

Before we begin, use this QR code to pull up the NSPE Code of Ethics.





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# PROVIDENCE

## OUR MISSION

Focus on our clients' best interests and provide the highest quality services and products with integrity, innovation, and excellence.

## OUR TEAM

Our engineers, scientists, and staff collaborate to develop innovative, cost-effective solutions for clients across diverse industries.

## OUR SOLUTIONS

Our company name, by definition, means "making provisions for the future" — this approach guides our work on every client project.



# MEET THE SPEAKER

*Senior Air Quality Engineer*



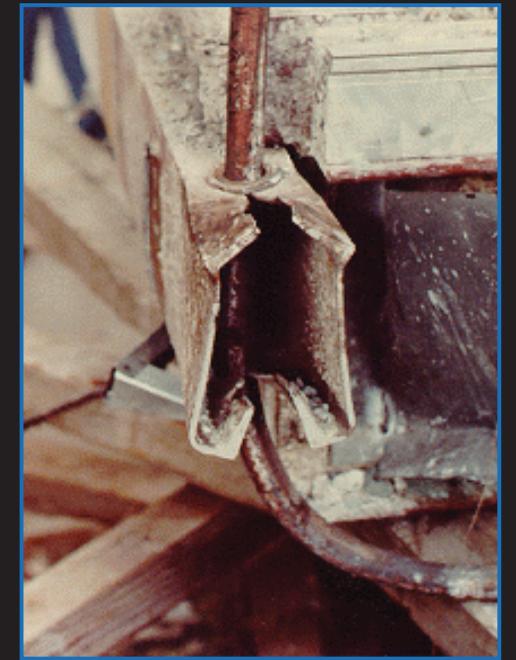
**ROBYNN ANDRACSEK, PE**, is a Senior Air Quality Engineer for industrial and utility clients. She assists clients in securing operating and construction air permits for their projects. Robynn also conducts regulatory interpretations, historical and compliance audits, emission calculations, and other critical air permitting issues. Her specialties include PSD Netting, routine maintenance, and dispersion modeling. She brings 26 years of experience and has worked closely with state agencies, including multiple face-to-face meetings and extensive phone and e-mail communication. Robynn has a well-developed reputation for providing quality applications and being able to constructively work through the draft application negotiations process at the state agencies with which she's worked. Robynn is a prolific writer and frequently requested speaker on a variety of permitting and engineering topics.

Robynn is an adjunct instructor at the University of Kansas, teaching Air Quality and Engineering Ethics.

She is a licensed Professional Engineer in LA, TX, FL, KS, GA, MN, IN, UT, NE, and MO.



# ETHICAL FAILURES



# ENGINEERS, IN THE FULFILLMENT OF THEIR PROFESSIONAL DUTIES, SHALL:

1. Hold paramount the safety, health, and welfare of the public.
2. Perform services only in areas of their competence.
3. Issue public statements only in an objective and truthful manner.
4. Act for each employer or client as faithful agents or trustees.
5. Avoid deceptive acts.
6. Conduct themselves honorably, responsibly, ethically, and lawfully so as to enhance the honor, reputation, and usefulness of the profession.



<https://www.nspe.org/sites/default/files/resources/pdfs/Ethics/CodeofEthics/NSPECodeofEthicsforEngineers.pdf>



NATIONAL SOCIETY OF  
PROFESSIONAL ENGINEERS

# Volkswagen Clean Air Act Violation (2015)

The first corrupt step often begins with thinking a requirement is too hard or unfair...

**\$1.45 billion civil penalty**

*Louisiana*  
**VOLKSWAGEN  
SETTLEMENT**



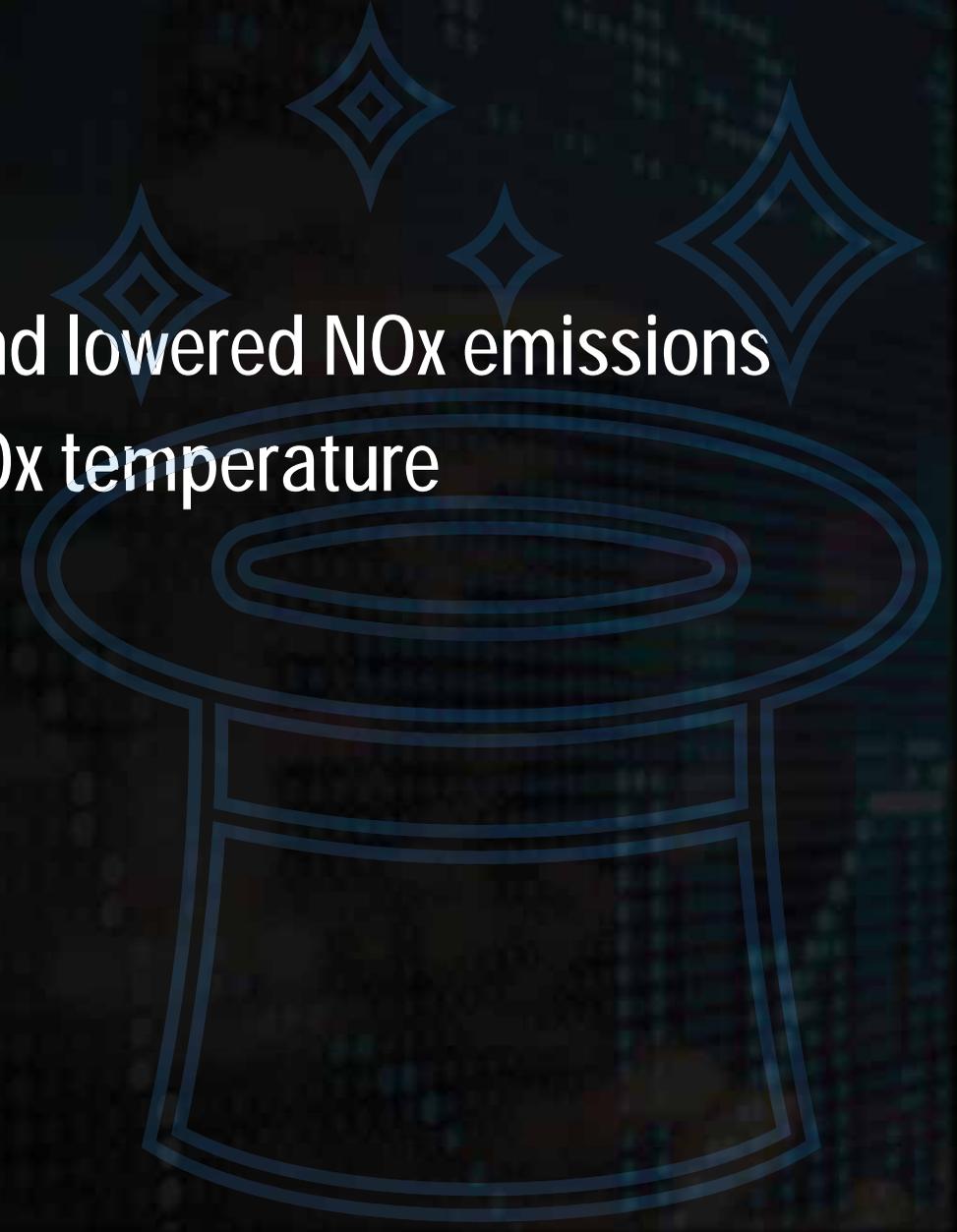
**117**   
**BUSES**

Louisiana's VW Settlement funding will put an additional **117 Propane school buses** on the road.

These buses will contribute to a NOx reduction of approximately **137 tons** over their lifetime. That's **61% cleaner than diesel buses**.

**61%**   
**CLEANER THAN DIESEL**

- A product engineered to deceive
- Software sensed when it was in test mode and lowered NOx emissions
- One second after the end of the test, “low NOx temperature conditioning mode” ended



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NATIONAL SOCIETY OF  
PROFESSIONAL ENGINEERS

- World's tallest waterslide
- Child died (caught in overhead "emergency" net)
- Designer had no engineering credentials
- Two people charged with second-degree murder
- Charges dropped due to prejudicial evidence (Travel Channel show)

*Judge stated designers couldn't have broken any ride safety laws because the state of Kansas had such lax regulations.*



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<https://www.nspe.org/sites/default/files/resources/pdfs/Ethics/CodeofEthics/NSPECodeofEthicsforEngineers.pdf>



NATIONAL SOCIETY OF  
PROFESSIONAL ENGINEERS

# LA Rev Stat § 37:700 (2022)

A. The board shall have the power to take enforcement action against any **non-licensee** or non-certificate holder found by the board to be guilty of any of the following acts or offenses:

1. (1) Practicing or offering to practice engineering or land surveying in the state of Louisiana without being licensed in accordance with the provisions of this Chapter.



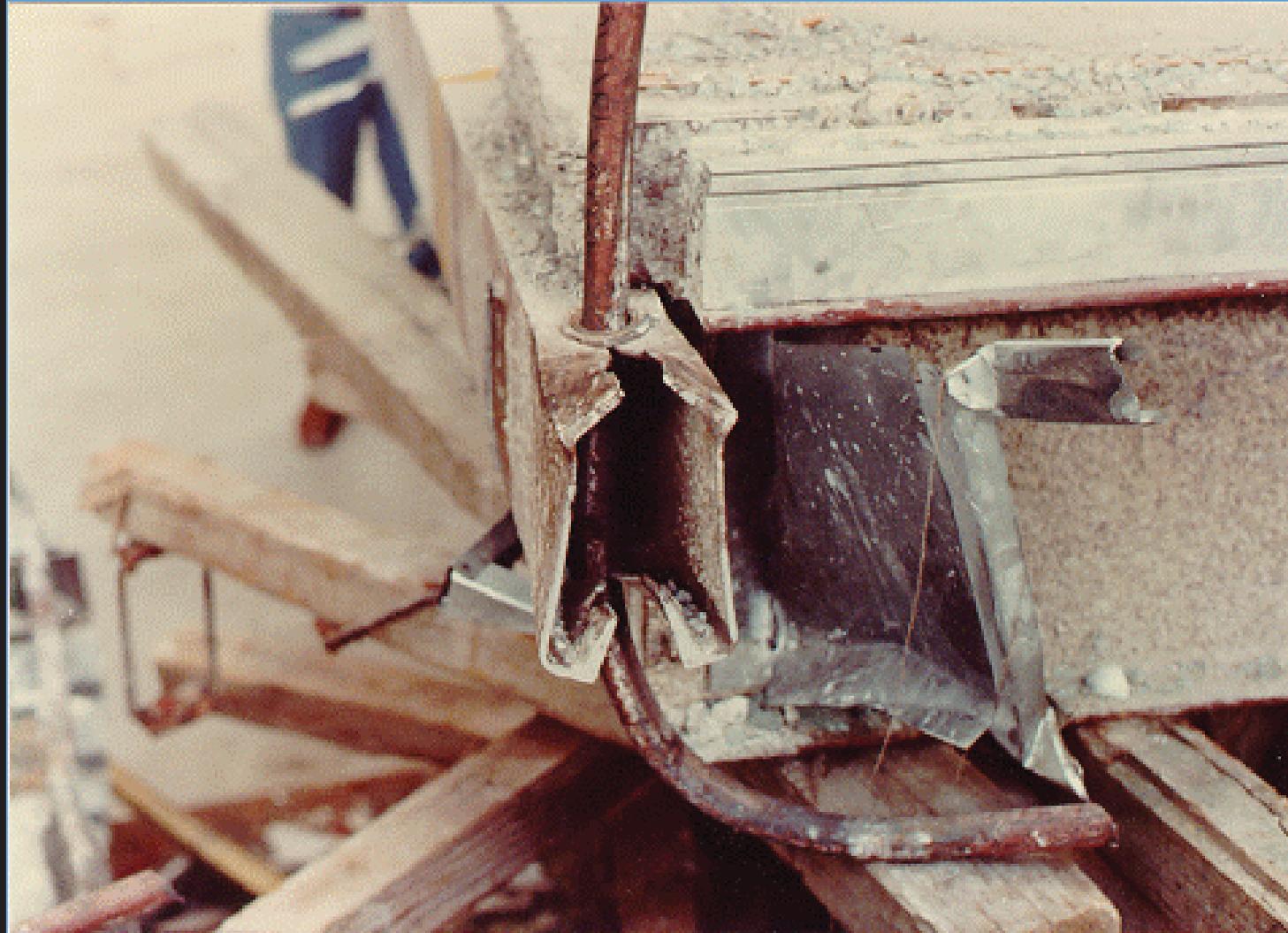
# Kansas City Skywalk Collapse (1981)

*“In terms of loss of life and injuries, this was the most devastating structural collapse ever to take place in this country.”*

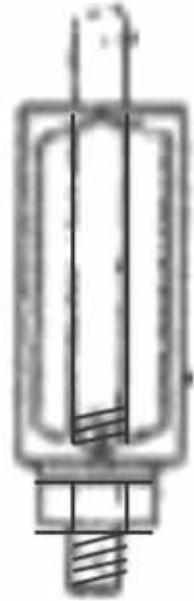
(National Bureau of Standards)



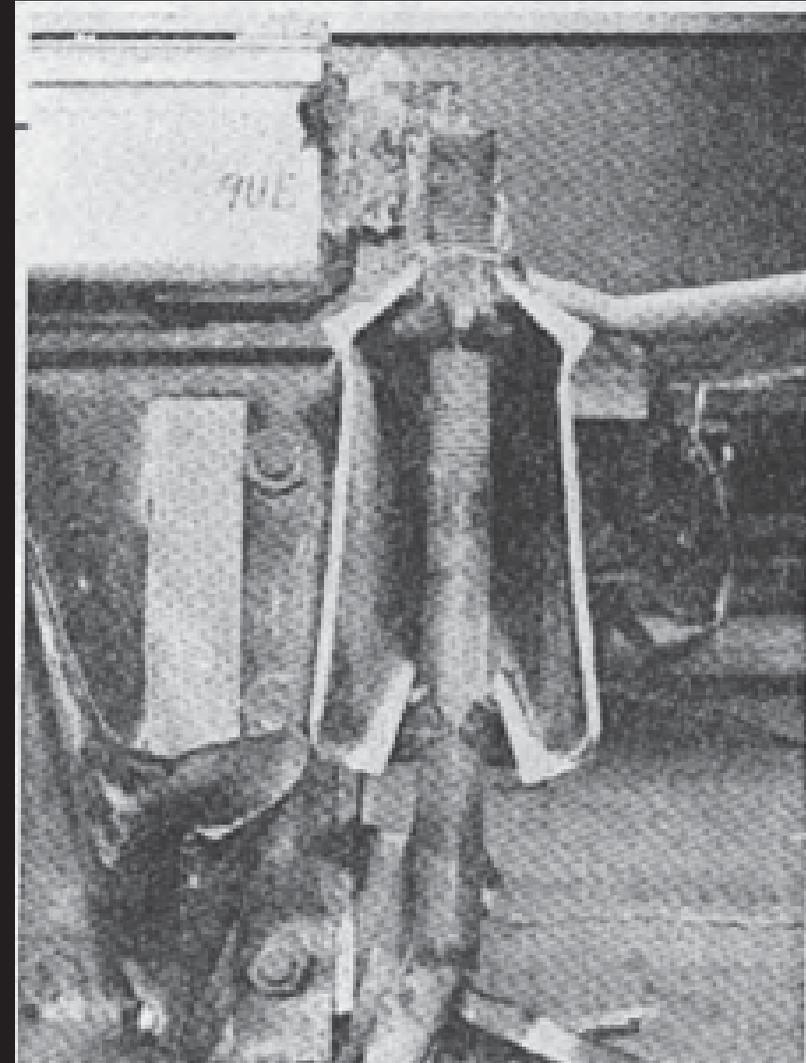
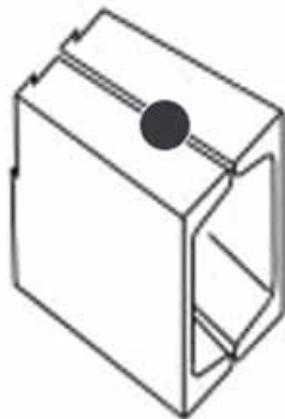
# Kansas City Skywalk Collapse (1981)



# Kansas City Skywalk Collapse (1981)



**The Engineer's Design**



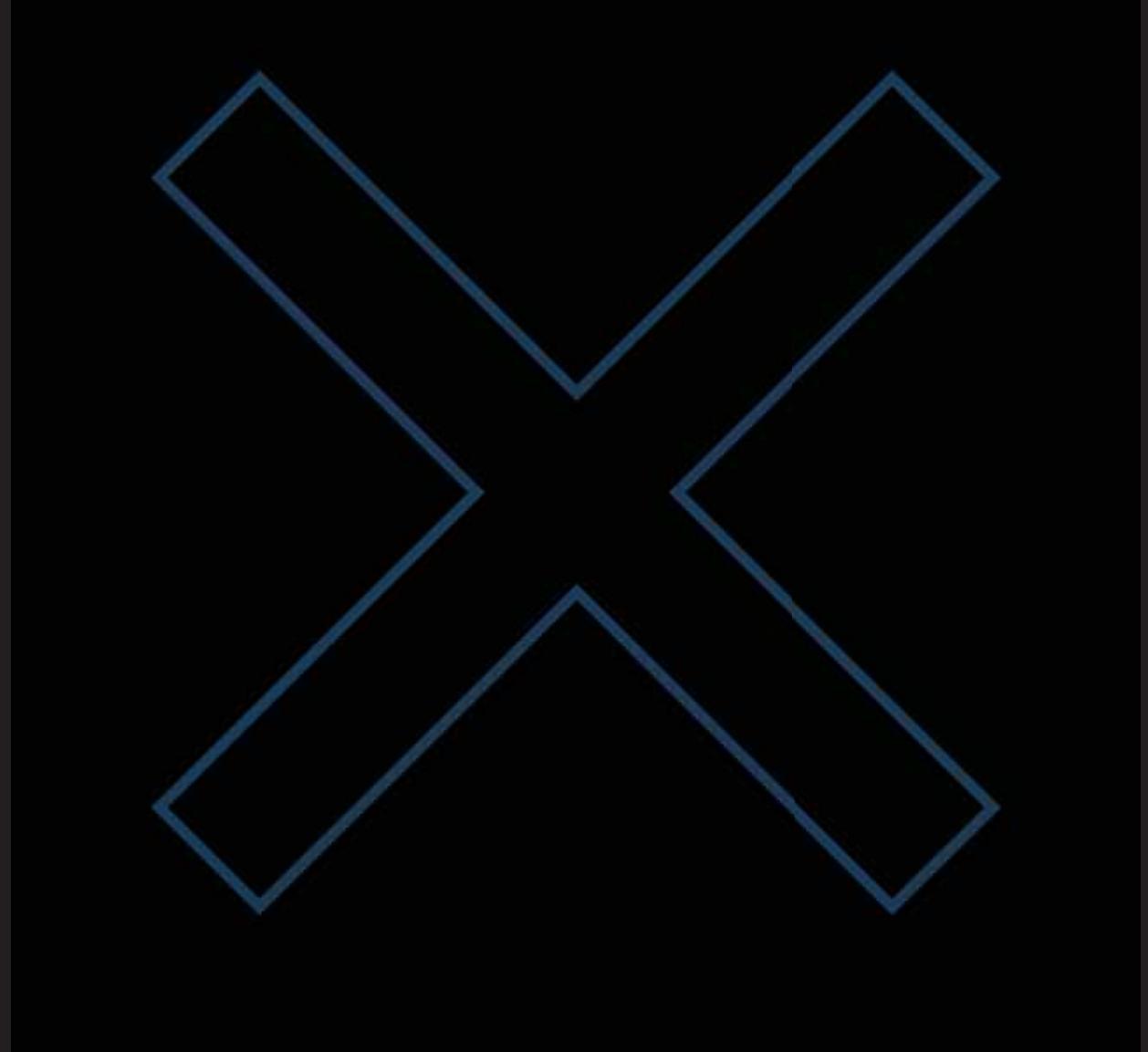
**The Failure**



# Kansas City Skywalk Collapse (1981)

## WRONG THEORIES:

1. Swaying from dancing
2. Poor workmanship in welding
3. Math error
4. Not built as designed
5. Design not properly reviewed
6. Project was rushed



# Kansas City Skywalk Collapse (1981)

## WHAT REALLY HAPPENED:

Engineer sealed drawings without checking to see if the design could hold the stresses



# The "Design Concept"

3<sup>rd</sup> Floor  
Bridge



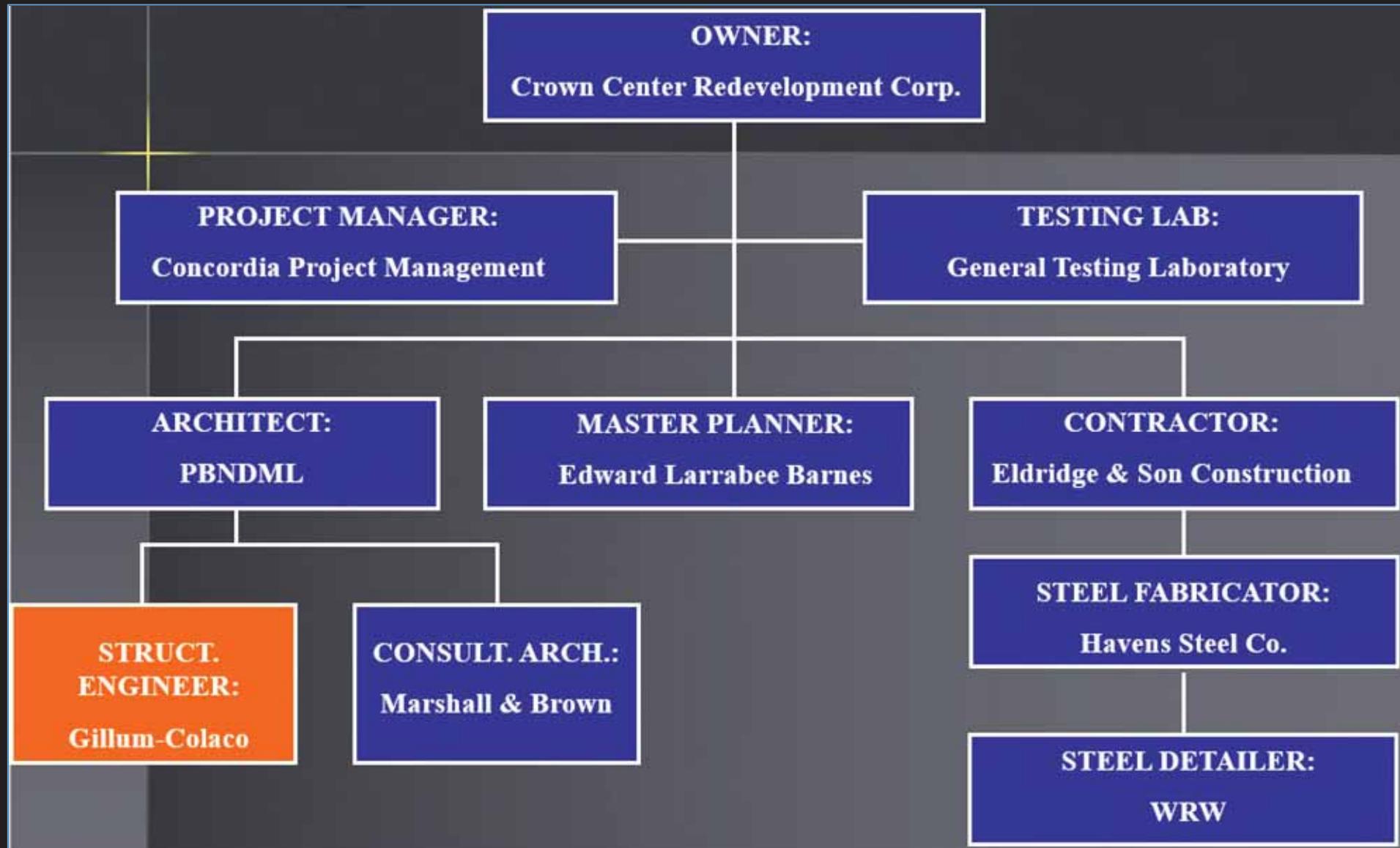
4<sup>th</sup> Floor  
Bridge

2<sup>nd</sup> Floor  
Bridge



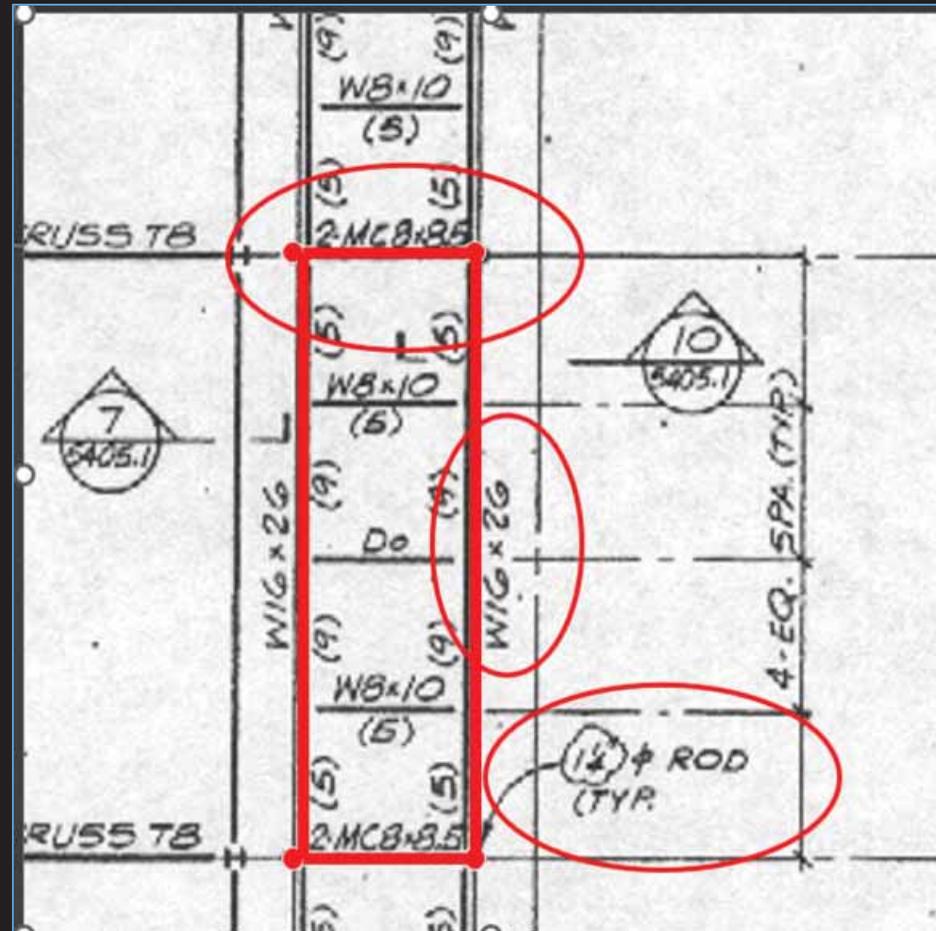
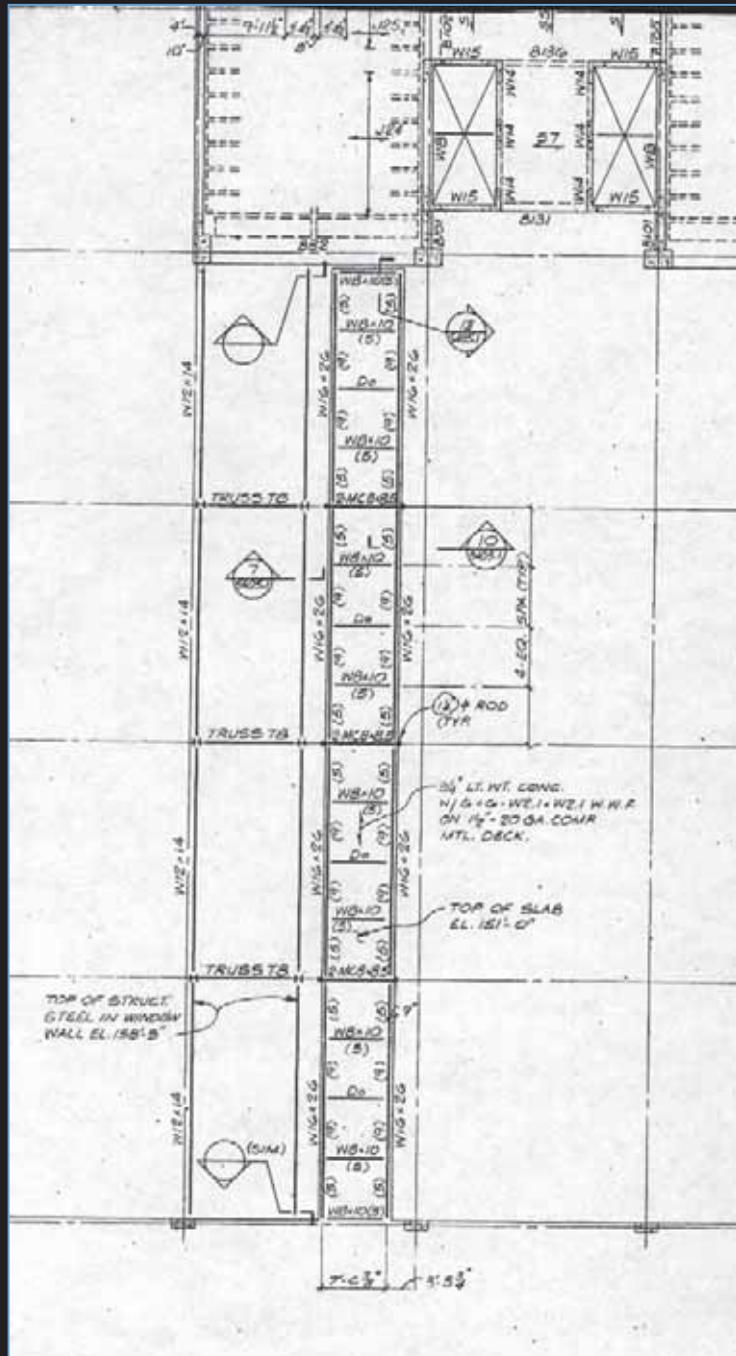
PROVIDENCE

# The Hyatt Construction Team



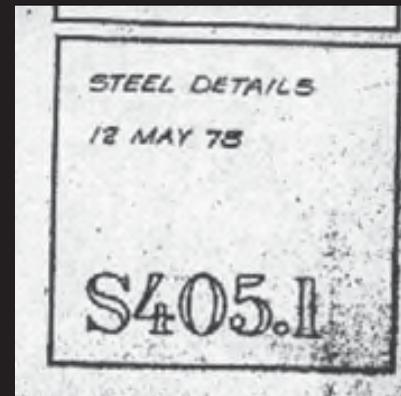
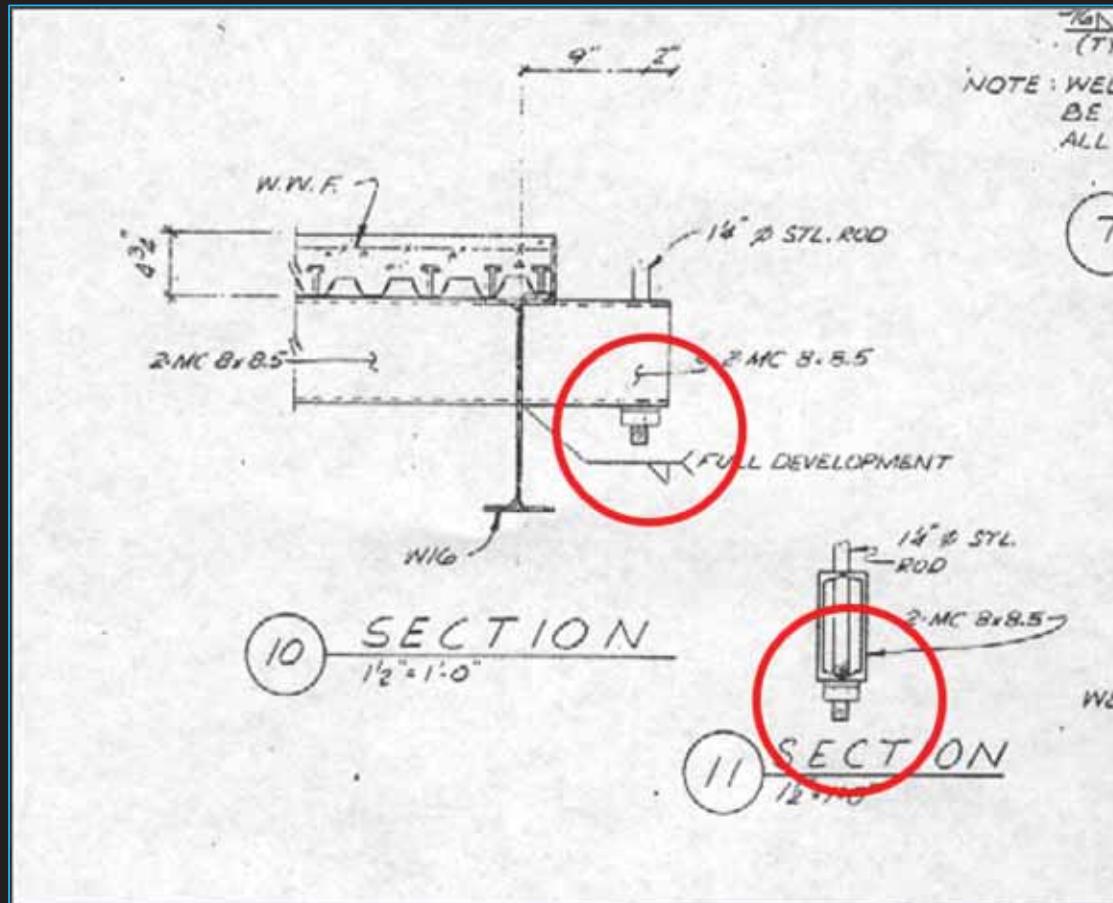
# Engineer's Framing Plan

## 4<sup>th</sup> Floor Bridge

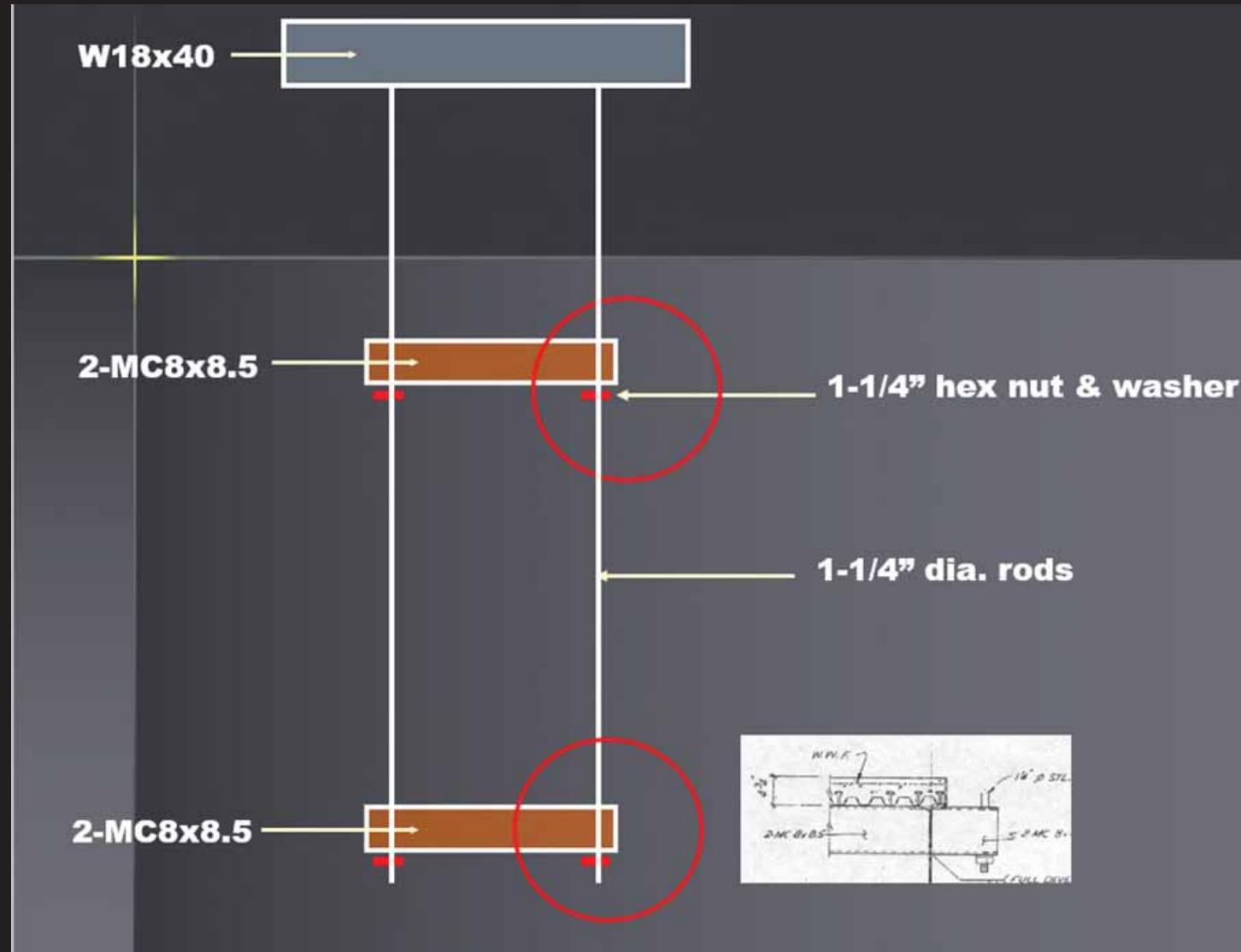


# DETAILS 10 & 11 Sheet S405.1

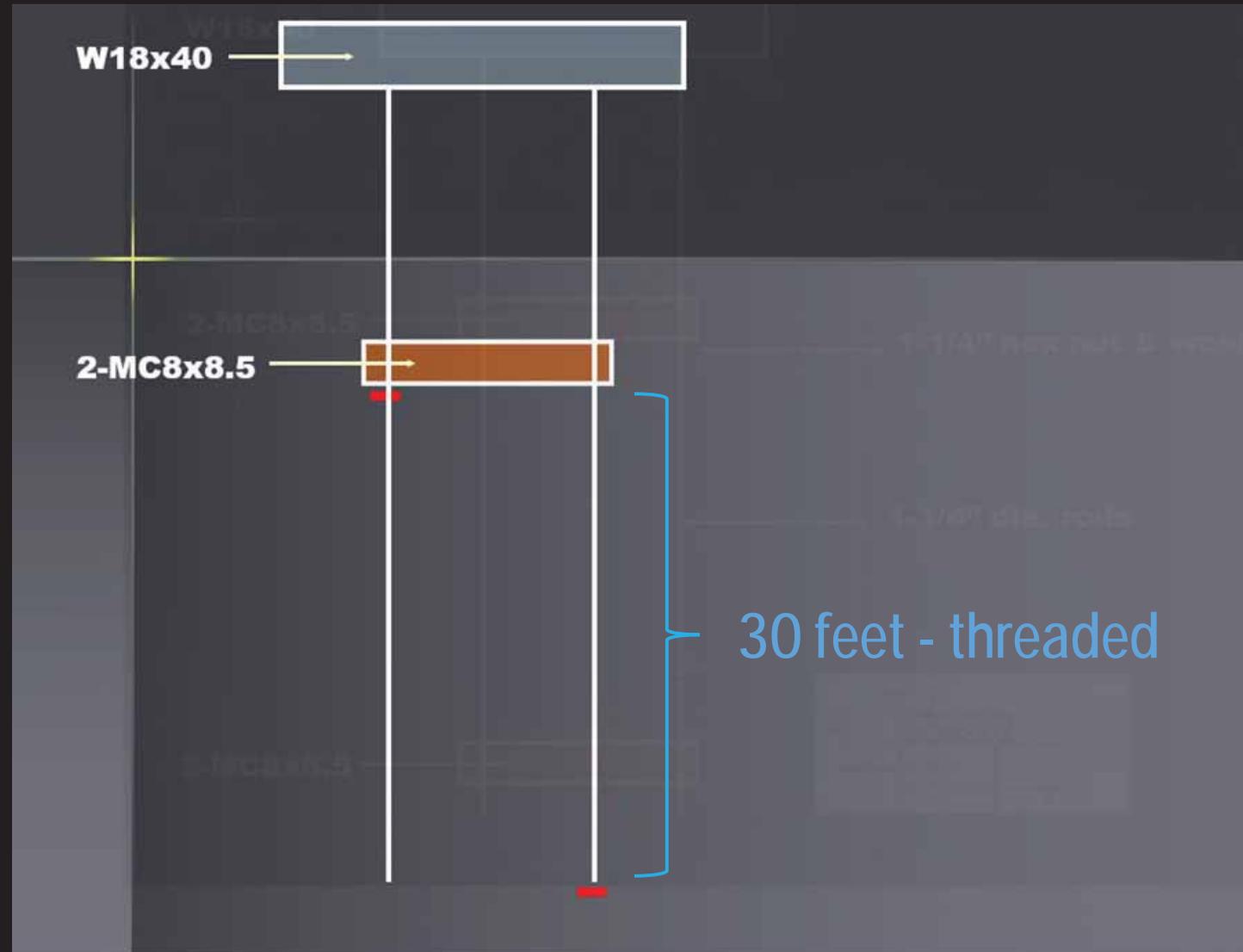
First Chance:  
No math done on original design by structural engineers



# FABRICATOR'S DILEMMA

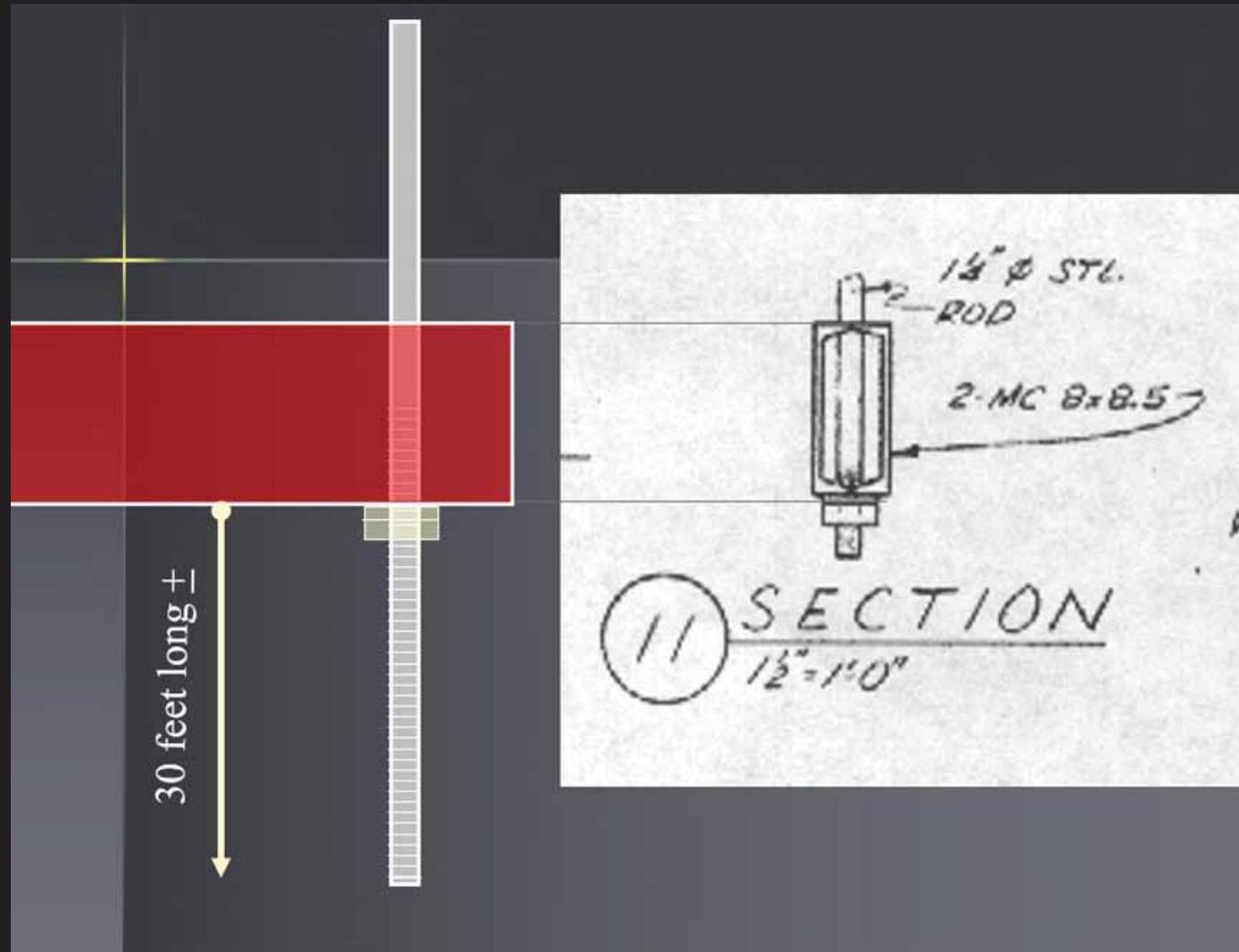


# FABRICATOR'S DILEMMA

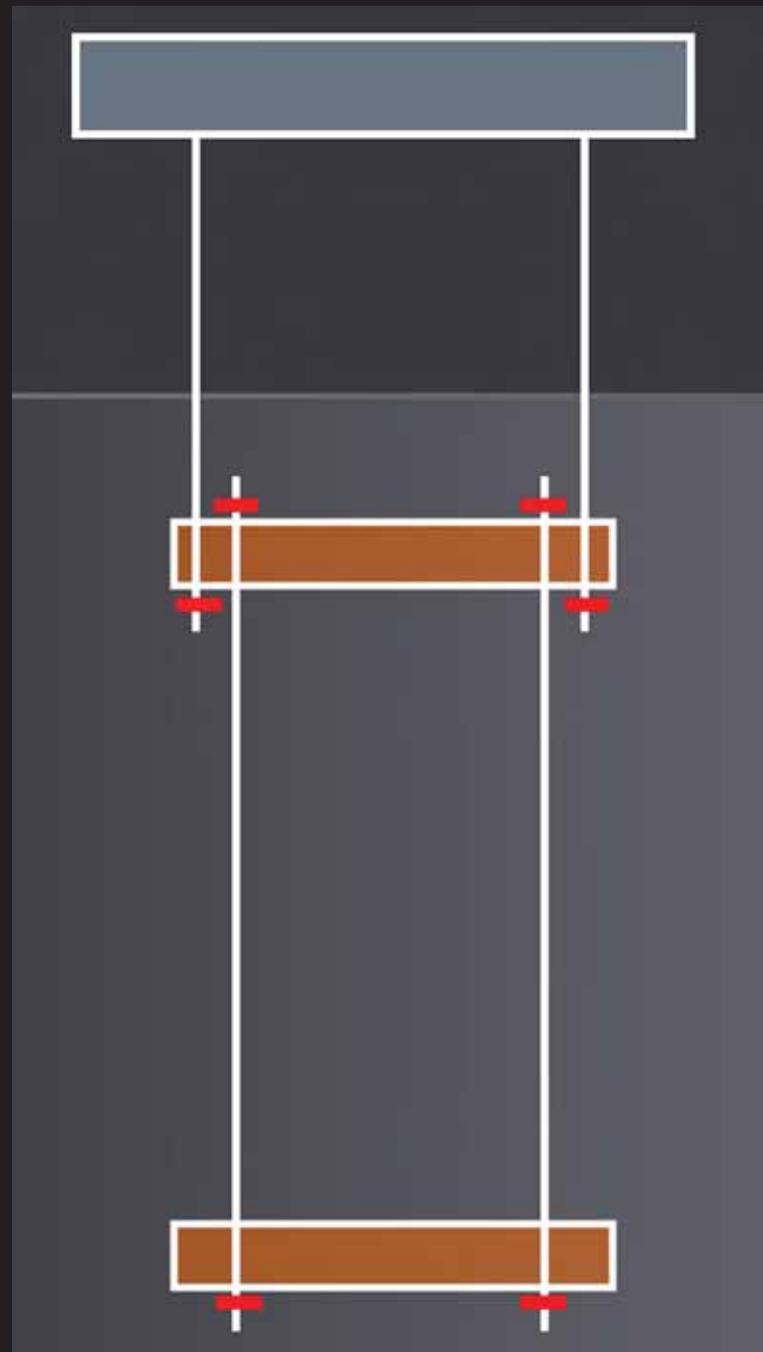


# FABRICATOR'S DILEMMA

## 4<sup>th</sup> Floor Connection



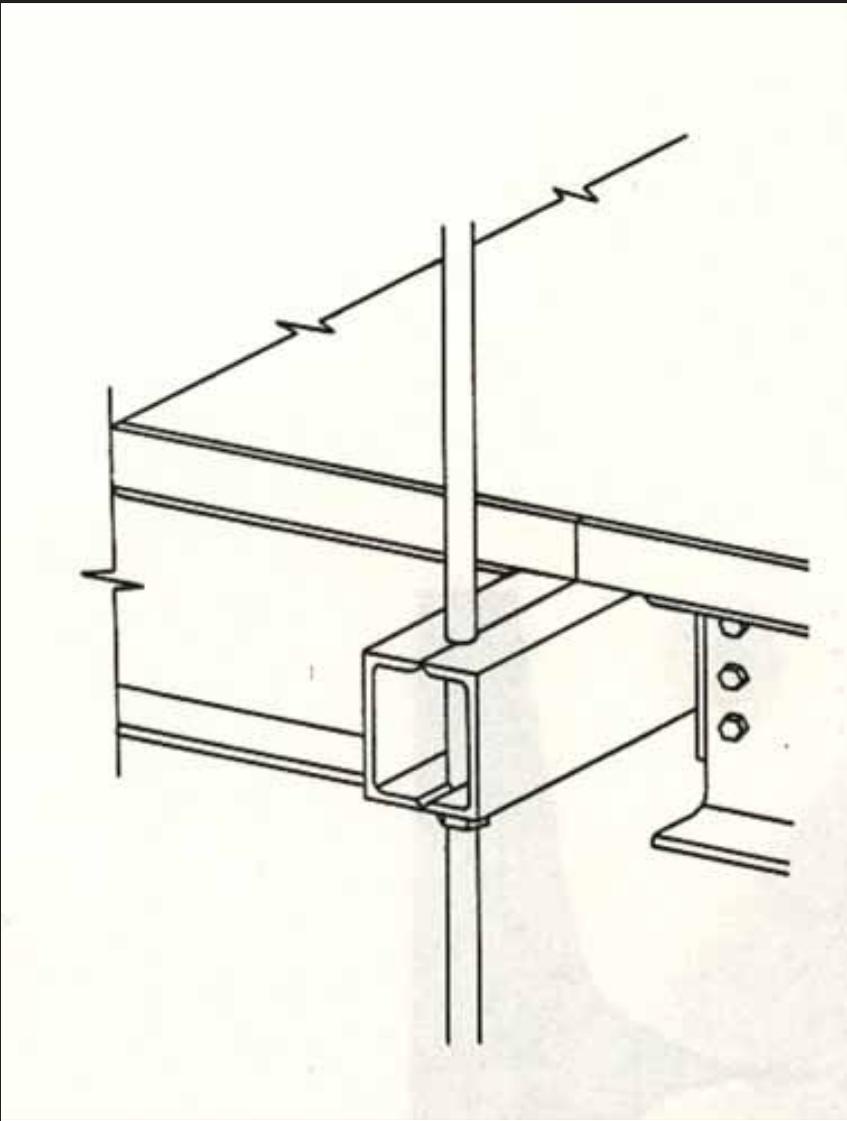
# DUNCAN' SOLUTION



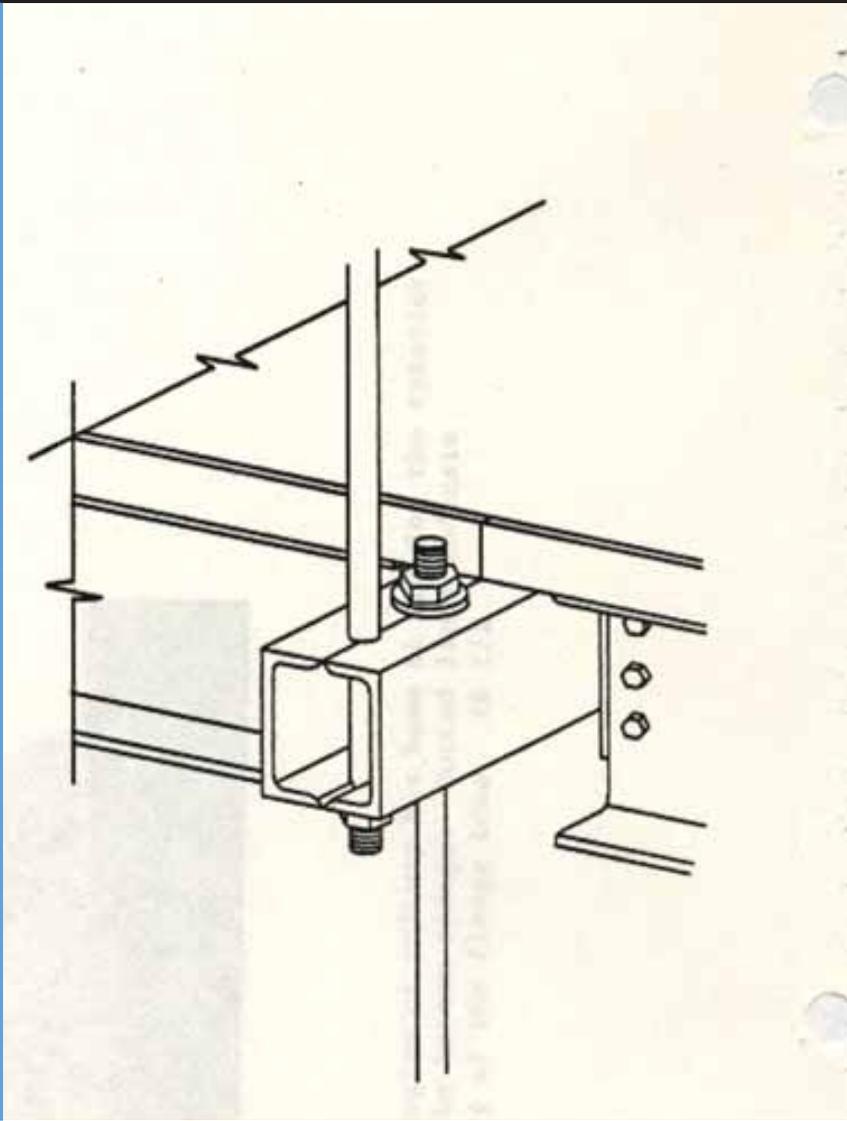
Second Chance:  
No math done on revised design by  
structural engineers



# SHOP DRAWING REVIEW AND APPROVAL



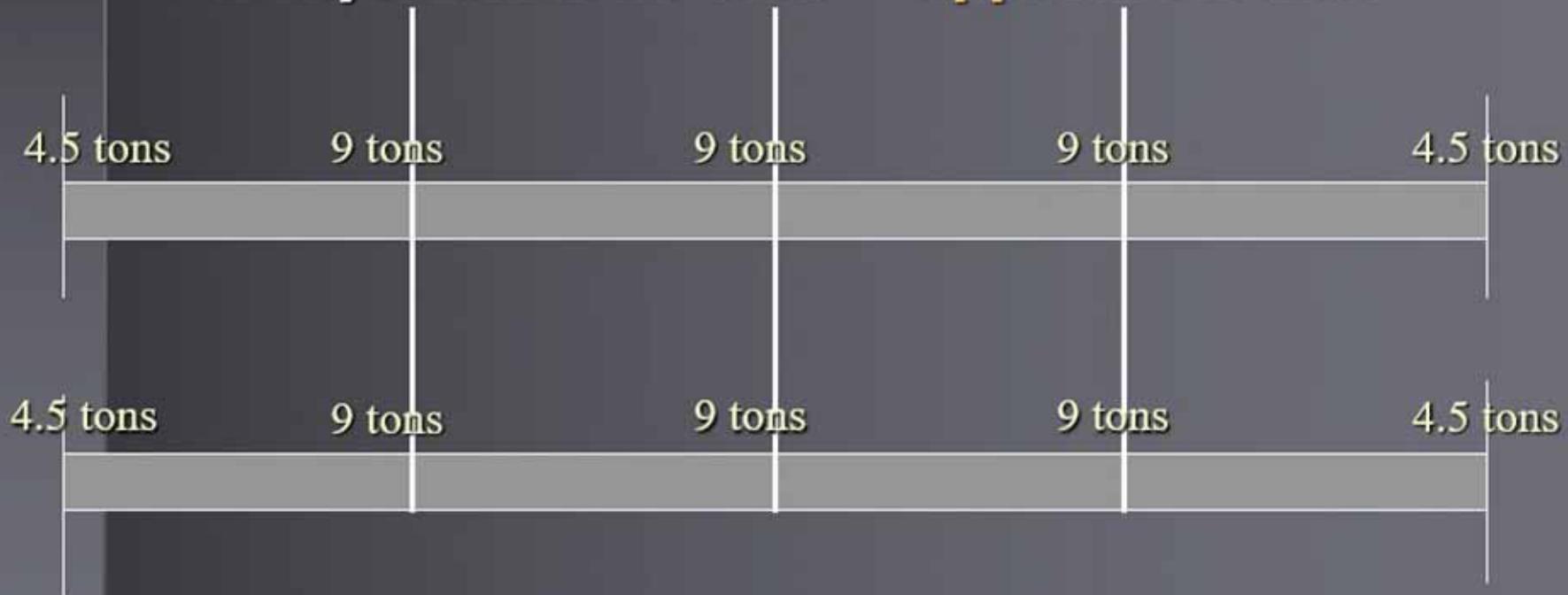
ORIGINAL SINGLE-ROD DESIGN CONCEPT



REVISED TWO-ROD CONNECTION DESIGN

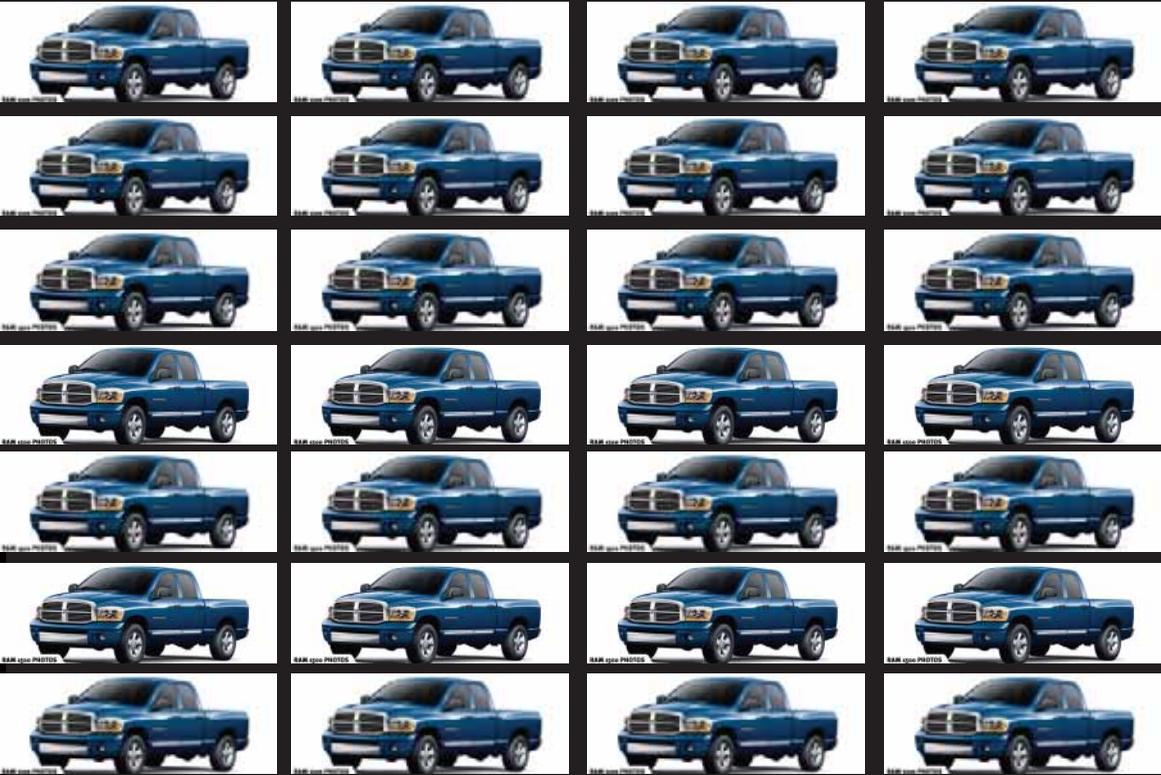
# WEIGHT OF SKYWALK SPAN

- 4 spans x 17,960 lbs. = approx. 36 tons
- 2 skywalks x 36 tons = **approx. 72 tons**

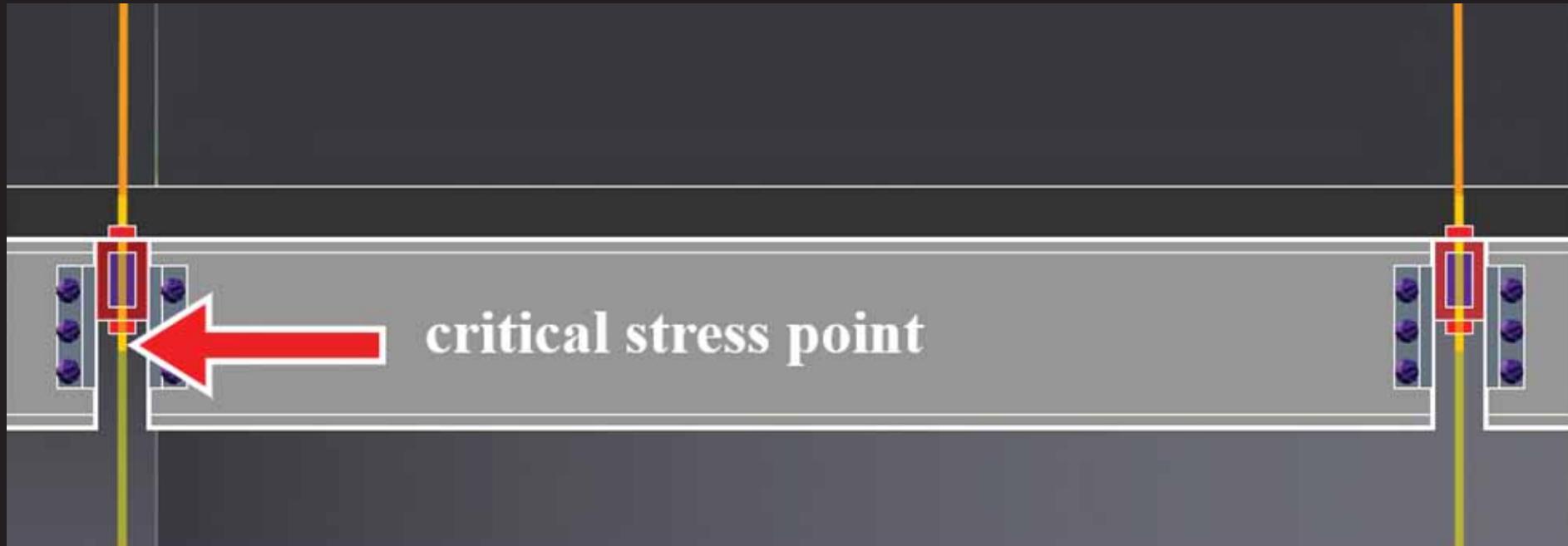


# FRAME OF REFERENCE

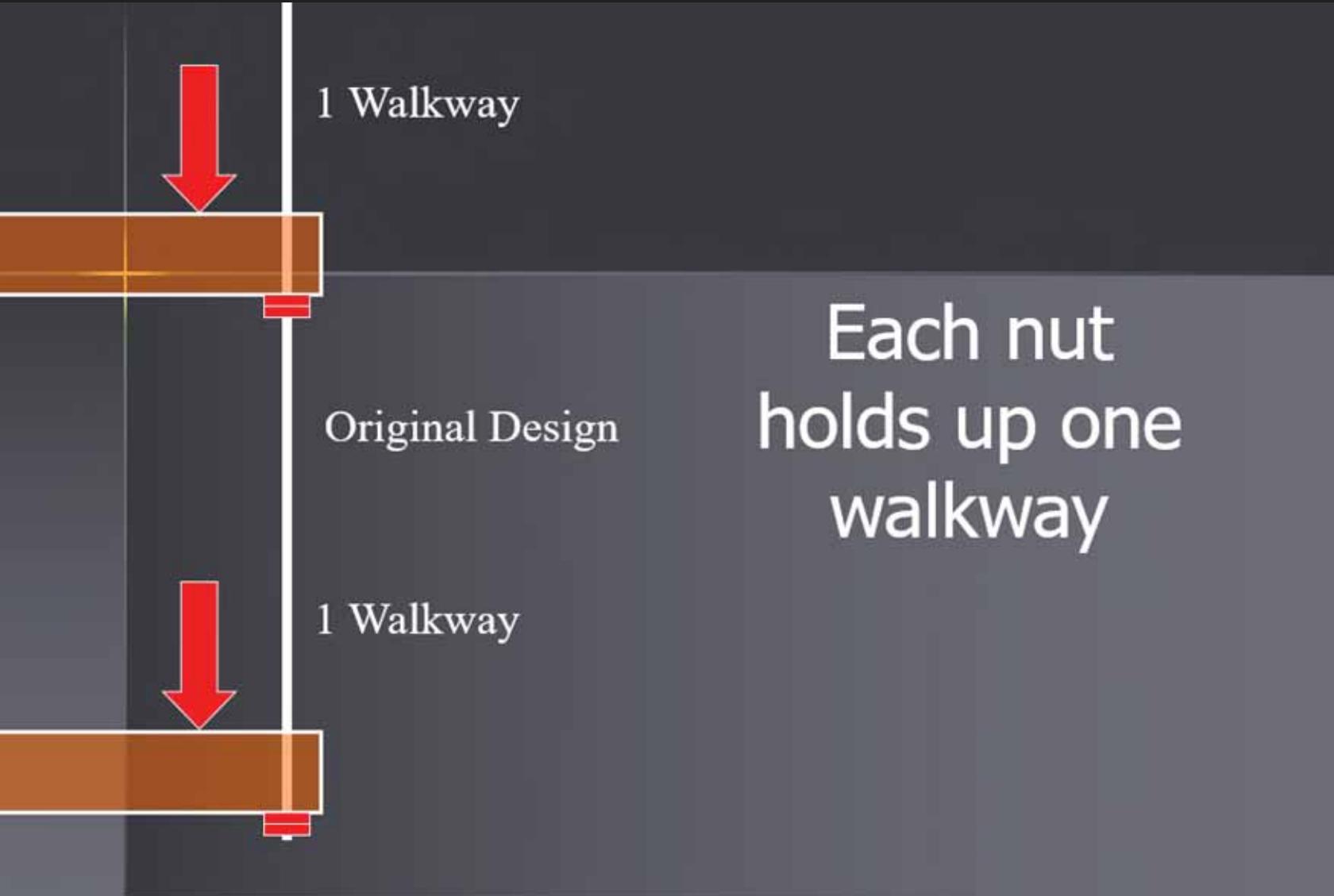
72 Tons Equals:



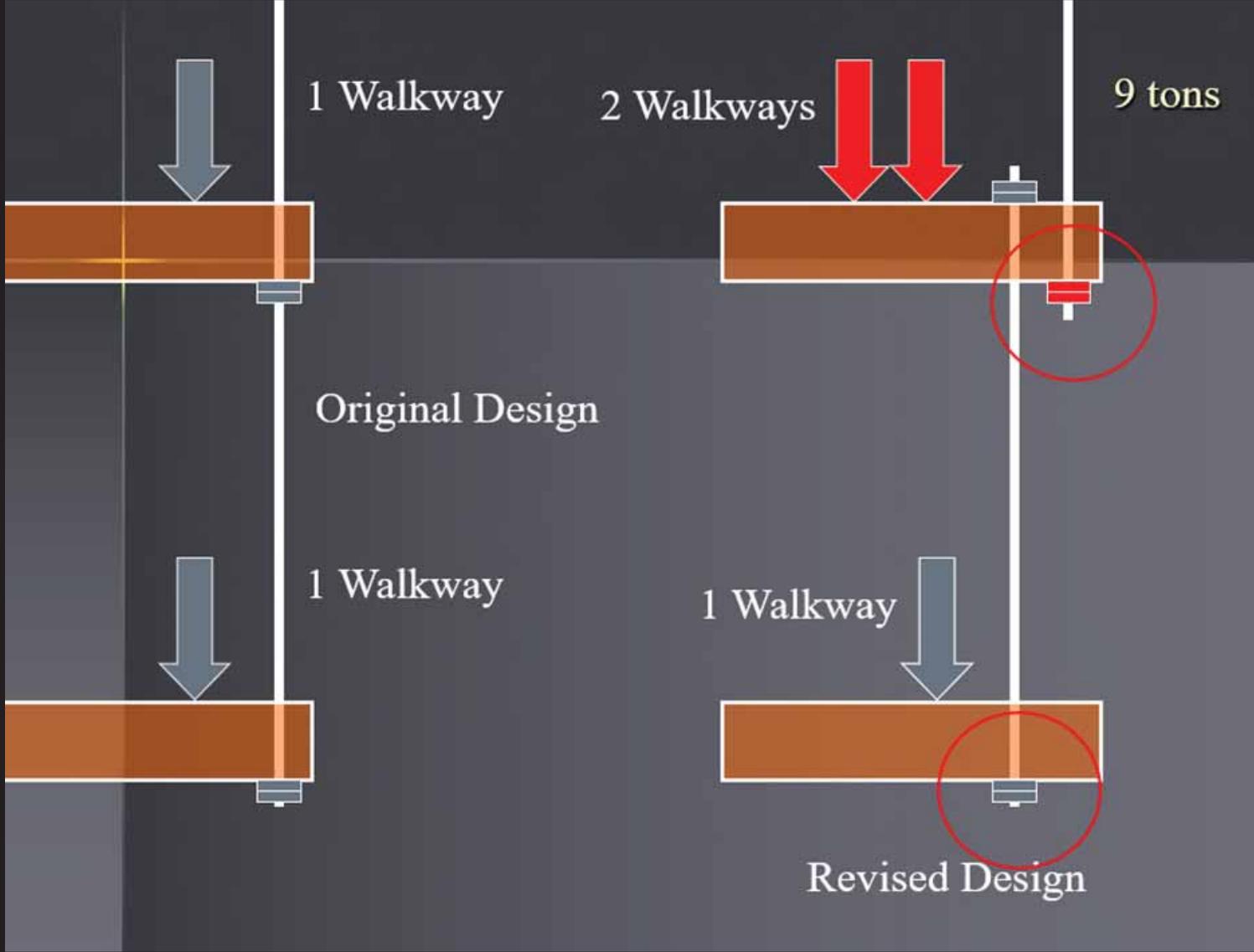
# SKYWALK ASSEMBLY



# SKYWALK ASSEMBLY



# SKYWALK ASSEMBLY



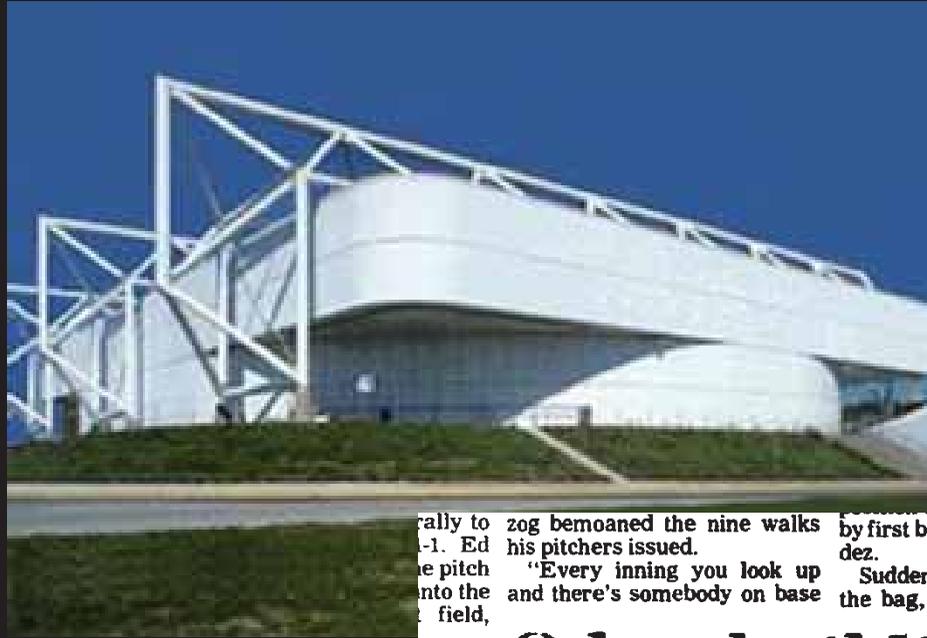
# EVENTS TIMELINE

- 2/22/78: Construction begins
- 8/24/78: Structural documents issued
- 2/79 WRW calls Havens; Havens calls Dan Duncan re: discrepancy in design
- 2/26/79 Shop Drawing approved
- Architect Herb Duncan voices concern over change; he is assured that change is safe and does not affect structural integrity.
- June 1979 Kemper Arena roof collapses

Third Chance:  
Questioned by Architect - No math  
done by structural engineers



# KEMPER ARENA COLLAPSE



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field,

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itches  
ad sin-  
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riple in  
six-run

T

zog bemoaned the nine walks  
his pitchers issued.  
"Every inning you look up  
and there's somebody on base

## Other buildings to fall after Kemper?

STORRS, Conn. (AP) — The collapse this week of the roof of the Kemper Arena in Kansas City is convincing evidence that the roofs of other huge public buildings should be checked to guard against disasters, a University of Connecticut engineering professor says.

Harry Kardestuncer, who headed a probe into the collapse of the Hartford Civic Center coliseum roof, said the structural failures of such buildings are a symptom of a

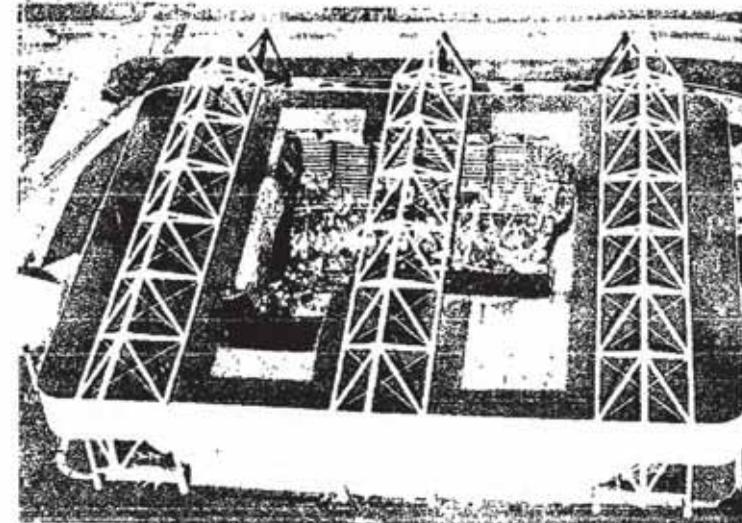
by first baseman Keith Hernandez.

Suddenly he strode toward the bag, looping a throw well

na. Kardestuncer told the city official he would not visit Kansas City, Hopkins added.

James Stratta, a civil engineer from Menlo Park, Calif., was hired by the city to conduct an investigation of the Kemper collapse. He continued his study of the structure Friday.

A major problem in buildings with expansive roofs, Kardestuncer said, is that it is necessary to cut down the weight of the roof to build them. But a



HUNDED BY HAIN. Aerial view shows the roof of Kemper Arena in Kansas City, Mo., after it collapsed Monday due to heavy rain. The roof of corrugated metal, bar and gravel left piles of rubble 10 feet deep in the arena. An interior picture of the arena (right) shows one of the few things left standing after the collapse — an American flag — along with a KC banner. (UPI)

### Major standings

National League			
East			
	W	L	Pct.
Montreal	28	18	.611
St. Louis	27	19	.587
Phila.	26	24	.520
Pittsburgh	25	23	.521
Chicago	21	28	.429
New York	19	29	.396
West			
	W	L	Pct.
Houston	33	23	.589
Cincy.	29	24	.547
Los Ang.	27	28	.491
San Fran.	26	28	.481



## Mariners rout Tigers,

## Sutcl

PITTSBURGH (UPI) — Care worried about whether he could make the Los Angeles Dodgers' star-studded roster as a reliever, rookie Ric Sutcliffe now faces the task of trying to help hold the two-time defending National League champion team together during a critical shortage of healthy and experienced starting pitchers.

It's a tough situation, but Sutcliffe is banking on it — evidenced by the four-hit complete game he pitched Monday night in a 4-2 victory over the Pittsburgh Pirates that broke the Dodgers' three-game losing streak. The victory gave

## Rookie tosses s

United Press International  
Rookie Randy Nieman may be battling opposing hitters during his first go-around in the National League, but he knows they'll be ready for him next time.

Nieman, who pitched his first major-league complete game last week against Cincinnati, tossed a six-hitter to earn his first shutout as the Astros defeated the Philadelphia Phillies, 3-0, in their seventh straight victory.

"Right now my pitches are new to them," said Nieman, who relies on a slow curve as a sinker to bat him out of tight spots. "But the next time, they might be expecting it. We just see what happens."

Philadelphia Manager Danny Ozark was not overly impressed with Nieman and he was even less impressed with

## NHL-WI may be i

NASSAU Bahamas (UP) — Hopefully, Winnipeg, Edmonton, Quebec and Hartford haven't tried on their National Hockey League uniforms yet



PROVIDENCE

# EVENTS TIMELINE

- 8/8/79 construction of skywalks starts
- 10/14/79 A portion of atrium roof collapses
- Owner & Architect direct Gillum-Colaco to check the design of all atrium steel
- Owner's rep asks Dan Duncan to inspect steel in bridges, including the connections
- Dan Duncan reports *"Everything in the atrium checked out very well."*
- 12/12/79 Meeting with Owner, Architect and Engineer. Minutes show engineers had checked all "steel-to-steel" connections
- July 1980 Hyatt Regency Hotel opens
- Feb. 1981 A drywall worker observes deflection in box beam connections; He sees no significance and tells no one.

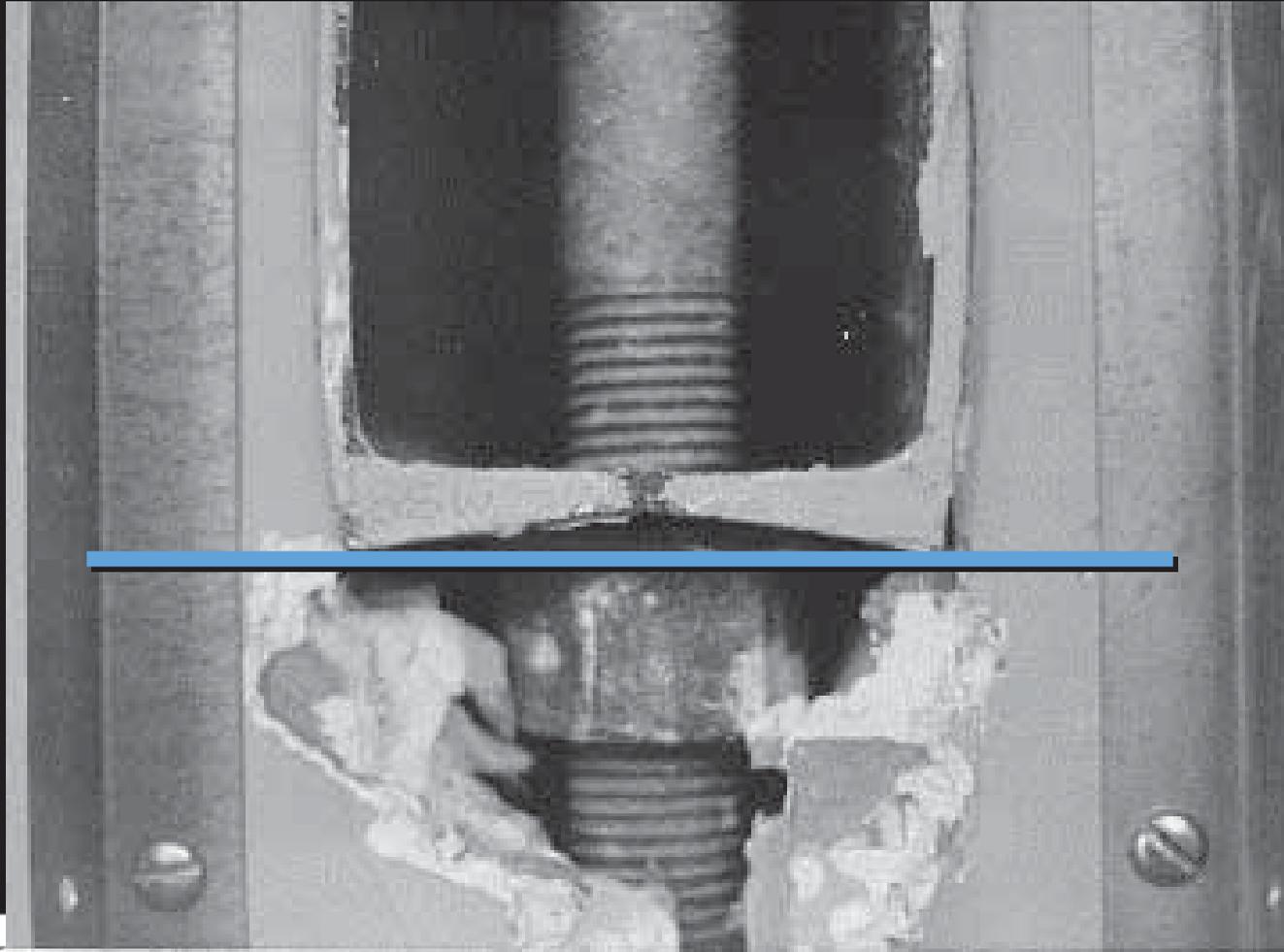
**Forth Chance:**

**Hired to doublecheck all steel-to-steel connections- No math done by structural engineers**



PROVIDENCE

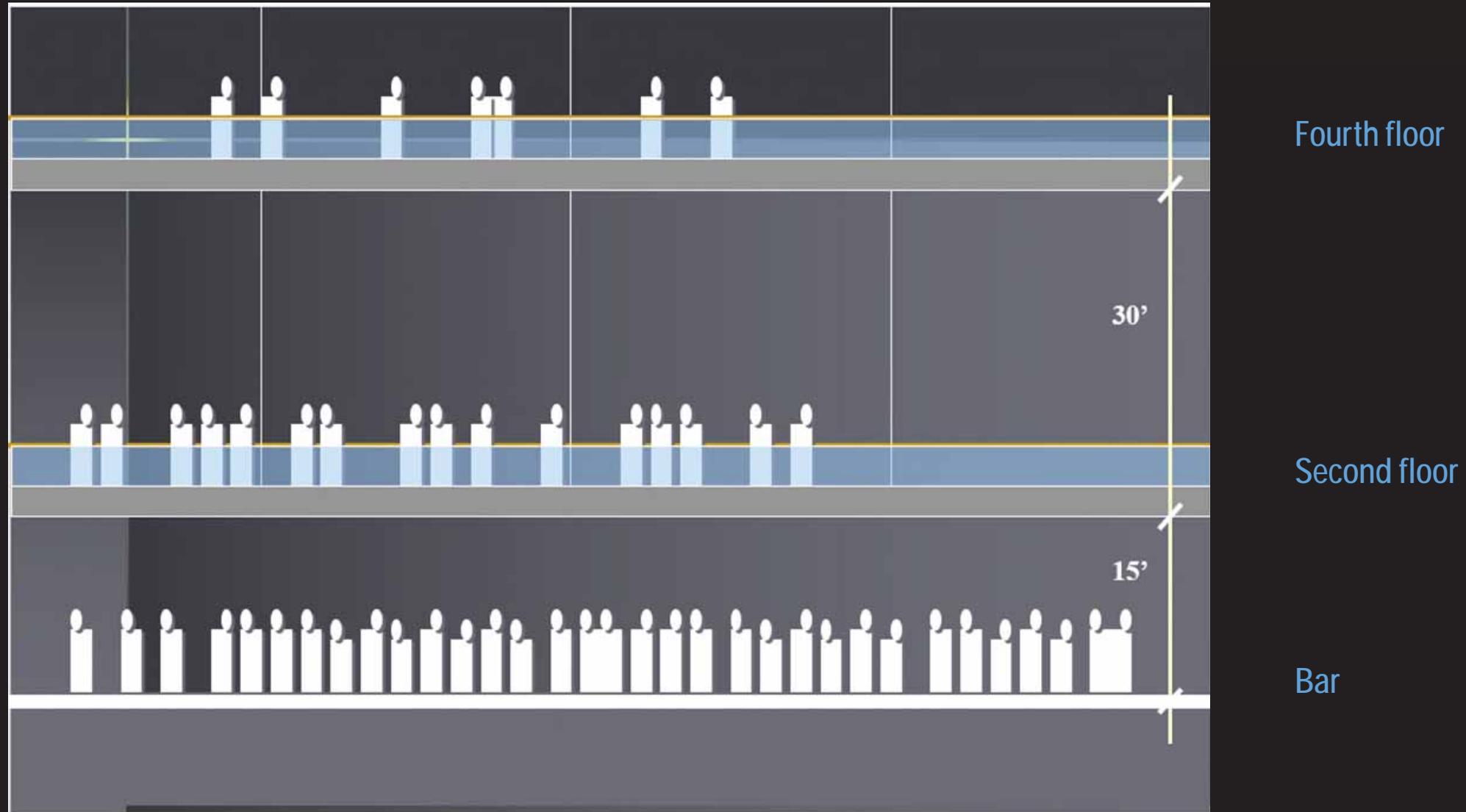
# THIRD FLOOR – DEFLECTION ON CONNECTION THAT DID NOT FAIL



JULY 17, 1981



# EYEWITNESS ACCOUNTS OF WHERE PEOPLE WERE AT TIME OF COLLAPSE





Courtesy Kansas City Star



Courtesy Kansas City Star



Courtesy Kansas City Star



Courtesy Ka



Courtesy Kansas City Star









# Kansas City Skywalk Collapse (1981)

114 people killed  
216 people injured



# Kansas City Skywalk Collapse (1981)

NBSIR 82-2465

**INVESTIGATION OF THE KANSAS CITY  
HYATT REGENCY WALKWAYS COLLAPSE**

R. D. Marshall  
E. O. Pfirang  
E. V. Layendecker  
K. A. Woodward

Center for Building Technology  
National Engineering Laboratory

R. P. Reed  
M. B. Kasen  
T. R. Shives

Center for Materials Science  
National Measurement Laboratory

U.S. DEPARTMENT OF COMMERCE  
National Bureau of Standards  
Washington, DC 20234

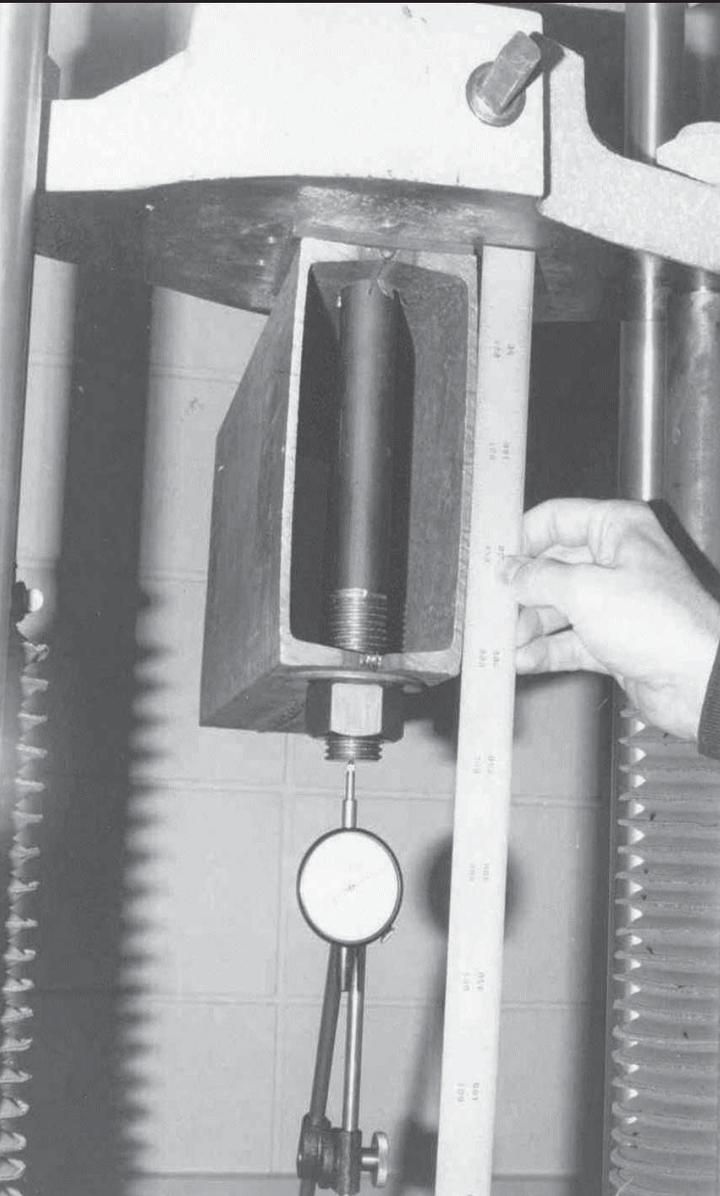
February 1982

U.S. DEPARTMENT OF COMMERCE, Malcolm Baldrige, *Secretary*  
NATIONAL BUREAU OF STANDARDS, Ernest Ambler, *Director*

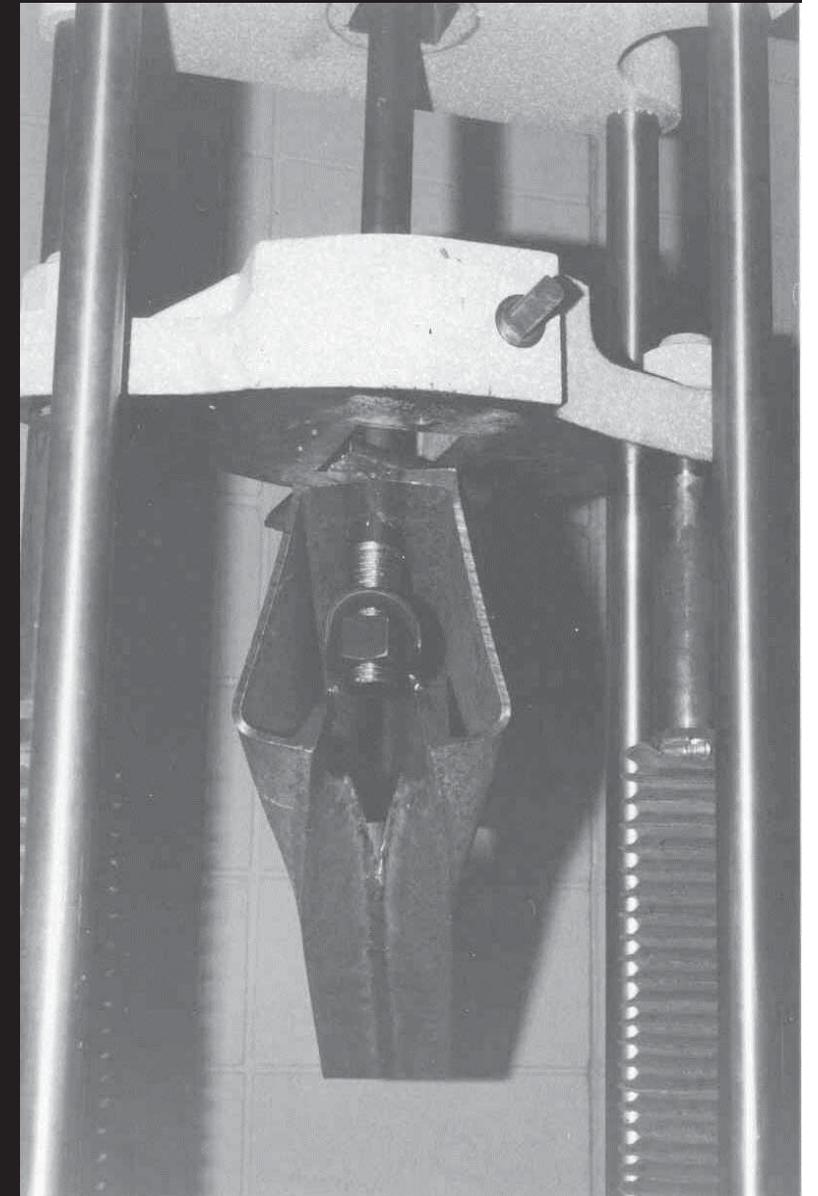
FEBRUARY 1982

*“It is concluded that the most probable cause of failure was insufficient load capacity of the box beam-hanger rod connections.”*

# TEST RESULTS



- Box beam buckling at **just 7,500 lbs.** applied load
- Failure load at **20,500 lbs.**
- Design capacity should have been **65,000 lbs.**
- Design off by **800% +**





*“Two factors contributed to the collapse:*

*1) inadequacy of the original design;*

*2) a change in hanger rod arrangement during construction that essentially **doubled the load** at the fourth-floor walkway.”*



**April 1982:** Jackson County Prosecutor initiates criminal investigation

**February 1983:** U.S. Attorney joins criminal investigation of manslaughter

**May 1983:** Gillum-Colaco changes name to GCE International, Inc.

**1984:** Eldridge & Son forfeits charter

**February 1984:** Mo. Atty. Gen. files complaints against Gillum, Duncan and GCE International with State Board

**July-Aug. 1984:** Hearings held for 26 days; 6,000 pages of testimony

# Engineers say Hyatt walkway design poor

KANSAS CITY, Mo. (UPI) — A lawyer says two engineers hired to investigate the fatal disaster at the Hyatt Regency Hotel believe the collapsed skywalks were destined to fall.

Lynn Johnson, a partner in a Kansas City law firm that has filed suit on behalf of the family of a victim, said two engineers hired by the firm believe the skywalks were time bombs just waiting to collapse.

The collapsing skywalks dumped tons of steel and concrete on close to 2,000 people attending a popular tea dance, killing 111 and injuring 186.

Although the engineers are reluctant to explain their findings until their investigation is complete, they believe the general structural design of the rods and beams used to support all three skywalks was inadequate.

Johnson said Lee Lowery, an engineering professor at Texas A&M, reported an examination of the third skywalk conducted before it was taken down by hotel officials proved even that walkway was deteriorating gradually.

Of the six support rods used to suspend the walkways, two were badly bent out of shape, Johnson said. All six rods were deformed in some way.

"We believe the third skywalk could have fallen at any time," Johnson said. "Whether that skywalk had two people on it or 50, it would have gone eventually. The

remaining skywalk from the hotel's lobby, several Kansas City attorneys questioned the move, asking why the massive task was done in the dead of night without any announcement.

Clayton Chittim, an attorney who has filed two lawsuits in connection with the Hyatt disaster, called the removal of the skywalk a "thinly disguised attempt to take away a major exhibit that might have revealed what went wrong with the other skywalks."

"In my view, they destroyed what could have turned out to be a major piece of evidence to show what happened with the two skywalks," Chittim said.

Although attorney Johnson said the removal of the skywalks probably was a good idea to ensure safety, he protested the secrecy surrounding the move. Such secrecy could prompt observers to question whether Hyatt officials and the owners of the Hyatt building are cooperating as fully as possible with the many investigations under way, he said.

Debris from the two walkways that collapsed, and the sections of the third that was removed Thursday will be maintained by Crown Center in a secure condition under the terms of an agreement approved Friday by the Circuit Court of Jackson County.

The agreement, which authorizes Crown Center to maintain custody of the

# Hyatt skywalk engineers face disciplinary hearing

By Pam Auchmutey  
Editor

For most engineers, the term "structural integrity" refers to the soundness of building members and their connections in any construction project.

But the term has taken on a deeper meaning in the long aftermath of the collapse of the Kansas City Hyatt Hotel skywalk. Although the disaster occurred 4½ years ago, the incident has stirred engineers to reflect upon who is ultimately responsible for a building's structural design.

Two engineers in particular have borne the brunt of that very question. Shortly before Thanksgiving, a Missouri administrative hearing judge ruled that the two men — Jack D. Gillum and Daniel M. Duncan of the St. Louis firm GCE International Inc. — were negligent in their review of shop drawings of the double hanger rod box beam connections which gave way on

the skywalk in July 1981, killing 114 people and injuring more than 200.

Now the engineers face a disciplinary hearing before the Missouri Board of Architects, Professional Engineers and Land Surveyors (which originally brought charges against the engineers) on January 22. At that time, the engineers and the state will testify in what is expected to be a two-day hearing. The engineers could file an appeal in the state courts, depending on the board's decision.

In his November 1985 ruling, Judge James R. Deutsch recommended that Gillum and Duncan be disciplined for "gross negligence, misconduct and unprofessional conduct" in the practice of engineering.

"The decision indicates that the engineers showed a conscious disregard for the safety of the public," said Attorney General William L. Webster, whose office represented the Missouri

See HYATT page 14

# Hyatt engineers' defense: Industry practices at fault

By Rick Alm

staff writer

According to the Hyatt Regency hotel's structural engineers, the nation's construction industry, not they, should be made to answer charges of negligence that led to the collapse of the hotel's sky walks.

"It happened. It was unfortunate. It was tragic," said Daniel M. Duncan. Mr. Duncan is one of the two St. Louis structural engineers facing the possibility of a career-ending license revocation.

"They pointed a finger at us. But the real problem that has to be looked at is the process by which we build large projects in this country," he said in an interview last week.

Blame for the tragedy that claimed 114 lives three years ago has been aimed only at Mr. Duncan, Jack D. Gillum and their firm, GCE International Inc., by a state licensing board that regulates the profession.

A 25-day hearing into the allegations

is expected to conclude Monday or Tuesday in Jefferson City—at the Harry S. Truman State Office Building, which also was designed by the Hyatt's engineers and which also utilizes sky walks.

One of the most troubling revelations to emerge from the hearings, held until now in a suburban St. Louis courtroom, has been the repeated testimony from other engineers that current practices in the construction industry "breed mistakes" that often are never detected.

## Ticking away

Experts at the hearing—including some called by the state—testified that so-called "fast track" construction methods, developed over the last decade to speed up design and construction work in order to cut owners' costs, inevitably demand a price in quality control.

The process, they said, has made narrow specialists of many in the industry. As the evidence in the Hyatt case has shown, legal responsibility for construc-

ENR News

The McGraw-Hill Construction Weekly  
November 21, 1985

## Hyatt engineers found 'guilty' of negligence

The two St. Louis structural engineers who designed the Hyatt Regency hotel walkways showed "conscious indifference" to their professional duties, a Missouri judge ruled last week. They should be punished for the 1981 collapse in Kansas City that claimed 114 lives, he said.

The two engineers, Jack D. Gillum

licensing board, says the finding "is a personal tragedy for Dan Duncan and Jack Gillum. But it will do a lot toward straightening out confusion in the industry."

In a written statement issued hours after the report was made public, Gillum and Duncan said, "We are shocked and dismayed by the findings. We con-



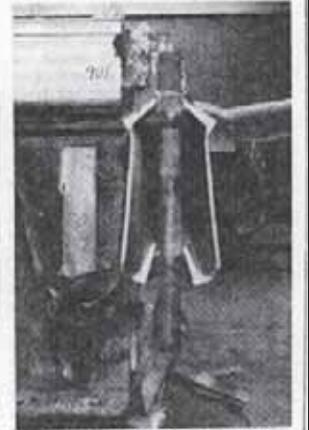
Walkway collapse in 1981 killed 114 persons.



Gillum: Shocked and dismayed by the findings.



Duncan: Firm "spot-checked" shop drawings.



Connection through box beam was inadequate.

and Daniel M. Duncan, as well as their firm, GCE International, Inc., abdicated their responsibility to review shop drawings of the critical steel-to-steel connections that failed, said James B. Deutsch, a Missouri administrative law judge. The decision comes 14 months after the conclusion of a 26-day hearing into allegations of gross negligence and misconduct (ENR 9/27/84 p. 10). The charges were leveled in 1984 by the Missouri Board for Architects, Professional Engineers and Land Surveyors. The engineers could lose their licenses to practice in the state.

The board is expected to schedule a disciplinary hearing before the end of the year. It will determine, based on the judge's findings, whether to reprimand the engineers, suspend them from practice or permanently revoke their licenses. Revocation in Missouri could lead to revocation in other states.

Patrick McLarney, an attorney for the

firm, says the ruling "is the only declaration of blame for the Hyatt tragedy that has been or is likely to be made. All but two lawsuits, of the hundreds filed by victims and others, have now been settled out of court. No civil court jury was ever asked to consider evidence on the cause of the collapse. In 1985, a grand jury in Kansas City cited a lack of evidence in declining to issue indictments for criminal negligence."

In his 442-page ruling, Judge

Deutsch, however, said he found evidence of deliberate fraud on the part of the engineers. In 1979, while the hotel was still under construction, a section of the atrium roof collapsed. At that time, the engineers were asked to undertake a complete design review of all structural elements in the atrium lobby where the walkways were located. The judge said evidence showed that some structural elements were checked, but the complete review pledged by the engineers was not done.

Gillum's "later conduct in misrepresenting that he had in fact done such a complete design review when he had not was worse than unacceptable and

See Hyatt, pg. 37A, col. 1

November 15, 1985

BEFORE THE  
ADMINISTRATIVE HEARING COMMISSION  
STATE OF MISSOURI

MISSOURI BOARD FOR ARCHITECTS, )  
PROFESSIONAL ENGINEERS AND )  
LAND SURVEYORS )  
P.O. Box 184 )  
Jefferson City, Missouri 65102 )

Petitioner, )

vs. )

Case No. AR-84-0239

DANIEL M. DUNCAN, JACK D. GILLUM )  
and G.C.E. INTERNATIONAL, INC. )  
100 North Broadway )  
St. Louis, Missouri 63102 )  
Respondents. )

STATEMENT OF THE CASE, FINDINGS OF FACT,  
CONCLUSIONS OF LAW AND DECISION

Statement of the Case

This matter appears before the Administrative Hearing Commission upon a Complaint filed February 3, 1984, a First Amended Complaint filed June 8, 1984 and a Second Amended Complaint filed July 23, 1984 by Petitioner, Missouri Board for Architects, Professional Engineers and Land Surveyors. Petitioner seeks a determination that the certificates of registration held by Respondents Daniel M. Duncan and Jack D. Gillum and the certificate of authority held by Respondent G.C.E. International, Inc., are subject to discipline pursuant to Section 327.441 RSMo 1978. In its Complaint, Petitioner charges Respondents with

to Respondent G.C.E. International, Inc. and its licensed status pursuant to Section 327.441 RSMo 1978.

ORDER

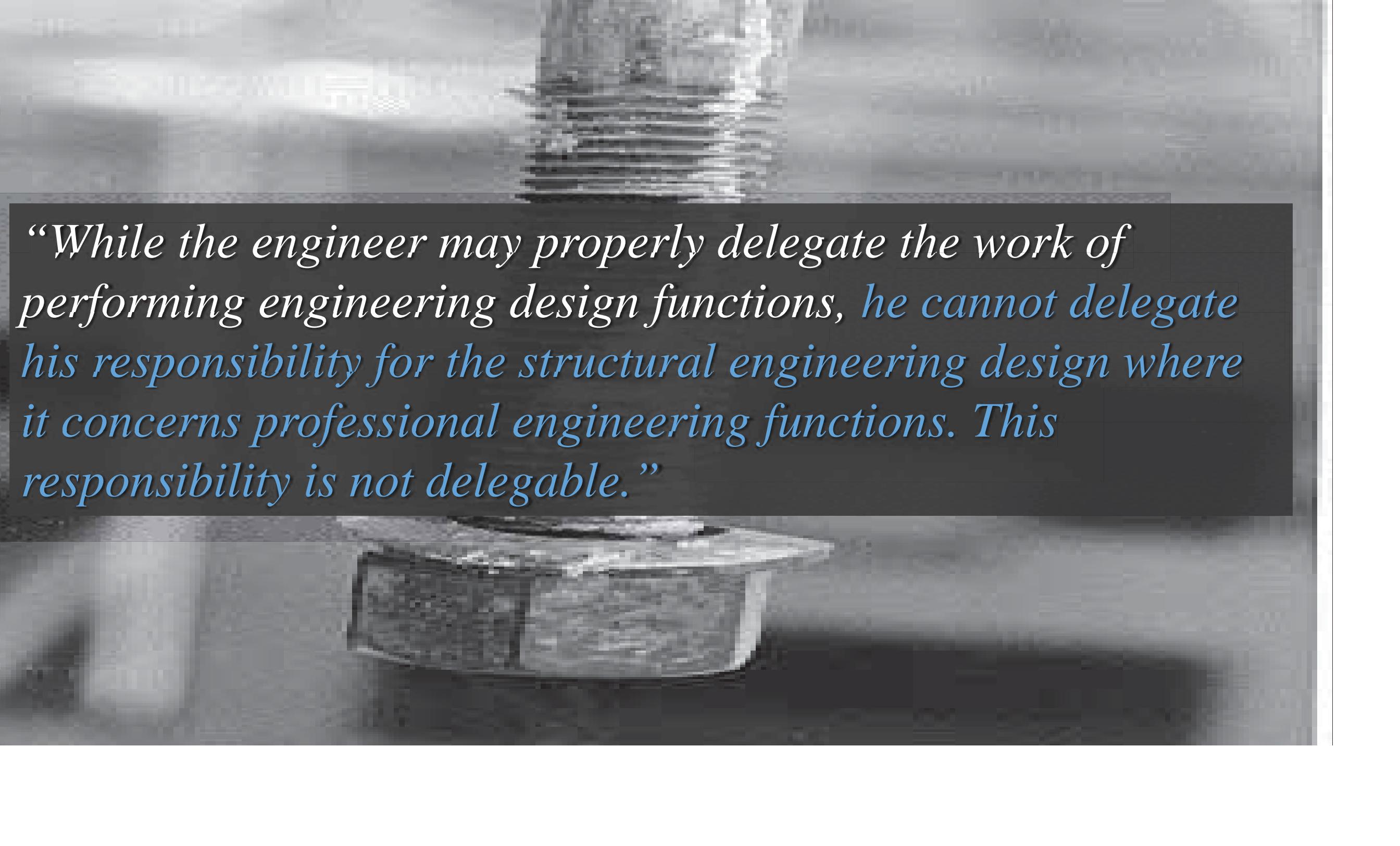
It is the decision of this Commission that Petitioner has established that cause for discipline exists under Section 327.441, RSMo 1978, to suspend or revoke the certificates of registration of Respondents Daniel M. Duncan and Jack D. Gillum and the certificate of authority of Respondent G.C.E. International, Inc., for gross negligence, misconduct and unprofessional conduct in the practice of engineering.

WHEREFORE, it is the Order of this Commission that, pursuant to Section 621.110, RSMo Supp. 1984, Case No. AR-84-0239 is dismissed from the docket of this Commission, effective this date.

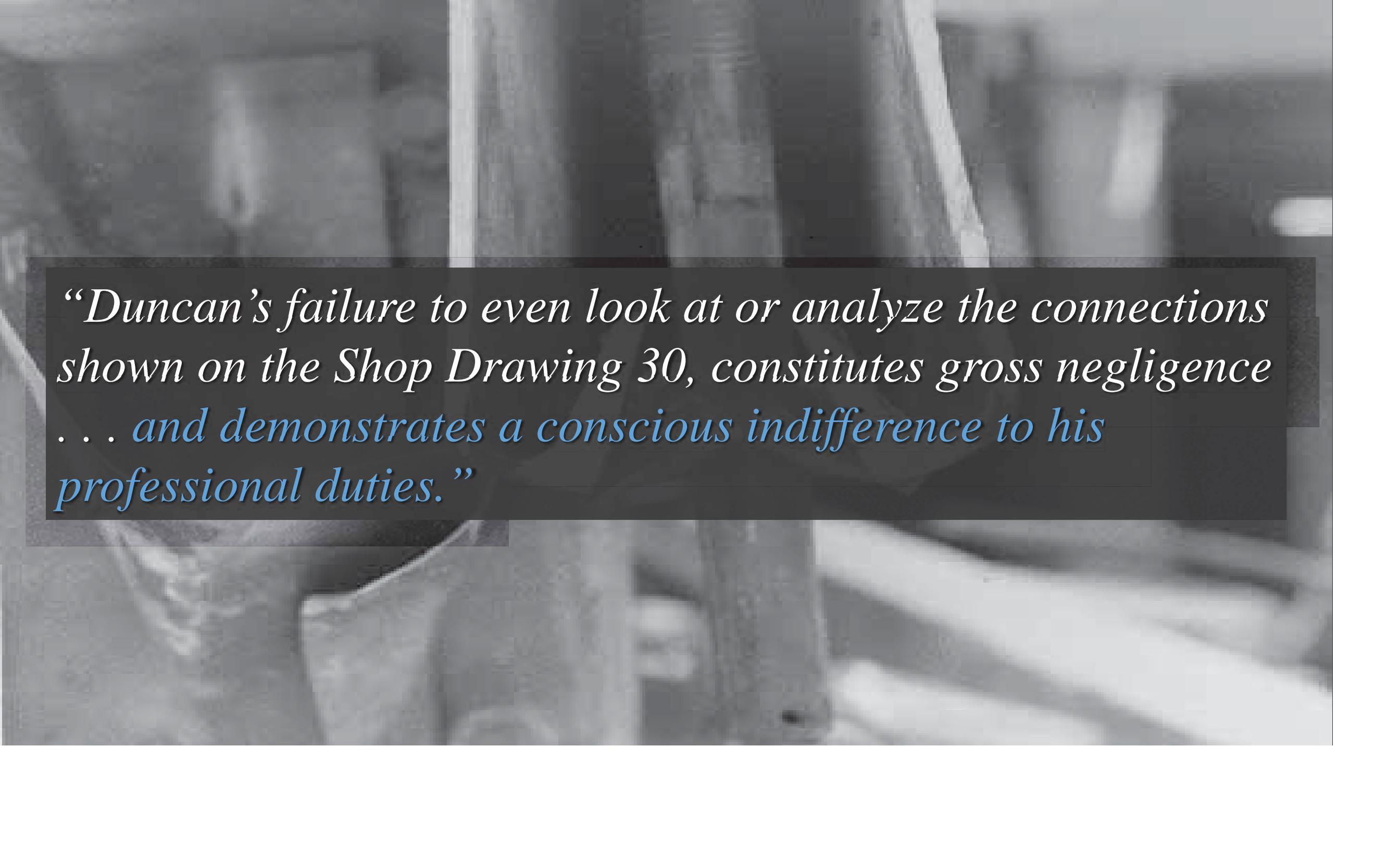
SO ORDERED this 15<sup>th</sup> day of November, 1985.

  
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HON. JAMES B. DEUTSCH  
Commissioner





*“While the engineer may properly delegate the work of performing engineering design functions, he cannot delegate his responsibility for the structural engineering design where it concerns professional engineering functions. This responsibility is not delegable.”*



*“Duncan’s failure to even look at or analyze the connections shown on the Shop Drawing 30, constitutes gross negligence . . . and demonstrates a conscious indifference to his professional duties.”*

## ASCE board suspends engineer—

The Board of Direction of the American Society of Civil Engineers has suspended Jack D. Gillum for three years for violating a fundamental canon of the society's code of ethics, that "engineers shall hold paramount the safety, health

7. The Alabama Board ordered that Respondent's registration practice engineering be revoked. Said Findings of Fact and Conclusion Law and Order are attached as Exhibit B.

8. On July 17, 1987, the Colorado State Board of Registration for Professional Engineers and Professional Land Surveyors filed a Stipulation, Surrender of Certificate of Registration, and Order in its disciplinary case against Respondent.

### IT IS FURTHER ORDERED:

That the Wisconsin Examining Board of Architects, Professional Engineers, Designers, and Land Surveyors; Professional Engineers Section accepts the voluntary surrender of Jack Dean Gillum's certificate of registration to practice engineering.

### IT IS FURTHER ORDERED:

That Respondent may never apply or reapply for registration in the State of Wisconsin without prior approval of the Board and that if the Board withholds approval it shall not be considered a denial of a license within the meaning of Wis. Stats. sec. 227.01(3)(a) and shall not entitle Respondent to a hearing on the Board's decision not to allow Respondent to apply for a certificate of registration.

## Court OKs pulling of Hyatt engineers' licenses

By Rick Alm  
staff writer

A St. Louis judge has refused to block action by state officials that strips the professional licenses from the two engineers who designed the Kansas City Hyatt Regency hotel and its sky walks.

The decision Tuesday by Circuit Judge Jack L. Koehr permits the Missouri Board for Architects, Professional Engineers and Land Surveyors to act immediately on its Jan. 22 decision to revoke the licenses of engineers Jack D. Gillum and Daniel M. Duncan, both of St. Louis, while

their appeal is pending.

Lawyers for the engineers could not be reached for comment on whether they will appeal the order.

Following a lengthy hearing in 1984 and 14 months of deliberation, a state administrative law judge and the licensing panel determined that the engineers had been "grossly negligent" in their design work. The 1981 collapse of the sky walks, since blamed on a design flaw, killed 114 persons.

In February the engineers appealed the board's revocation decision. In it they challenged the law judge's findings on several

constitutional grounds, including vagueness of the civil charges against them, which Judge Koehr rejected, said John Murphy, a Kansas City lawyer hired to represent the state board.

"They (the engineers) had argued there was no threat against public safety" if they were allowed to continue to practice during the appeal, Mr. Murphy said today after learning of Judge Koehr's decision.

"I argued that the public interest was a broader concern than just that of public safety," Mr. Murphy said. "The public interest is to see that the engineers are disciplined. We're coming up

on the five-year anniversary of this, and that's long enough."

In January, after the board's decision was announced, the engineers voluntarily stopped performing any engineering duties at their firm.

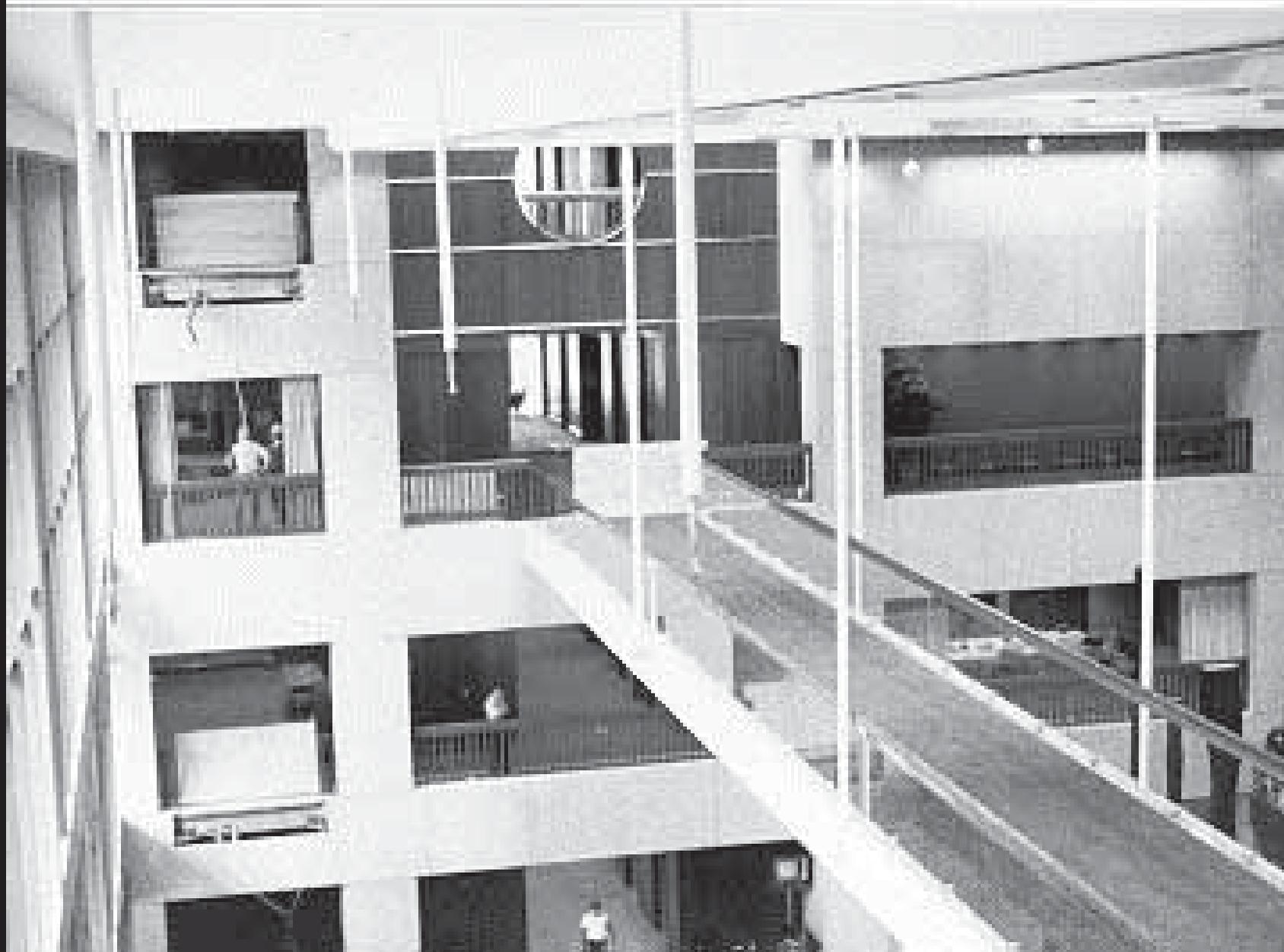
Mr. Murphy said several other elements of the engineers' appeal that questions the law judge's factual findings still must be heard by Judge Koehr.

The Missouri board's revocation decision is expected to trigger reciprocal revocations in about 30 other states where the engineers are licensed.

# MISSOURI COURT OF APPEALS

*“Design of connections is, under the [licensing] statute, a matter for which the engineer is responsible. Custom, practice, or ‘bottom line’ necessity cannot alter that responsibility.”*

# ATRIUM – JULY 1981



PROVIDENCE

# ATRIUM – TODAY



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# ENGINEERS, IN THE FULFILLMENT OF THEIR PROFESSIONAL DUTIES, SHALL:

1. Hold paramount the safety, health, and welfare of the public.
2. Perform services only in areas of their competence.
3. Issue public statements only in an objective and truthful manner.
4. Act for each employer or client as faithful agents or trustees.
5. Avoid deceptive acts.
6. Conduct themselves honorably, responsibly, ethically, and lawfully so as to enhance the honor, reputation, and usefulness of the profession.



<https://www.nspe.org/sites/default/files/resources/pdfs/Ethics/CodeofEthics/NSPECodeofEthicsforEngineers.pdf>



NATIONAL SOCIETY OF  
PROFESSIONAL ENGINEERS

# LEARN MORE

## NSPE Engineering Code of Ethics

<https://www.nspe.org/sites/default/files/resources/pdfs/Ethics/CodeofEthics/NSPECodeofEthicsforEngineers.pdf>

## Volkswagen

<https://www.enr.com/articles/39020-engineered-to-deceive>

## Skywalk

## Read the investigative report

[https://www.nist.gov/node/603536?pub\\_id=908286](https://www.nist.gov/node/603536?pub_id=908286)

## CONTACT ME

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