

POLICY IMPLEMENT
STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
P.I. Number D-04
Engineering Plan Approval Policy
INDEX FILING CODES

References:

Issued: 03/14/1995
Revised: 6/2/2022
Effective: 6/2/2022
Primary Responsibility:
Chief Engineer

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I. Purpose

To define procedures for the use of the Professional Engineering Seal on Delaware Department of Transportation (DelDOT) construction and maintenance contracts containing engineering design and specifications. This procedural directive applies to all divisions and offices of DelDOT. It also applies to consulting engineering firms contracting engineering work for DelDOT as well as any Local Agencies or Third Parties performing engineering work to be procured by DelDOT or administered through DelDOT's competitive bidding process.

II. Policy

A. Signatory Requirements

At DelDOT, all construction and maintenance contracts containing engineering design and specifications must be signed and sealed by a Delaware Professional Engineer as defined in *24 Del. C. Ch. 28* prior to advertisement for bid as required by [29 Del. C. §6962](#). In Delaware, public works contracting is further regulated under [24 Del. C. §2822](#).

B. Sealing of Engineering Documents

All construction and maintenance contract plans that require engineering design shall carry, at a minimum, a signature block for the Delaware Professional Engineer who designed the work and prepared the plans as required by [24 Del. C. §2830](#) who shall be the Engineer of Record. Plans signed and sealed electronically shall conform to DeIDOT guidance for electronic signature of engineering documents in effect at the time of plan approval.

C. Responsible Charge of Engineering Work

Professional Engineers employed by DeIDOT may only affix their engineering seal to documents prepared under their responsible charge as defined in [24 Del. C. §2803 \(27\)](#).

D. Improper Sealing of Engineering Documents

Professional Engineers employed by DeIDOT who deviate from this policy will be subject to disciplinary action in accordance with State of Delaware Merit Rules. In addition, cases of improper use of a Professional Engineering seal may be referred to the Delaware Association of Professional Engineers for potential disciplinary action under [24 Del. C. §2823](#).

III. Procedures

1. Project plans designed and prepared by private consulting firms (“Consultant Plans”), or portions of plan sets, will be signed, dated and sealed by the consultant who shall be the Engineer of Record.
2. Project plans designed and prepared by DeIDOT employees (“In-House Plans”), or portions of plan sets, will be signed, dated and sealed by the DeIDOT Professional Engineer who prepared them. In-House Plans prepared by non-registered engineers and/or technicians shall be prepared under the responsible charge of a Delaware Professional Engineer who shall sign, date and seal the final plans and, as necessary, other documents prepared under their direction. The individual who signs, dates, and seals the plans is the Engineer of Record.
3. Both Consultant Plans and In-House Plans shall be signed, but not sealed, by the Division Director responsible for the programming and management of the project. Such endorsement shall indicate “Approved for Advertisement”. The Director’s endorsement indicates the project is programmed, budgeted, and ready for advertisement. It is not an engineering approval.
4. DeIDOT project level staff and their managers will provide their recommendation to approve for advertisement to their Division Director in accordance with the procedures provided in the DeIDOT QC/QA Manual.
5. Successor Engineers (i.e., engineers who inherit the responsibility to prepare changes to previously signed and sealed plans) will be expected to sign and seal all the plans for which they had responsible charge of the design and/or design changes. Title blocks may be

annotated to describe the scope of the work attributable to any Successor Engineer who shall be a registered Delaware Professional Engineer.

6. For projects re-assigned from one design engineer to another design engineer, due to vacancy or otherwise, the new design engineer who will be the Engineer of Record, will be required to sign, date and seal the plans, subject to the following conditions:
 - a) The new design engineer has completely reviewed and accepted that the work products of the previous design engineer meets engineering requirements and standards; or
 - b) The new design engineer has re-designed the project in whole or in part to meet appropriate engineering requirements and standards.
7. Changes during construction shall be handled as follows:
 - a) Changes that require an addendum or plan revision will be generated and sealed by the Engineer of Record. See DelDOT's Construction Addendum and Revision Guidelines located on the DRC (Design Resource Center). Changes that do not require an addendum or revision may be processed without the concurrence of the Engineer of Record.
 - b) The procedures above are separate from and do not supersede any financial approval procedures required by each Division or federal agency.
 - c) The procedures above are separate from and do not supersede any permit modification procedures required by the permit issuing agency.
8. Unless specifically exempted under the 5101 Delaware Sediment and Stormwater Regulations, designer and owner certifications are required on DelDOT construction plans as follows:
 - a) Designer Certification - In accordance with Section 3.8.1 of the regulations, the Engineer of Record shall sign, seal, date and certify the Plans as follows:

"I certify to the best of my knowledge and belief that the design of these plans meets the requirements of the Delaware Sediment & Stormwater Regulations."

Note, this could be the same person as the Engineer of Record under [24 Del.C. 2830](#). It shall be clearly indicated as to which aspects of the plans that person's seal applies.

- b) Owner Certification - In accordance with Section 3.8.2 of the regulations, the DelDOT Stormwater Engineer will sign, date and certify on behalf of DelDOT as follows:

"I certify to the best of my knowledge and belief that these plans meet the requirements of the Delaware Sediment and Stormwater Regulations and that all clearing, grading, and construction will be accomplished pursuant to the plan."

IV. Justification

Delaware Code requires proper approval of contract plans that require engineering design. This policy is needed to make DeIDOT staff aware of these requirements and to clarify approval requirements for DeIDOT contracts.

V. Effective Date

This policy shall become effective 6/2/2022.