

**GPP for Electronic Signatures (E-Bidding and Submittals for Review of Executive Order / Private Construction Agreements)**

Nebraska Administrative code  
Title 110 – Board of Engineers and Architects  
(Rules and Regulations)

***Chapter 6; The Licensee Seal***

***6.1 Use of the Seal***

- 6.1.6 No seal shall be valid unless the licensee signs his or her name across the face of the seal and indicates the date on which the material was signed.*
- 6.1.8 Documents placed on the internet shall not include a seal unless they also contain an electronic signature protected with an electronic revision approval system.*

**ENGINEERS AND ARCHITECTS REGULATION ACT  
(Statutes)**

***Section 81-3437. Certificate of licensure; issuance; seal; use; enrollment card; issuance.***

*2 (b) The seal may be a rubber stamp or may be generated electronically. Whenever the seal is applied, the licensee's written signature and the date shall be across the seal. No further words or wording are required. Electronic signatures applied to electronic seals must be protected with an electronic revision approval system. Documents without electronic revision approval protection that are transmitted electronically to a client or a governmental agency shall have the seal removed from the file. The electronic media shall have the following inserted in lieu of the seal, signature, and date: This document was originally issued and sealed by (name of sealer), (license number), on (date of sealing). This media should not be considered a certified document.*

**Guidelines for the use of electronic signatures**

According to the “Rules and Regulations” and the “Statute” stated above, signatures are not allowed on plans that will be transmitted electronically. This would include plans that are posted on-line for electronic bidding.

## **GPP for Electronic Signatures (E-Bidding and Submittals for Review of Executive Order / Private Construction Agreements)**

When electronically transmitting plans that are meant to represent a signed set of plans, the engineer's stamp should be on the plans, the signature and date cannot be included, and the following statement must be present: "This document was originally issued and sealed by (name of sealer), (license number), on (date of sealing). This media should not be considered a certified document".

The procedure to be used for City of Lincoln plans is to place these statements as a watermark along the right border of each sheet in the plan set. These statements should also be added along the right edge of the Special Provisions.

### **Background Information**

#### **Introduction**

The changing world around us now includes full time use of electronic bidding (E-Bidding) and submission of Executive Order / Private Construction Agreement plans by electronic means for review. Both of these processes have been implemented in order to make more efficient and expedite the current processes in place.

This new method has created questions regarding the use of the Engineer's Seal on these types of documents in an electronic format.

#### **The Seal and Electronic Documents**

A seal is not valid unless it contains three items; the stamp, signature, and date. A similar example would be to refer to the gray powder stuff as "concrete" when Concrete is made up of cement (gray powder), water, and aggregate (rocks/sand)

***Section 81-3437. Certificate of licensure; issuance; seal; use; enrollment card; issuance.***

*2 (b) The seal may be a rubber stamp or may be generated electronically. Whenever the seal is applied, the licensee's written signature and the date shall be across the seal. No further words or wording are required. Electronic signatures applied to electronic seals must be protected with an electronic revision approval system. Documents without electronic revision approval protection that are transmitted electronically to a client or a governmental agency shall have the seal removed from the file. The electronic media shall have the following inserted in lieu of the seal, signature, and date: This document was originally issued and sealed by (name of sealer), (license number), on (date of sealing). This media should not be considered a certified document.*

## **GPP for Electronic Signatures (E-Bidding and Submittals for Review of Executive Order / Private Construction Agreements)**

In visiting with the Nebraska Board of Engineers and Architects, it was proposed that the interpretation of this statute be that the stamp be allowed to remain on the document with the inserted language going up the side of the of the plan sheet border.

This stance was taken because the Statute says for a seal to be valid it must contain the seal, signature, **AND** date, meaning all three. The documents being put out electronically will only have one of the three items, not all three.

The Nebraska Board of Engineers and Architects verbally indicated that this was an acceptable practice and one that was being encouraged since the use of the stamp helped identify that a licensed Engineer prepared the document.

### **Concerns**

It is recognized that this means an Engineer's seal is out in the public domain more so than in the past. It should be recognized that the benefits obtain by this technology should not be shunned for fear of remote possibly that someone bent on trouble might misuse your information. Given the large numbers of plan sets produced every year with signed and dated seals, use of high resolution scanners, the growing number of electronic stamps that have been generated, proliferation of color copiers, and just plain having your license number and name so easily obtained (just go to the Board's website), all the information is already in the public domain.

### **Benefits**

By creating one single electronic file that can either be printed for signature and dates to be added or can have the appropriate language inserted should reduce the chances that two documents will be created that might differ with each other. Examples of this include having a wrong layer turned on or off, alterations made in one file but not the other, and other troubles that occur when you try to keep two "official" documents.

### **Process**

Engineering Services has created a process for Abode Acrobat (Professional and Standard versions) that will allow for the addition of the appropriate language easily and quickly.