

**BEFORE THE OKLAHOMA STATE BOARD OF LICENSURE FOR  
PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

**STATE OF OKLAHOMA ex rel. OKLAHOMA )  
STATE BOARD OF LICENSURE FOR )  
PROFESSIONAL ENGINEERS AND LAND )  
SURVEYORS, )**

**Complainant, )**

**vs. )**

**Case No. 2023-101**

**Name: Trident Engineering Associates, Inc. )  
Certificate of Authorization No.: None )  
Address: 2010 Industrial Drive )  
Annapolis, MD 21401 )**

**Name: David J. Robillard )  
P.E. Certificate of Licensure No.: None )  
Address: Trident Engineering Associates, Inc. )  
2010 Industrial Drive )  
Annapolis, MD 21401 )**

**Name: Donald W. Vannoy )  
P.E. Certificate of Licensure No.: None )  
Address: Trident Engineering Associates, Inc. )  
2010 Industrial Drive )  
Annapolis, MD 21401 )**

**Respondents. )**

**CONSENT ORDER**

COMES NOW the Complainant, Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors (the "Board") and Respondents, Trident Engineering Associates, Inc., (the "Firm"), David J. Robillard, ("Robillard"), and Donald W. Vannoy ("Vannoy") (collectively the "Respondents").

**FINDINGS OF FACT**

1. On May 13, 2023, State Farm Insurance and Financial Services (Client) submitted a request to "perform professional engineering services, to conduct a review of all pertinent

information, and provide a report of the expert opinion regarding this claim” to the Firm. This request for a Residential Damage Assessment Report (Report) from the Client further states: “State Farm is seeking an objective, written, expert opinion, including supporting rationale, from a qualified engineer professionally licensed in the state where the structure is located.”

2. However, in correspondence with Board Staff, Dr. David J. Robillard (Robillard), Civil Engineer at the Firm, and Dr. Donald W. Vannoy (Vannoy), Owner, President, and Principal of the Firm, stated: “The insurance company did not require a PE for the report. Trident drafted the report to the insurance company from our Annapolis office, and we made an administrative error in listing PE on the report.”

3. On May 19, 2023, the Firm was hired to evaluate a property located at 13 Red Rock in Shawnee, Oklahoma 74804 to determine the overall condition of the garage and determine if the damaged area was repairable and recommend repairs.

4. On August 9, 2023, Robillard performed a site visit to “observe and photograph damage to a residential garage” located at 13 Red Rock, Shawnee, Oklahoma 74804. A Report describing Robillard’s findings was subsequently drafted at the Annapolis, Maryland office of the Firm on August 18, 2023, and was reviewed by Vannoy. The Report is printed on letterhead containing the name and contact information for the Firm.

5. The August 18, 2023 Report which was submitted to the Client states: “On May 19, 2023, Trident Engineering Associates, Inc. (Trident) was authorized to evaluate the above-listed property to determine the overall condition of the garage and determine if the damaged area is repairable and recommend repairs. The case was assigned to Dr. David J. Robillard, P.E., Civil Engineer. This report was reviewed by Dr. Donald W. Vannoy, P.E. Trident reviewed weather

data, visited the site, and systematically evaluated the property to respond to this engineering services request.”

6. The Report includes numerous sections, including Observations, Discussion, Recommended Repair Considerations, and Conclusions. The Conclusions section reads, in part: “Based on a review of information gained from others and from its own observation, investigation, and analysis, Trident Engineering Associates, Inc. concludes to a responsible degree of engineering certainty that:

- a. The home at 13 Red Rock, Shawnee, Oklahoma, experienced damage to the garage related to the recent tornado event passing in close proximity during the evening of April 19, 2023. Aside from structural damage to the garage door systems, and the missing areas of OSB sub roof panels, the garage remains structurally sound. All observed damage is repairable.
- b. The scope of damage as well as recommended repair actions are described in the Discussion Section of this report.

In preparing this report, Trident has been thorough and accurate and met the standards generally expected from members of the engineering profession and in accordance with our General Provisions.” The Report is signed: “David J. Robillard, Ph.D., P.E., Civil Engineer”, and “Donald W. Vannoy, Ph.D., P.E., President.”

7. A search of the licensure database of the Maryland Board of Professional Engineers indicates that Robillard holds Maryland Professional Engineer license number 59056, Vannoy holds Professional Engineer license number 9808, and the Firm holds PE Firm number 52230. Board Staff confirmed with staff of the Maryland Board that all licenses are current and in good standing, and no disciplinary action has occurred previously or is pending in the State of Maryland.

8. At no time has Robillard, Vannoy, or the Firm held Professional Engineer licenses or a Certificate of Authorization in the State of Oklahoma. As of the date of the filing of this

Formal Notice of Charges, Robillard, Vannoy and the Firm have not submitted applications for Professional Engineer licenses or a Certificate of Authorization to the Board.

9. When asked to provide a list of other Oklahoma engineering projects completed by Robillard and/or the Firm in the most recent five (5) years, Vannoy advised: “Trident Engineering Associates, Inc. has not been involved in any other Oklahoma engineering projects during the past five (5) years. Trident Engineering Associates, Inc. has not completed any final signed and sealed drawings in Oklahoma during this time. Also, there are no current or future Oklahoma engineering projects.”

**COUNT I:**

The Allegations contained in the Statement of Allegations/Charges Against Respondents above are incorporated herein by reference.

10. Count I is DISMISSED with prejudice.

**COUNT II:**

The Allegations contained in the Statement of Allegations/Charges Against Respondents and Count I above are incorporated herein by reference.

11. Vannoy did not have a Professional Engineer license in the State of Oklahoma at the time he submitted a Report for the Project located in Shawnee, Oklahoma which was signed “Donald W. Vannoy, Ph.D., P.E.”

12. Vannoy is, therefore, is guilty of violating the provisions of 59 O.S. § 475.1 and OAC § 245:15-23-1(a) by offering and/or practicing engineering in the State of Oklahoma without a Professional Engineer Certificate of Licensure, and is, therefore, subject to and should be

assessed the Administrative Penalties set forth in 59 O.S. § 475.20(B) and OAC § 245:15-23-3 and 18.

**COUNT III:**

The allegations contained in the Statement of Allegations/Charges Against Respondents and Counts I and II above are incorporated herein by reference.

13. The Firm did not have a Certificate of Authorization in the State of Oklahoma at the time a Report for the Project located in Shawnee, Oklahoma was prepared and issued to the Client on letterhead containing the name and contact information for the Firm.

14. The Firm is, therefore, guilty of violating the provisions of 59 O.S. § 475.21(A)(2) and OAC § 245:15-23-1(a) by offering to practice and/or practicing engineering in the State of Oklahoma as defined 59 O.S. § 475.1 et seq., without a Certificate of Authorization, and is, therefore, subject to and should be assessed the Administrative Penalties set forth in 59 O.S. § 475.20(B) and OAC § 245:15-23-3 and 18.

**COUNT IV:**

The allegations contained in the Statement of Allegations/Charges Against Respondents and Counts I, II, and III above are incorporated herein by reference.

15. When Vannoy stated to Board Staff: “The insurance company did not require a PE for the report,” he violated the provisions of 59 O.S. § 475.18(A)(12).

16. Vannoy is, therefore, guilty of violating the provisions of 59 O.S. § 475.18(A)(12) in his communication to the Board and is, therefore, subject to and should be assessed the Administrative Penalties set forth in 59 O.S. § 475.20(B) and OAC § 245:15-23-3 and 18.

## CONCLUSIONS OF LAW

17. The Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors has jurisdiction of this case pursuant to:

a. Statutes Regulating Professional Engineering and Land Surveying, 59 O.S. § 475.1 *et seq.*

b. The Rules of the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors, OAC § 245:15, *et seq.*

18. Respondents were properly notified of the charges, and acknowledged their right to counsel.

19. Respondents have made no objection to the timeliness of the notice or to the specificity of the statement of charges.

20. The Findings of Fact stipulated to by Respondents constitute violations of the Statutes Regulating Professional Engineering and Land Surveying and the Rules of the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors, pertaining to the professional practice of surveying upon which the Board may take disciplinary action against Respondents.

## CONSENT

Trident Engineering Associates, Inc., David J. Robillard, and Donald W. Vannoy, by affixing their signatures hereto, acknowledge that:

21. Respondents understand this Consent Order is subject to the approval of the Board and has no force and effect until a final decision based upon it is rendered by the Board.

22. Respondents have been specifically advised to seek the advice of counsel prior to signing this Consent Order, and

23. Respondents acknowledge that they have the following rights, among others:

- a. The right to a formal fact-finding hearing before the Board;
- b. The right to reasonable notice of said hearing;
- c. The right to compel the testimony of witnesses;
- d. The right to cross-examine witnesses against themselves;
- e. The right to obtain judicial review of the Board's decisions; and,
- f. The right to counsel.

24. Respondents waive all such rights to a formal hearing as set forth above in paragraph twenty-three (23).

25. Respondents understand in order to make a decision relative to approving this Consent Order discussions must take place between Board members, Board Staff and Board Counsel. These discussions may include the Board's review of any and all previously enumerated exhibits or referenced project materials. Respondents understand that these discussions will take place at the Board's next regularly scheduled meeting in Oklahoma City, Oklahoma. Respondents understand they have the right to be present when this matter is discussed, but hereby waive that right.

26. Respondents, for the purpose of avoiding further administrative action with respect to this cause, execute this Consent Order. Should the Consent Order not be accepted by the Board, it is agreed that presentation to and consideration of the Consent Order by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation in or resolution of these proceedings. Likewise, if this Consent Order is not accepted, the Board shall not take into consideration the contents of this Order as evidence of an admission.

27. Respondents expressly waive all further procedural steps, and expressly waive all rights to seek judicial review or to other challenge or contest the validity of the Consent Order, the stipulated facts, conclusions of law and imposition of administrative action contained herein, and the final decision of the board incorporating said Consent Order.

28. This Consent Order contains the entire agreement between the parties. Respondents are not relying on any other agreement or representations of any kind, verbal or otherwise.

29. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Consent Order, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.

30. This Consent Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understanding, discussions, negotiations, and commitments (written or oral). This Consent Order may not be altered, amended, modified, supplemented or otherwise changed except by a writing executed by an authorized representative of each of the parties.

31. Respondents consent to the entry of this Consent Order.

### **ORDER**

In accordance with the foregoing findings of facts and conclusions of law, and the agreement and consent of the Respondents, it is hereby ordered as follows:

32. Vannoy should be and hereby is found guilty of the charges set forth in Count II of the Formal Notice of Charges, because he did not have a Professional Engineer license in the State of Oklahoma at the time he submitted a Report for the Project located in Shawnee, Oklahoma



which was signed “Donald W. Vannoy, Ph.D., P.E.” in violation of the provisions of 59 O.S. § 475.1 and OAC § 245:15-23-1(a).

33. In accordance with 59 O.S. § 475.20(B) and OAC §§ 245:15-23-3 and 18, Vannoy is hereby assessed an administrative penalty in the total amount of One Thousand Five Hundred Dollars (\$1,500.00) as and for the violations set forth in Count II above, which shall be paid within thirty (30) days from the date of the entry of this Consent Order.

34. The Firm should be and hereby is found guilty of the charges set forth in Count III of the Formal Notice of Charges, because it did not have a Certificate of Authorization in the State of Oklahoma at the time a Report for the Project located in Shawnee, Oklahoma was prepared and issued to the Client on letterhead containing the name and contact information for the Firm in violation of 59 O.S. § 475.21(A)(2) and OAC § 245:15-23-1(a).

35. In accordance with 59 O.S. § 475.20(B) and OAC §§ 245:15-23-3 and 18, the Firm is hereby assessed an administrative penalty in the total amount of One Thousand Five Hundred Dollars (\$1,500.00) as and for the violations set forth in Count III above, which shall be paid within thirty (30) days from the date of the entry of this Consent Order.

36. In accordance with 59 O.S. § 475.20(B) and OAC §§ 245:15-23-3 and 15-23-18, the Firm is hereby **REPRIMANDED** as and for the violations set forth in Count III.

37. Vannoy should be and hereby is found guilty of the charges set forth in Count IV of the Formal Notice of Charges, because he violated the provisions of 59 O.S. § 475.18(A)(12).

38. In accordance with 59 O.S. § 475.20(B) and OAC §§ 245:15-23-3 and 18, Vannoy is hereby assessed an administrative penalty in the total amount of One Thousand Five Hundred Dollars (\$1,500.00) as and for the violations set forth in Count IV above, which shall be paid within thirty (30) days from the date of the entry of this Consent Order.

39. In accordance with 59 O.S. § 475.20(B) and OAC §§ 245:15-23-3 and 15-23-18, Vannoy is hereby **REPRIMANDED** as and for the violations set forth in Counts II and IV.

**DISCLOSURE**

Pursuant to the Oklahoma Open Records Act, 51 O.S. § 24-A.1 through 24-A.21, the signed original of this Consent Order shall remain in the custody of the Board as a public record and shall be made available for public inspection, publication, and copying upon request.

Trident Engineering Associates, Inc.

By: Donald W. Vannoy, President  
(Title)

Date: 1/24/24

By: [Signature]

Date: 1/24/24

By: Donald W. Vannoy  
Donald W. Vannoy

Date: 1/24/24

**CERTIFICATION OF BOARD ATTORNEY**

I believe this Consent Order to be in the best interests of the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors and the State of Oklahoma for the violations as alleged in the Formal Notice of Charges.

Dated this \_\_\_\_\_ day of February, 2024.

\_\_\_\_\_  
ROBERT A. MANCHESTER, IV, OBA #19518  
4308 North Meridian Avenue  
Oklahoma City, OK 73112  
(405) 525-6710  
(405) 528-5366 (Fax)

Attorney for Oklahoma State Board of  
Licensure for Professional Engineers  
and Land Surveyors

**ORDER OF THE BOARD**

NOW on this \_\_\_\_\_ day of February, 2024, Respondents have admitted voluntarily, with knowledge of their rights under law, the allegations contained in Counts II through IV of the Formal Notice of Charges. It further appears that the foregoing Consent Order is just and equitable in order to safeguard life, health, and property and to promote the public welfare in the State of Oklahoma.

IT IS THEREFORE ORDERED that the Respondents' stipulation to the violations contained in Counts II through IV of the Formal Notice of Charges is accepted and the above Consent Order incorporated herein shall be the order of the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors.

Dated this \_\_\_\_\_ day of February, 2024.

OKLAHOMA STATE BOARD OF  
LICENSURE FOR PROFESSIONAL  
ENGINEERS AND LAND SURVEYORS

By: \_\_\_\_\_  
David L. Page, P.L.S., Chair