



CITY OF OCEANSIDE
ENGINEERING DIVISION
NOTICE

February 28, 2024

To: Developers, Engineers and Others
From: Brian K. Thomas, City Engineer
Subject: **Plan Submittal – Completeness of Documents and Due Diligence**

Some in the engineering community have fallen into the practice of “designing by plan review,” the process where these engineers hope to minimize costs by providing the bare minimum information to the public agency for review with the goal of having the plan reviewer provide sufficient comments to the point where the engineer of record can turn the project into a drafting project for the same fee.

Some in the engineering community are also failing to perform due diligence with regard to submittal requirements for not just the City of Oceanside, but other agencies as well, who then return to their clients for additional budget to comply with the requirements for which they were responsible to know.

These acts are in direct violation of Title 16, Division 5 of the California Code of Regulations Sections 400 – 475 (“Board Rules”), specifically Section 475(e)(1) which states, “*A licensee shall not misrepresent the completeness of the professional documents he or she submits to a government agency.*” Board Rule Section 475(e)(2) states, “*A licensee shall not misrepresent the completeness of the professional documents he or she prepared to his or her client or to other involved parties.*”

In addition, Business and Profession Code Section 6735(a) (“PE Act”) requires interim documents to include a notation as to the intended purpose of the document, such as “preliminary,” “not for construction,” “for plan check only,” or “for review only.” All final civil engineering plans, calculations and reports shall bear the signature and seal of stamp of the licensee, and the date of signing and sealing or stamping.

Submittals need to be as complete as possible and the engineer of record is required to perform due diligence before entering into a contract as the practice of submitting incomplete plans with the hope the plan reviewer will fill in the missing items and/or returning to the client for additional funding due to the engineer’s lack of diligence, violates Board Rules and the PE Act are sanctionable by the Board of Engineers, Land Surveyors and Geologists.

Respectfully

Brian K. Thomas, PE
City Engineer