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LOUISIANA PROFESSIONAL ENGINEERING
AND LAND SURVEYING BOARD
9643 BROOKLINE AVENUE, SUITE 121
BATON ROUGE, LOUISIANA 70809-1443
(225) 925-6291

IN THE MATTER OF:)	CASE NO. 2014-38
)	
AMEC FOSTER WHEELER)	
USA CORPORATION)	
)	
RESPONDENT)	
)	
)	
)	

CONSENT ORDER

The Louisiana Professional Engineering and Land Surveying Board [hereinafter the "Board"], by and through its Executive Director, pursuant to authorization by the Board, and Amec Foster Wheeler USA Corporation [hereinafter "Respondent"], by and through its duly authorized undersigned representative, hereby agree to the following:

At all times material hereto, Respondent was licensed in the State of Louisiana as a professional engineering firm, number EF-2590. At all times material hereto, George M. Dyer [hereinafter "Dyer"] was not licensed in the State of Louisiana as a professional engineer and, therefore, was not authorized to practice and/or offer to practice engineering in the State of Louisiana. At all times material hereto, Dyer was an employee of Respondent.

An investigation was opened based upon the Board's receipt of an Affidavit of Complaint which suggested that Respondent may have committed violations of the Board's laws and/or rules in connection with its practice engineering in Louisiana. The investigation disclosed that from at least May 2012 to February 2013 Dyer (in the name of and on behalf of Respondent) provided engineering services for Cameron LNG, LLC on their liquefied natural gas export terminal facilities located in Hackberry, Louisiana.

La. R.S. 37:681 and 37:700(A)(1), prohibit the practice of and/or offering to practice engineering without proper licensure. La. R.S. 37:698(C) permits the Board to take disciplinary action against a firm if one or more of its officers, directors, managers, employees, agents or representatives is found by the Board to be guilty of any of the acts or offenses listed in La. R.S. 37:698(A). La. R.S. 37:698(H) permits the Board to take disciplinary action against persons who violate La. R.S. 37:698(C), *to wit* La. R.S. 37:681 and 37:700(A)(1), upon a finding of guilt

following the preferral of charges, notice and hearing and a majority vote of its entire membership authorized to participate in the proceeding. La. R.S. 37:681, La. R.S. 37:698(C) and (H), and La. R.S. 37:700(A)(1) were in effect at all times material hereto.

It is undisputed that (a) at all times material hereto Respondent was licensed in Louisiana as an engineering firm, (b) Dyer has never been licensed to practice and/or offer to practice engineering in Louisiana, (c) from at least May 2012 to February 2013 Dyer (in the name of and on behalf of Respondent) practiced engineering in Louisiana without proper licensure and (d) at all times material hereto Dyer was an employee of Respondent.

By letter dated July 6, 2016, the Board gave notice to Respondent that it was considering the preferral of charges against Respondent on the grounds that it may have violated La. R.S. 37:698(C), *to wit* La. R.S. 37:681 and 37:700(A)(1), relative to practicing and/or offering to practice engineering without proper licensure.

Wishing to dispense with the need for further disciplinary action and to conclude the instant proceeding without further delay and expense, for the purpose of this proceeding only, Respondent and the Board do hereby enter into this Consent Order, in which Respondent of its own free will consents to the issuance of a Consent Order by the Board, wherein Respondent agrees to (a) pay a fine of one thousand five hundred and no/100 (\$1,500.00) dollars, (b) pay administrative costs of six hundred seventy and 11/100 (\$670.11) dollars, (c) have each of its supervising professionals successfully complete the Board's online Louisiana Laws and Rules Quiz, (d) have each of its supervising professionals successfully complete the Board's online Louisiana Professionalism and Ethics Quiz, (e) ensure that none of its employees practice and/or offer to practice engineering in Louisiana without proper licensure, and (f) the publication of this Consent Order on the Board's website and a summary of this matter in the Board's official journal, the *Louisiana Engineer and Surveyor Journal*, and the reporting of this matter to the National Council of Examiners for Engineering and Surveying (NCEES), identifying Respondent by name.

Respondent acknowledges that its conduct as set forth above, although inadvertent in nature, constitutes violations of the above referenced laws and/or rules as stated herein. Respondent acknowledges awareness of said laws and/or rules and states that it will comply with all applicable laws and rules henceforth. Respondent has been advised of its right to be

represented by counsel before the Board and/or to appear at any hearing personally or by counsel and present witnesses and evidence in its own behalf, it hereby waives this right and its right to appeal, and it states affirmatively that it has been afforded all administrative remedies due it under the law. Respondent further acknowledges awareness of the fact that the signed original of this Consent Order will remain in the custody of the Board as a public record and will be made available for public inspection and copying upon request.

Therefore, in consideration of the foregoing and by signing this Consent Order, Respondent does hereby waive its right to a hearing before the Board, to the presenting of evidence and witnesses on its behalf, to Findings of Fact and Conclusions of Law in this case, and to judicial review of this Consent Order.

Respondent hereby represents that (a) it fully understands the meaning and intent of this Consent Order, including but not limited to its final and binding effect, (b) it has voluntarily entered into this Consent Order and that no other promise or agreement of any kind has been made to or with it by any person whatsoever to cause the execution of this instrument and (c) the sanctions set forth in this Consent Order do not prevent the Board from taking further disciplinary or enforcement action against Respondent on matters not specifically addressed in this Consent Order.

WHEREFORE, the Louisiana Professional Engineering and Land Surveying Board and Respondent agree that:

1. Respondent shall pay a fine of one thousand five hundred and no/100 (\$1,500.00) dollars, which shall be tendered to the Board by certified check payable to the Board, due upon the signing of this Consent Order; and
2. Respondent shall pay administrative costs of pay administrative costs of six hundred seventy and 11/100 (\$670.11) dollars, which shall be tendered to the Board by certified check payable to the Board, due upon the signing of this Consent Order; and
3. Respondent shall have each of its supervising professionals shall successfully complete the Board's online Louisiana Laws and Rules Quiz with a score of 90% or higher and return it to the Board within sixty (60) days of the effective date of this Consent Order; and

5. Respondent shall have each of its supervising professionals successfully complete the Board's online Louisiana Professionalism and Ethics Quiz with a score of 90% or higher and return it to the Board within sixty (60) days of the effective date of this Consent Order; and

6. Respondent shall ensure that none of its employees practice and/or offer to practice engineering in Louisiana without proper licensure; and

7. This Consent Order shall be published on the Board's website and a summary of this matter shall be printed in the official journal of the Board, the *Louisiana Engineer and Surveyor Journal*, and reported to the National Council of Examiners for Engineering and Surveying (NCEES), identifying Respondent by name; and

8. This Consent Order shall not become effective unless and until it is accepted and signed by and on behalf of the Board. Should the Board not accept and sign this Consent Order, it is agreed that presentation of this matter to the Board shall not prejudice the Board or any of its members, staff, attorneys or representatives from further participation, consideration, or resolution of any further proceedings herein.

LOUISIANA PROFESSIONAL ENGINEERING
AND LAND SURVEYING BOARD

DATE: 3/13/17

BY: Donna D. Sentell
DONNA D. SENTELL, Executive Director

AMEC FOSTER WHEELER USA CORPORATION

DATE: March 1 2017

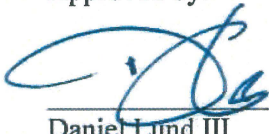
BY: Stephen Conway
STEPHEN CONWAY, Senior Vice President

Witnesses to the signature of
Amec Foster Wheeler USA Corporation

Print Name: Paul R. [Signature]

Kimberly Wallace
Print Name: Kimberly Wallace

Approved by:



Daniel Lund III
Coats Rose, P.C.
365 Canal St., Suite 800
New Orleans, Louisiana 70130
Telephone: (504) 299-3070

Attorneys for Amec Foster Wheeler USA Corporation