

5. CRIMINAL HISTORY RECORD CHECK

Effective January 1, 2014, an applicant for professional engineer licensure in Texas must submit a legible set of fingerprints to the Texas Department of Public Safety (TXDPS) for the purpose of obtaining criminal history record information from the TXDPS and the Federal Bureau of Investigation. See more information at <https://engineers.texas.gov/recordcheck.html>.

6. AFFIDAVIT

I affirm that I am the applicant named in the foregoing instrument, that I have read the contents thereof, and that the foregoing statements are true and complete in all respects. I have obtained a copy of, have read and agree to abide by the Texas Engineering Practice Act (Section 1001) and the Board Rules. I believe that I meet the statutory requirements of the section of the Act under which I am applying for licensure in the State of Texas. I further agree that upon issuance of a license, I will obtain a seal as instructed by the board and furnish a wallet size portrait photograph to the Board for its files in accordance with Board Rule 133.97(e).

Signature of Applicant

Date

Comments: (Optional):

Although she knows she is technically competent and is a talented engineer, Trish is fairly certain that her former supervisor, Quentin, a licensed engineer, holds a grudge against her and will not give her a favorable reference because of the difficult circumstances surrounding her departure. Nevertheless, Trish decides to ask Quentin to verify this portion of her engineering experience in her application since he was her engineering supervisor.

Question 8. Which Section in the Act or which board rules should protect Trish from a retaliatory action from her former supervisor?

- A) §1001.212
- B) §1001.452
- C) §133.51(c)
- D) §137.63(c)(2)
- E) §137.37

Scenario 3

Competitive Bidding, Political Contributions, and Marketing

Rachelle, a licensed engineer and corporate officer in her engineering firm, has been very involved in community affairs over her entire professional career, and is supportive of political candidates who represent what she believes to be better government.

A local county official, Phillip, has gained acclaim by seeking better recreational facilities for the economically disadvantaged persons of his county. Phillip sends Rachelle a Request for Proposal (RFP) which requests a bid for a hydrology study associated with a new phase of development in a low-lying park area.

The RFP emphasizes that County funds are limited, that Phillip intends that the project help as many disadvantaged persons as possible, and that the fee will be considered in selection of the engineer.

While Rachelle is sympathetic with Phillip's aspirations to help the disadvantaged, she responds to the RFP with a letter stating that competitive bidding for engineering services in the public sector is prohibited by law under the Professional Services Procurement Act (PSPA).

She reminded Phillip that, according to the Texas board rules, an engineer can be sanctioned for bidding engineering services on public works.

Question 9. Which Section of the Act or board rule most clearly directs an engineer on the

matter of competitive bidding for public work with a governmental entity or their representative?

- A) §1001.203
- B) §1001.402
- C) §1001.407
- D) §137.57(a)
- E) §137.53(a)

Question 10. Do the Act or board rules prohibit competitive bidding for engineering services in the private sector?

- A) Yes
- B) No

Rachelle's firm opens a new branch office in a city where several politicians ask for significant support and, in some instances, it appears that "inducements" are necessary to be awarded engineering work. Despite her inclination to contribute financially to worthy candidates, the venal demeanor of these local politicians concerns Rachelle.

Question 11. Which board rule gives guidance to engineers on the matter of "inducements?"

- A) §137.57(b)
- B) §137.57(c)
- C) §137.57(d)
- D) §137.63(c)(4)
- E) §137.63(c)(5)

Rachelle decides to continue her tradition of contributing to individual candidates and to the engineering political action committee. She is

