

Code of Alabama Section 34-11-35.1(d)

(1) Except as otherwise provided in subdivision (2), the board shall adopt rules pursuant to this section that allow engineers and land surveyors to solicit professional services in accordance with competitive, qualification-based selection policies and procedures. The rules shall prohibit competitive bidding based solely upon price or fee.

(2) The rules adopted under subdivision (1) shall not apply to a boundary survey on private land where the survey is not intended for use as a basis for engineering design at the time of preparation, unless the survey is prepared in accordance with the standards specified by the American Land Title Association (ALTA) and the National Society of Professional Surveyors (NSPS).

Administrative Code of the Board

330-X-14-.05 Practice (Canon IV).

The engineer or land surveyor shall endeavor to build a practice and professional reputation on the merit of his services as follows:

(f) The engineer or land surveyor, shall not participate in or implement procurement practices (bid submittals) which do not first determine the qualifications of the engineer or land surveyor prior to entering into fee negotiations for services being sought. An engineer or land surveyor having submitted a statement of qualification and performance data, and having first been judged as the qualified individual or firm to provide the services required for the proposed project, may proceed to negotiate a contract with a client and establish compensation or fees for the required services.

330-X-14-.06 Ethics (Canon V).

The engineer or land surveyor shall contribute to the maintenance, integrity, independence and competency of the engineering or land surveying profession as follows:

(a) The engineer or land surveyor shall not:

14. Participate in procurement procedures for engineering or land surveying services either by providing the bids or in requesting bids from other professional engineers or land surveyors where bidding is the primary consideration.