



Online Ethics Center
FOR ENGINEERING AND SCIENCE

Changes in Statement of Qualifications for a Public Project (adapted from NSPE Case No. 78-5)

Year

1999

Description

This is an open-ended scenario for discussion based on a case from the NSPE Board of Ethical Review. It describes possible methods of making amends for a firm's deficit in a particular area of expertise that a client needs to complete his project.

Body

A public utility authority invited qualification statements from engineering firms bidding on an addition to its power facilities. State law requires that all firms must be considered and that at least three of the most highly qualified firms should be interviewed in detail. The authority is required to select the best qualified firm for negotiation of a contract. If the parties cannot reach an agreement on a contract, the agency can undertake negotiations with the second-ranked firm.

The utility authority narrowed its choices to seven firms, one of which proposed a joint venture because of the size and complexity of the job. After an initial interview, the screening committee of the authority had advised Thompson Inc., one of the seven firms, that it was deficient in certain technical aspects of its proposal. Thompson Inc. then arranged to remedy the deficiency by forming a joint venture with another firm. It also requested the opportunity to revise its

qualification statement in light of the change it had made in the team, with the understanding that all other firms would be able to revise their statements if desired.

If you were a member of the public utility authority, how would you respond to this request? What other information might change your assessment of the situation? What role, if any, does the intent of the state procurement law play in formulating your response?

[NSPE Code of Ethics](#) An earlier version may have been used in this case.

Notes

See the original NSPE case at: [Post-Interview Change in Joint Venture Team - Case No. 78-5](#).

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Professional Ethics in Engineering Practice: Discussion Cases Based on NSPE BER Cases

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