a number of math symbols. Can you find them all? (See answer below.)

I put the cow on a WI state mat and the pin artwork was almost done. To find the font for "got math?", I Googled "got milk font download" and found fontmem.com and printed "got milk?" in CgPhenixAmerican font.

Next, I put together a number of different color combinations and showed them to the 2012 WI Team. Figure 3 was the winner.

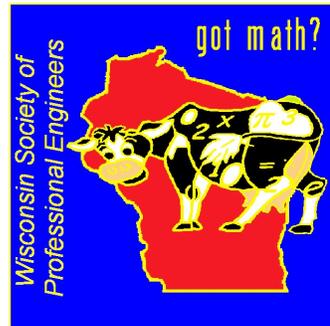


Figure 3:

Cow artwork almost complete.

I emailed a ".tif" file of the almost-complete pin to Dragonaire Pins and asked for a quote. They emailed me the final artwork with PMS numbers for approval, which is shown in Figure 4. The variation in background colors is due to color variation in printing and monitors, so PMS numbers are used to identify colors.

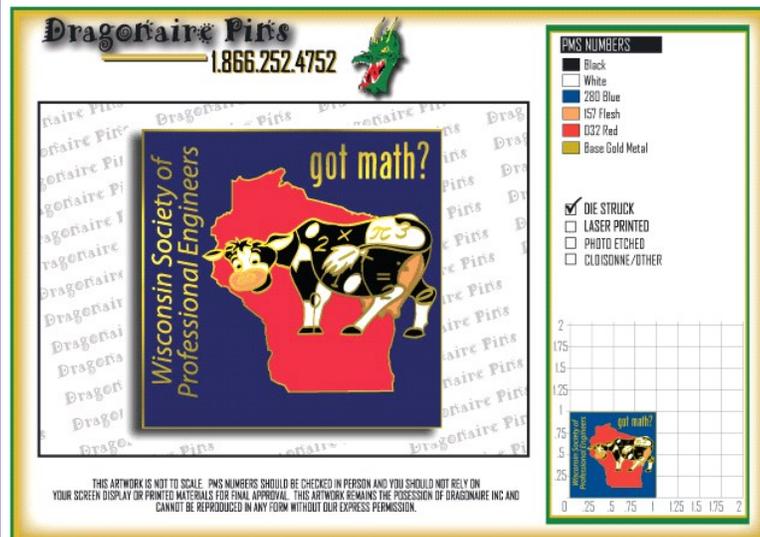


Figure 4: Final artwork

I like to have the object on the pin represent the State of Wisconsin. Here the previous year's pins. Can you identify the state object?



Figure 5: Past MATHCOUNTS Wisconsin Pins

During the last few years we have ordered extra pins to give out at the following year's State MATHCOUNTS. All Mathletes, coaches and volunteers receive one. (A good reason to volunteer in 2013!)

Answers: With a keen eye you'll find a dozen math symbols in the 2012 pin. 2007: Cheese, 2008: Muskie, 2009: Badger, 2010: Robin, 2011: Whitetail Deer

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## 6. Protecting Yourself from a Claim on the Horizon

By Attorney Robert A. Mich, Jr.

Even the best and brightest professionals may be accused at some point in their career of having negligently provided services or having breached a contract. Upon first learning of such an accusation, many people will feel a sense of shock, confusion and perhaps even anger. It is important after the initial emotional reaction wears off to develop an appropriate strategy for how to best protect yourself moving forward.

The first course of action should be to consider contacting your insurance carrier to determine if there may be insurance coverage to cover the potential claim. This should be done even if the potential claim has not been presented in the form of a formal demand or lawsuit. Timely advising your carrier of a potential claim is not only a requirement of insurance policies but is a good practice. Insurance carriers also appreciate the opportunity to address potential claims during the so-called "pre-claim" phase. Claims adjusters and attorneys are often successful in responding to the potential claimant's initial position and persuading them to not pursue the matter further, thereby saving everyone time and expense. Should the claim move forward into a formal demand or lawsuit, the insurance carrier will also be in a better position to investigate and evaluate the claim. Keep in mind that you have paid an insurance premium to gain the benefit of such protection in the event of a claim, so don't be afraid to use it. In the event there is no insurance coverage, consulting with an attorney independently can also provide a similar benefit.

Another step which should be taken is to immediately place a "litigation hold" on all files (both paper and electronic) relating to the particular project in dispute. Preservation of documents at an early stage is critical because the passage of time will often dilute memories and the underlying documentation may be needed to resurrect what happened later on. If the claim should get turned over to a lawyer for handling, there may be documents that you did not consider to be on point but which may have a critical bearing on the case, and therefore you want to make sure to save those documents for future reference. Failure to preserve documents and electronic records could result in sanctions for "spoliation" of evidence. Burning a copy of all electronic files onto a CD for future reference is also a good idea.

Should litigation ensue, the claimant may eventually attempt to use statements by you or your employees in support of their claim. To minimize the potential for inadvertently providing your opponent with additional ammunition, it is also recommended that all communications regarding the potential claim occur through one source. Typically, this will be the professional or principal in charge of the firm, or an attorney. By directing all communications through one source, you are better able to maintain control over the dialogue and hopefully minimize the potential for sending the wrong message to the other side. Keep in mind that asking the potential claimant for additional information and documentation regarding the potential claim is not necessarily an admission that you have done anything wrong, particularly when coupled with a denial of liability. If you have doubts as to your ability to handle these communications, it's advisable to bring in an attorney early on.

Many professionals at some point during their career face the unfortunate prospect of being a target of a potential claim. When that happens, recognize it is an indirect cost of doing business and take appropriate measures to protect yourself and your firm.



Attorney Robert A. Mich, Jr. represents professional engineers, architects, contractors, materials suppliers and owners of construction projects, and is with the law firm of Kay & Andersen, LLC.

Please feel free to contact him at (608) 833-0077 or visit [www.kayandandersen.com](http://www.kayandandersen.com).

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