

STATE OF ALABAMA BOARD OF LICENSURE
FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

IN THE MATTER OF:)

William David Ralph)
8768 Woodchester Court)
Mobile, Alabama 36619)

Respondent)
_____)



Case No. 2013-29-B

FINAL ORDER

The Alabama Board of Licensure for Professional Engineers and Land Surveyors having considered the consent order signed by William David Ralph, Professional Engineer License Number 16517, in which he stipulated he violated the Code of Alabama 1975, §34-11-11(a) 2, and the Rules and Regulations of the Board's Administrative Code § 330-X-13-.02(12), and § 330-X-14-.06(a)(1) hereby adopts the Consent Order and issues this Final Order.

The Consent Order and Final Order take immediate effect upon the signing of this Final Order and the Respondent is **ORDERED** to abide by the Consent Order and Final Order as approved by the Alabama Board of Licensure for Professional Engineers and Land Surveyors.

ENTERED this the 9th day of April, 2014

RECUSED

Phillip E. Santora

Marc S. Barter

Frazier Christy

Daniel S. Turner

Earl R. Foust

Charles P. Willis

W. Gerald Wilbanks

**STATE OF ALABAMA
BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND
LAND SURVEYORS**

IN RE THE MATTER OF:

WILLIAM DAVID RALPH

CASE NO. 2013-29-B

CONSENT ORDER

William David Ralph, an Alabama licensed professional engineer (hereinafter referred to as "Respondent") hereby stipulates and agrees, subject to approval of the Alabama Board of Licensure for Professional Engineers and Land Surveyors (hereinafter referred to as the "Board") as follows:

STIPULATED FACTS

Respondent stipulates he received an Alabama professional engineer license (number 16517) from the Board on February 11, 1988 and has held that license continuously from that date until the present.

Respondent stipulates on February 27, 2013 he was informed via email that his 2013 professional engineer license renewal application had been selected at random for verification of reported continuing professional competency credits. Respondent also stipulates he was requested to provide documentation verifying his reported professional competency credits no later than April 1, 2013. Respondent failed to respond.

Respondent stipulates on April 29, 2013 he was informed via regular and certified mail that his 2013 professional engineer license renewal application had been selected at random for verification of reported continuing professional competency credits. Respondent also stipulates he was requested to provide documentation verifying his reported professional competency credits no later than June 1, 2013. Respondent failed to provide the requested documents.

Respondent stipulates on June 8, 2013 he notified Joy Whatley, Board Staff via email that he had retired from The Williams Companies in July 2012 and no longer had access to the requested documents. Respondent further requested that his registration be changed to "inactive in good standing."

Respondent stipulates he received a response email from Joy Whatley, Board Staff that advised him he was still required to respond to the audit since he had renewed his professional engineer license in active status and reported continuing professional competency credits. Respondent further stipulates the email informed him he had until July 1, 2013 to provide "any and all" documentation. Respondent stipulates he failed to provide any documents prior to July 1, 2013.

Respondent stipulates he was notified via regular and certified mail in a letter dated July 10, 2013 that the Board had initiated a complaint, and that his professional engineer license was **suspended** (until the requested documents were submitted to the Board office), for his failure to provide documents that support the professional competency credits he reported on his 2013 professional engineer license renewal application.

Respondent stipulates on August 13, 2013 he was contacted by Board Special Investigator Bob Herbert and instructed to contact a training representative at his prior employer (The Williams Companies) to obtain copies of his training documentation. Respondent stipulates a representative of The Williams Companies provided a training certificate to the Board office on August 13, 2013 that verified Respondent's completion of twenty four professional development hours and satisfied the requirements of the continuing professional competency audit.

STIPULATED CONCLUSIONS OF LAW

Respondent admits he is subject to the provisions of Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11 and the jurisdiction of the Board.

Respondent stipulates his conduct as set forth in the foregoing "Stipulated Facts" constitutes violations of Title 34 Chapter 11 Code of Alabama 1975 Section 34-11-11(a) 2 and

the Rules and Regulations of the Board's *Administrative Code* § 330-X-13-.02(12), and § 330-X-14-.06(a)(1).

Respondent stipulates his conduct as set forth in the "Stipulated Facts" is a violation of those statutes set forth above, and he is subject to disciplinary action under Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11.

STIPULATED DISPOSITION

Respondent shall not in the future violate the provisions of Title 34, Chapter 11, Code of Alabama 1975, or the Rules and Regulations of the Administrative Code and the Rules of Professional Conduct promulgated together.

Respondent understands this Consent Order and subsequent Final Order will become a matter of public record.

Respondent's Alabama professional engineer license shall be suspended for a period of two years beginning the date the Board issues the Final Order.

Respondent understands this Consent Order is subject to the approval of the Board and has no force and effect until a Final Order based upon it is rendered by the Board.

Respondent agrees any violation of the terms of this Consent Order, may result in the Board filing additional charges in accordance with the Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11.

Respondent understands in order to make a decision relative to approving this Consent Order discussions must take place between Board Members, Board Staff and Board Counsel. Respondent understands that this discussion will take place at a regularly scheduled meeting of the Board.

Respondent understands he has the right to seek the advice of legal counsel. Respondent also understands he has the right to a formal fact finding hearing before the Board, to compel the testimony of witnesses, to cross-examine witnesses against him, and to obtain

judicial review of the Board's decision in said formal hearing but expressly waives these rights with execution of this Consent Order and Final Order of the Board.

Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to otherwise 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 Order of the Board incorporating said Consent Order.

Respondent, for the purpose of avoiding further administrative action with respect to this cause executes 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.

SIGNED this the 5 day of March, 2014


William David Ralph

APPROVED:

Benjamin H. Albritton
Assistant Attorney General