

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

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|--------------------------|---|-----------------------|
| IN THE MATTER OF: |) | CASE NO. 2021-29 |
| |) | |
| EDWARD C. BRADFORD, P.E. |) | Received |
| |) | |
| RESPONDENT |) | OCT 20 2023 |
| |) | |
| |) | By LAPELS Enforcement |

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 Edward C. Bradford, P.E. [hereinafter “Respondent”] hereby agree to the following:

At all times material hereto, Respondent was licensed in the State of Louisiana as a professional engineer, number PE-29709. At all times material hereto, Respondent was not licensed in the State of Louisiana as a professional land surveyor. At all times material hereto, Bradford Engineering and Services, LLC [hereinafter “BES”] was licensed in the State of Louisiana as a professional engineering firm, number EF-5325; however, its license was in an expired status from October 1, 2021 to June 14, 2022. At all times material hereto, BES was not licensed in the State of Louisiana as a professional land surveying firm. At all times material hereto, Respondent was an owner, representative and engineering supervising professional of BES.

At all times material hereto, John G. Dunlap, P.L.S. was licensed in the State of Louisiana as a professional land surveyor, number PLS-4843. At all times material hereto, John Dunlap Land Surveying, Inc. [hereinafter “JDLSI”] was licensed in the State of Louisiana as a professional land surveying firm, number VF-471. At all times material hereto, Mr. Dunlap was the owner, President, representative and supervising professional of JDLSI. At all times material hereto, Respondent was not an employee of Mr. Dunlap or JDLSI.

It is the position of the Board that between September 2017 and July 2022 (a) Respondent did field work and assisted in the preparation (for sealing and signing by Mr. Dunlap) of land surveying plats for property located in Louisiana, (b) Respondent then transmitted such plats (which had been sealed and signed by Mr. Dunlap) to customers in

Louisiana and **(c)** Respondent did not clearly prepare such plats under the responsible charge of Mr. Dunlap, which resulted in Respondent offering to provide land surveying services in Louisiana and providing land surveying services in connection with such plats in Louisiana.

Between December 2018 and August 2021 Respondent prepared and issued to the Louisiana State Fire Marshal's Office completed engineering documents for at least six (6) projects located in Louisiana which did not contain Respondent's Louisiana professional engineer seal and signature.

Additionally, between April 1, 2020 and March 21, 2022 Respondent designed buildings and/or building systems in connection with at least three (3) projects in Louisiana. On or about March 22, 2022, Respondent submitted to the Board his 2022 Louisiana professional engineer license renewal online, erroneously indicating thereon that **(a)** he had not designed buildings or building systems in Louisiana since his previous license renewal on April 1, 2020; **(b)** all information provided in his online renewal was true and correct to the best of his knowledge, information and belief; and **(c)** an omission or untrue response may constitute fraud, deceit, material misstatement, perjury or the giving of false or forged evidence under the Board's licensure law.

Furthermore, **(a)** between October 1, 2021 and June 14 2022 BES offered to provide engineering services in Louisiana and provided engineering services on five (5) projects in Louisiana and **(b)** Respondent provided engineering services for and on behalf of BES in Louisiana in connection with said projects.

On or about June 10, 2022 Respondent signed and submitted to the Board on behalf of BES an application to reactivate BES' expired Louisiana professional engineering firm license, erroneously stating thereon that **(a)** it had not practiced or offered to practice engineering in Louisiana since its license was no longer in active status; **(b)** to the best of its knowledge, information and belief the statements and information in the application were true and correct in substance and effect and were made in good faith; and **(c)** an omission or untrue response may constitute fraud, deceit, material misstatement, perjury or the giving of false or forged evidence under the Board's licensure law.

La. R.S. 37:681 and La. R.S. 37:700(A)(1) and (7) prohibit practicing and/or offering to practice land surveying and using the words "surveyor", "surveying" or any modification or

derivative thereof in a person's name or form of business or activity without proper licensure.

La. R.S. 37:698(A)(1) prohibits licensees from committing any fraud, deceit, material misstatement or perjury, or the giving of any false or forged evidence, in applying for a renewal license with the Board. La. R.S. 37:698(A)(2) prohibits licensees from committing any gross misconduct in the practice of engineering. La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2305(A)(3)(a), require supervising professionals of professional engineering firms to be responsible for renewal of the firm's license. La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2501(F), require licensees to be truthful in all communications with the Board and prohibit licensees from engaging in any fraud, deceit or perjury, from making any material misstatements and from submitting any false or forged evidence in connection with such communications. La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2503(C)(3), prohibit licensees from engaging in any act to enable another person to evade the requirements of the Board's licensure law. La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2701(A)(4)(a)(i), require licensees to affix their seal, sign their name, and place the date of execution on all engineering documents that have been issued by the licensee to a client or any public or governmental agency as completed work. La. R.S. 37:698(A)(9) and (16) prohibit practicing and/or offering to practice engineering with an expired license. La. R.S. 37:698(A)(12) prohibits licensees from aiding or assisting another person in violating the laws and/or rules of the Board. La. R.S. 37:698(H) permits the Board to take disciplinary action against persons who violate La. R.S. 37:698(A)(1), La. R.S. 37:698(A)(2), La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2305(A)(3)(a), La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2501(F), La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2503(C)(3), La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2701(A)(4)(a)(i), and La. R.S. 37:698(A)(12), 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. 37:700(H) permits the Board to take enforcement action against persons who violate La. R.S. 37:681 and La. R.S. 37:700(A)(1) and (7), 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(A)(1), (2), (6), (9), (12) and (16), La. R.S. 37:698(H), La. R.S. 37:700(A)(1) and (7), La. R.S. 37:700(H), LAC Title 46:LXI§2305(A)(3)(a), LAC Title 46:LXI§2501(F), LAC Title

46:LXI§2503(C)(3) and LAC Title 46:LXI§2701(A)(4)(a)(i) were in effect at all times material hereto.

It is undisputed that **(a)** at all times material hereto Respondent was licensed in Louisiana as a professional engineer; **(b)** Respondent has never been licensed in Louisiana as a professional land surveyor; **(c)** at all times material hereto BES was licensed in Louisiana as a professional engineering firm; however, its license was in an expired status from October 1, 2021 to June 14, 2022; **(d)** BES has never been licensed in Louisiana as a professional land surveying firm; **(e)** at all times material hereto Respondent was an owner, representative and engineering supervising professional of BES; **(f)** at all times material hereto Mr. Dunlap was licensed in Louisiana as a professional land surveyor; **(g)** at all times material hereto JDLSI was licensed in Louisiana as a professional land surveying firm; **(h)** at all times material hereto Mr. Dunlap was the owner, President, representative and supervising professional of JDLSI; **(i)** at all times material hereto Respondent was not an employee of Mr. Dunlap or JDLSI; **(j)** between September 2017 and July 2022 Respondent did field work and assisted in the preparation (for sealing and signing by Mr. Dunlap) of land surveying plats for property located in Louisiana; **(k)** Respondent then transmitted such plats (which had been sealed and signed by Mr. Dunlap) to customers in Louisiana; **(l)** between December 2018 and August 2021 Respondent prepared and issued to a governmental agency in Louisiana completed engineering documents for projects located in Louisiana which did not contain Respondent's Louisiana professional engineer seal and signature; **(m)** between April 1, 2020 and March 22, 2022 Respondent designed buildings and/or building systems in Louisiana; **(n)** on or about March 22, 2022 Respondent erroneously indicated on his 2022 Louisiana professional engineer license renewal that he had not designed buildings or building systems in Louisiana since his previous license renewal on April 1, 2020; **(o)** between October 1, 2021 and June 14, 2022 BES practiced and offered to practice engineering in Louisiana; and **(p)** on or about June 10, 2022 Respondent erroneously indicated on BES' application to reactivate its expired Louisiana professional engineering firm license that BES had not practiced or offered to practice engineering in Louisiana during the time its license was no longer in active status.

By letter dated October 18, 2022, the Board gave notice to Respondent that it was considering the preferral of charges against Respondent on the grounds that Respondent may

have violated **(a)** La. R.S. 37:681 and La. R.S. 37:700(A)(1) and (7), relative to practicing and/or offering to practice land surveying and using the words “surveyor”, “surveying” or any modification or derivative thereof in a person’s name or form of business or activity without proper licensure; **(b)** La. R.S. 37:698(A)(1), relative to fraud, deceit, material misstatement or perjury, or the giving of any false or forged evidence, in applying for a renewal license with the Board; **(c)** La. R.S. 37:698(A)(2), relative to gross misconduct in the practice of engineering; **(d)** La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2305(A)(3)(a), relative to supervising professionals of professional engineering firms being responsible for renewal of the firm’s license; **(e)** La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2501(F), relative to being truthful in all communications with the Board and avoiding fraud, deceit, perjury and material misstatements, and the submission of false or forged evidence, in connection with such communications; **(f)** La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2503(C)(3), relative to engaging in any act to enable another person to evade the requirements of the Board’s licensure law; **(g)** La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2701(A)(4)(a)(i), relative to sealing, signing and placing the date of execution on all engineering documents that have been issued by the licensee to a client or any public or governmental agency as completed work; and **(h)** La. R.S. 37:698(A)(12), relative to aiding or assisting another person in violating the laws and/or rules of the Board.

Wishing to fully and finally conclude the instant proceeding and all issues arising out of or related to this 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 his own free will consents to the issuance of this Consent Order by the Board.

For purposes of this Consent Order and this proceeding only, Respondent agrees not to dispute that his conduct as set forth above 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 he will comply with all applicable laws and rules. Respondent has been advised of his right to an informal conference, 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 his own behalf, he hereby waives this right and his right to appeal, and he states affirmatively that he has been afforded all administrative remedies due him 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 his right to an informal conference, to a hearing before the Board, to the presenting of evidence and witnesses on his 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) he fully understands the meaning and intent of this Consent Order, including but not limited to its final and binding effect, (b) he has voluntarily entered into this Consent Order and that no other promise or agreement of any kind has been made to or with him 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 Five Thousand Five Hundred and No/100 (\$5,500.00) 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 Two Thousand Seventy-Two and 83/100 (\$2,072.83) 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 will not practice or offer to practice land surveying or use the words "surveyor", "surveying" or any modification or derivative thereof in referring to himself or BES or in describing their business or services in Louisiana until such time as they are duly licensed by the Board; and
4. Respondent will only assist in the preparation (for sealing and signing by a Louisiana professional land surveyor) of land surveying documents for property located in Louisiana under the responsible charge of such Louisiana professional land surveyor; and

5. Respondent 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

6. Respondent shall 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

7. Respondent's Louisiana professional engineer license, number PE-29709, shall be immediately suspended if he fails to successfully complete and return to the Board within sixty (60) days of the effective date of this Consent Order the Board's online Louisiana Laws and Rules Quiz and online Louisiana Professionalism and Ethics Quiz as described above, with said suspension continuing until he so complies; and

8. 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

9. 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: 30 October 2023

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

DATE: 10/20/23

Edward C. Bradford
EDWARD C. BRADFORD, P.E., Respondent

Witnesses to the signature of
Edward C. Bradford, P.E.

Chris Agron
Print Name: Chris Agron

Chantal McCreary
Print Name: Chantal

Approved by:

Trippe Hawthorne

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