



CONTRACTORS STATE LICENSE BOARD

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MAILING ADDRESS: P.O. BOX 26000

SACRAMENTO, CALIFORNIA 95826

July 31, 1992

Ed Saltzberg
Association of Consulting Mechanical Engineers
14733 Oxnard Street
Van Nuys, CA 91411

Re: Response To Comments At Board Meeting

Dear Mr. Saltzberg:

This is in response to your comments at the recent Board meeting in Burbank. You stated there was a problem involving landscape contractors and designs used by others to complete projects. The result is that often these projects end up lacking in engineering for proper grading and drainage.

We are aware of the problem and have been working with Ms. Donna Reddin at the Board of Landscape Architects for nearly a year. The problem has been addressed by each agency printing articles on the subject and the attendant laws and requirements in their industry news letters. (see copy of our article)

The Contractors Law provides that a landscape contractor can legally design the projects he/she is contracting to perform. A copy of Section 7027.5 is attached for your information.

In a discussion with well versed and established landscape contractors, I found the main cause of the problem to be that a C-27 landscape contractor while bidding a project prepares a design or plan. The plan is at that point not complete as far as grading and drainage even though those items are known for bidding purposes. The design is for esthetics and customer design and price acceptance. All too often, the potential customer thinks the price is too high and peddles the bid and plan to another contractor who may bid to do the job to the (now) owners plan. The result is, since the owner didn't get the actual construction design with the necessary grading and drainage calculations, the owner buys a cheaper job with the resulting problems.

Since all contractors are allowed to do the design work on their own projects, we see no change in law necessary to prevent the problem. Our C-27 contractors are informed that they cannot prepare designs and sell them to others to perform.

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Section 5537, 5537.2 of the Business and Professions Code exempts contractors from the Architects Act for designing their own work. (copy attached) Of course, to do the design work and sell those designs to others is a violation of the law. You are encouraged to report known violations to either or both agencies.

I hope this information is helpful to you. We see no need to address the matter further in the Licensing Committee. If you desire to discuss the matter in more detail, please contact me at (916) 366-5206.

Sincerely,


BOB CHRISTENSEN
Licensing Deputy

cc: Joe Valverde, Board Chairman
Roger Lighthart, Past Chairman