

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DRL website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

STATE OF WISCONSIN
BEFORE THE ENGINEER SECTION OF THE EXAMINING BOARD OF ARCHITECTS, LANDSCAPE
ARCHITECTS, PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS

IN RE DISCIPLINARY PROCEEDINGS	:	
AGAINST	:	
	:	FINAL DECISION AND ORDER
ROBERT P. CHI,	:	
	:	LS0808283ENG
	:	
RESPONDENT.	:	

Division of Enforcement Case No. 03 ENG 001

The parties to this action for the purposes of Wis. Stats. Sec. 227.53 are:

Robert P. Chi
20840 London Drive
Olympia Fields, IL 60461

Joint Board of Architects et. al.
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708 8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of the matter, subject to the approval of the Engineer Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors (“Board”). The Board has reviewed the Stipulation agreement annexed to this Final Decision and Order, and considers it acceptable. Accordingly, the Board adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Respondent Robert P. Chi ("Chi"), whose last known address of record with the Department of Regulation and Licensing ("Department") is 20840 London Drive, Olympia Fields, IL, and whose date of birth is November 19, 1941, is registered and was issued a license to practice as a professional engineer (#6-34739). The license was first granted on April 20, 2001, and will expire on August 1, 2010.

2. On the night of July 12-13, 2002, a building located at the Lomira, WI plant of Quad Graphics, Inc., collapsed. The building was supported by an integrated with an automated rack system (ARS). The purpose of the ARS was to store and retrieve pallets of paper material to be used in the course of Quad Graphic's business. The ARS was designed by Mr. Chi for Rack Structures, Inc. (RSI).

3. The collapse caused the death of one employee of Quad Graphics, Inc., and also caused in excess of \$100 million dollars in damages. These losses in turn generated substantial civil litigation, culminating in a jury verdict against RSI and other parties. Expert witness testimony and reports submitted in the course of civil litigation show that Mr. Chi's design failed to comply with the contract requirements, applicable portions of the Wisconsin Building Code, Subchapter V-2a and b, Rack Manufacturers Institute Specifications, American Institute of Steel Construction Specifications, and American Iron and Steel Institute Specifications, which all have a requirement to make sure the structure has adequate bracing to stabilize the structural system of the rack/building. Further, a review of Mr. Chi's structural calculations disclosed several design flaws, some of which were serious enough to be potential causes of the failure of the rack structure if used as intended.

4. Per Wis. Stat. § 443.11(1), "The examining board may reprimand an architect... or professional engineer or limit suspend or revoke the certificate of registration of any registrant... who is found guilty of: (d) Any gross negligence, incompetency or misconduct in the practice of... professional engineering as a registered professional engineer..." or "(e) Any violation of the rules of professional conduct adopted and promulgated by the examining board."

5. Per Wis. Admin. Code § A-E 8.06, "An architect... (or) professional engineer...: (1) Shall use reasonable care and competence in providing professional services. (2) May not evade the professional or contractual responsibilities which the registrant has to a client or employer."

CONCLUSIONS OF LAW

1. The Wisconsin Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors – Engineer Section has jurisdiction to act in these matters pursuant to Wis. Stat. § 458.26.

2. The Wisconsin Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors – Engineer Section has authority to enter into this stipulated resolution of this matter pursuant to Wis. Stat. § 227.44 (5).

3. By failing to adhere to the requirement of the contract for the design of the automated rack system, failing to adhere to requirements of the Wisconsin Building Code, and failing to adhere to numerous professional standards, as set forth more fully above in paragraphs 2-3 of the Findings of Fact, **Robert P. Chi** has violated Wis. Stat. § 443.11(1)(d) and Wis. Admin. Code § A-E8.06 (1), (2), thereby subjecting herself to discipline per Wis. Stat. § 443.11(1)(d) and (e).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The registration and license of **Robert P. Chi** (license # 6-34739), including the right to renew said license and registration, shall be, and hereby is, **REVOKED**. All indicia of licensure shall be submitted to the Department of Regulation and Licensing within twenty (20) days of the date of signing of this Order.

IT IS FURTHER ORDERED that:

2. In the event that Mr. Chi ever seeks licensure of any type administered by the Wisconsin Department of Regulation and Licensing, costs in this matter in the amount of \$9,250 shall be immediately due and owing.

3. All submissions required by this Order shall be mailed, faxed, delivered or otherwise transmitted to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing

4. Case numbers 03 ENG 001 is hereby closed.
5. This Order is effective on the date of its signing.

JOINT BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS, PROFESSIONAL ENGINEERS, DESIGNERS
AND LAND SURVEYORS – ENGINEER SECTION

By: Martin Hanson
A Member of the Section

8/28/08
Date

**STATE OF WISCONSIN
BEFORE THE ENGINEER SECTION OF THE EXAMINING BOARD OF ARCHITECTS, LANDSCAPE
ARCHITECTS, PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS**

**IN RE DISCIPLINARY PROCEEDINGS
AGAINST**

ROBERT P. CHI,

RESPONDENT.

:
:
:
:
:
:

STIPULATION

LS _____

Division of Enforcement Case No. 03 ENG 001

It is hereby stipulated and agreed, by and between Robert P. Chi, Respondent; and Mark A. Herman, attorney for Complainant, State of Wisconsin, Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation resolves a pending investigation against Respondent's licensure by the Division of Enforcement (03 ENG 001). Respondent consents to the resolution of this matter without the issuance of a formal complaint.
2. Respondent understands that by signing this Stipulation he voluntarily and knowingly waives his rights, including: the right to a hearing on the allegations against him, at which time the state has the burden of proving those allegations preponderance of the evidence; the right to confront and cross-examine the witnesses against him; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify himself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and any other provisions of state or federal law.
3. Respondent has been provided with the opportunity to obtain legal counsel prior to signing this Stipulation.
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Engineer Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors ("Board"). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement and any member of the Board ever assigned as an advisor in this investigation may appear before the Board, without the presence of Respondent or his attorney, for purposes of speaking in support of this agreement and answering questions that any person may have in connection with the Board's deliberations on the Stipulation. Additionally, any such Board advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.
7. Respondent is informed that should the Board adopt this Stipulation, the Board's final decision and order is a public record and will be published in accordance with standard Department procedure.
8. The Division of Enforcement joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

ROBERT P. CHI, Respondent
20840 London Drive
Olympia Fields, IL 60461

Date

MARK A. HERMAN
Attorney, Division of Enforcement
1400 East Washington Avenue
Madison, WI 53708-8935

Date