# OREGON DEPARTMENT OF TRANSPORTATION  
## TECHNICAL SERVICES

### TECHNICAL SERVICES DIRECTIVE

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<th>SUBJECT</th>
<th>FINAL NUMBER</th>
<th>EFFECTIVE DATE</th>
<th>VALIDATION DATE</th>
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<tr>
<td>Documents Requiring the Seal of Licensed Engineers, Land Surveyors, Geologists, Landscape Architects, and Photogrammetrists</td>
<td>TSB11-02(D)</td>
<td>08/01/2011</td>
<td>00/00/0000</td>
<td>TSB 10-01(D)</td>
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**WEB LINK(S)**
http://www.oregon.gov/ODOT/HWY/TECHSERV/technicalguidance.shtml

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<tr>
<th>TOPIC/PROGRAM</th>
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| Documents Requiring Professional of Record Seal | Catherine M. Nelson, P.E.  
Technical Services Manager/Chief Engineer |

**PURPOSE**

This Directive specifies the types of documents that are required to be sealed by a Professional of Record (POR) for highway design, construction, and maintenance. The documents required to be sealed under this Directive are in addition to the requirements of Technical Directive TSB11-01(D) that pertains to sealing of Project Special Provisions by a POR. This Directive also includes a list of documents not requiring the seal of a POR.

**GUIDANCE**

ODOT Design Policy DES 05-02 stipulates that the Chief Engineer is responsible for issuing Technical Guidance that establishes requirements for professionals of record to seal final work products used by the Department.

This Directive provides a list of the types of final work products requiring a seal by a POR. The work products are listed in three general categories: pictorial representations, text documents and final calculations. More specific guidance on the work products of technical disciplines will be provided through the Technical Leadership Team and various discipline leadership teams. The Committee on Professional of Record Policies (CPRo) was established by the Chief Engineer to coordinate and make recommendations to the Chief Engineer and the Technical Leadership Team on sealing requirements.

**DEFINITIONS**

“OSBEELS” refers to the Oregon State Board of Examiners for Engineering and Land Surveying.

“OSBGE” refers to the Oregon State Board of Geologist Examiners.

“OSLAB” refers to the Oregon State Landscape Architect Board.

“Licensed Professionals” This group includes, but is not limited to Registered Photogrammetrists, Registered Professional Engineers, Registered Professional Land Surveyors, Certified Geologists, Landscape Architects, and Certified Photogrammetrists.
Surveyors, Registered Geologists, Certified Engineering Geologists, and Registered Landscape Architects.

"Professional of Record" (POR) includes all licensed professionals that, by the conditions of their professional license, are required to sign and seal their final professional work products. The final work product may include, but is not limited to final design plans, technical reports, final calculations and specifications.

REFERENCES
Work performed for the ODOT by Licensed Professionals is subject to the following Oregon Revised Statutes (ORS), Oregon Administrative Rules (OAR) and governing boards:

ORS 672.002 to 672.325, 672.991 and OAR 820-001 to 820-040 establish legal requirements for Professional Engineers, Professional Land Surveyors, and Professional Photogrammetrists. ORS 672.020 requires that: "Every final document including drawings, specifications, designs, reports, narratives, maps and plans issued by a registrant shall be stamped with the seal and signed by the registrant. The signature and stamp of a registrant constitute a certification that the document was prepared by the registrant or under the supervision and control of the registrant."

ORS 672.505 to 672.705, 672.991 and OAR 809-001 to 809-060 establish the legal requirements for Registered Geologists and Certified Engineering Geologists. ORS 672.605 requires that: "All drawings, reports or other geologic papers or documents involving geologic work as defined in ORS 672.505 to 672.705 that have been prepared or approved by a registered geologist or a subordinate employee under the direction of a registered geologist for the use of or for delivery to any person or for public record within this state shall be signed by the registered geologist and impressed with the seal or the seal of a nonresident practicing under the provisions of ORS 672.505 to 672.705, either of which shall indicate responsibility for them."

ORS 671.310 to 671.459, 671.992, 671.995 and OAR 804-001 to 804-050 establish the legal requirements for Registered Landscape Architects. ORS 671.020 requires that: "All drawings and the title page of all specifications intended for use as construction documents in the practice of architecture must bear the stamp of a registered architect and be signed by the architect. The stamp and signature constitute certification that the architect has exercised the requisite professional judgment about and made the decisions upon all matters embodied within those construction documents, that the documents were prepared either by the architect or under the direct control and supervision of the architect and that the architect accepts responsibility for them."

EXPLANATION
1) Knowledge in another field
A licensed professional may have acquired knowledge, training and experience in aspects of another field in which the POR is not licensed. Such individuals, acting within their statutory responsibilities, are not restricted from activities in the secondary field which are
incidental to their primary field of professional practice. Registrants are expected to follow
the guidance of their respective Board’s Code of Professional Conduct [Code of Ethics]
and relevant legal interpretations. Conversely, if inadequate knowledge or expertise is
possessed by a licensed professional to perform work outside their primary field of
practice, then appropriate training, assistance, or counsel from other licensed
professionals must be obtained.

2) Use of direction from another Professional of Record
Sealing of a design or construction plan sheet by a single licensed professional when
multiple disciplines have provided technical input is acceptable. Each final product used
as supporting information must be sealed by the responsible POR (if applicable). The
POR sealing the collective final product has the professional responsibility for the extent
to which recommendations described in the supporting information prepared by the other
POR(s) are included or excluded.

3) List of work products requiring the seal of a POR

<table>
<thead>
<tr>
<th>Final Pictorial Representations</th>
<th>Final Text Documents</th>
<th>Final Calculations</th>
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<tbody>
<tr>
<td>Project Plans</td>
<td>Reports</td>
<td>Hand-written calculations</td>
</tr>
<tr>
<td>Drawings</td>
<td>Narratives</td>
<td>Spreadsheets</td>
</tr>
<tr>
<td>Details</td>
<td>Design Memos</td>
<td>Design software output</td>
</tr>
<tr>
<td>Standard Drawings</td>
<td>Design Exceptions and Deviations</td>
<td>Graphs</td>
</tr>
<tr>
<td>Sketches</td>
<td>Standard Drawing Baseline Report</td>
<td>Calculation books</td>
</tr>
<tr>
<td>Tables and Data Sheets</td>
<td>E-Mails or conversation records documenting professional direction</td>
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<tr>
<td>Maps and Plats</td>
<td>Project specifications and special provisions</td>
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4) List of items NOT requiring a seal
Products that are clearly marked as Draft, Preliminary, Not for Construction, Review
Copy, Subject to Change, or similar wording to indicate it is not intended to be a final
product. Lab testing and monitoring data do not require a POR seal.

RESPONSIBILITIES

RESPONSIBILITY:

Chief Highway Engineer

ACTION:

Communicate and distribute directive to all staff, consultants, and contractors. Establish procedures and
provide guidance and training needed to implement this directive. Monitor implementation of directive and
procedures and take action to correct non-compliance or make improvements. Revise directive and procedures as
needed to remain compliant with Oregon statutes, rules, and the legal interpretations of licensing boards.

Review discipline specific guidance for consistency with this Directive. Make recommendations to the Chief Engineer to achieve consistency of requirements across disciplines. Identify and resolve issues and questions that need additional guidance or interpretation. Make recommendations to Chief Engineer for changes in policy or practice to address POR sealing requirements.

Prepare discipline specific guidance and coordinate with leadership teams responsible for disciplines with similar skills. Submit draft guidance to CPRO for review and input. Collaborate with CPRO to resolve issues, related to POR practices and sealing requirements. Review discipline specific guidance not less than annually to ensure that it is kept up to date.

Ensure this directive is distributed to and discussed with employees. Distribute and communicate related procedures, guidelines, and revisions to this Directive to employees, consultants and contractors. Establish quality control/assurance procedures to ensure implementation of this Directive and other discipline specific guidance. Recommend changes to Chief Highway Engineer or CPRO to address problems or concerns.

Comply with this directive and related procedures and guidelines. Take questions and issues to manager or supervisor for resolution. Employees are encouraged to make use of internal forums and processes such as discipline leadership teams and CPRO, before taking issues to governing boards for action. Employees have a right to take issues regarding professional practice to the governing boards of the profession when they believe department policy is inconsistent with laws or administrative rules.

**ACTION REQUIRED**

This Directive takes effect immediately.

**CONTACT INFORMATION**

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