

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

IN THE MATTER OF:

Mr. Guigen Wang
3206 Amesbury Way
Duluth, GA 30096

Respondent



Case No. 2019-19

CONSENT ORDER

Guigen Wang (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 the Board issued him professional engineer license # 25637 on April 25, 2003.

Respondent stipulates on March 22, 2019, the Board received a complaint from Mr. Lee Stegall, a professional engineer, in reference to Respondent possibly violating Title 34 of the Code of Alabama.

Respondent stipulates he entered into an agreement with Nail Expo1, 4200 McFarland Boulevard, Tuscaloosa, Alabama to provide Plumbing, Electrical and Mechanical engineering design services.

Respondent stipulates Mr. Ron Rumanek, Building Inspector for the City of Tuscaloosa, withdrew the building permit when he discovered that the mechanical engineering design plans bearing Respondent's signature and professional engineer seal did not meet the existing conditions at the project site.

Respondent stipulates he placed his signature and professional engineer seal on the Mechanical, Electrical, and Plumbing engineering design plans for the Nail Expo1, 4200 McFarland Boulevard, Tuscaloosa, Alabama project knowing he was not qualified by education

and or experience to prepare the design plans. Respondent further stipulates a Board Technical Advisor reviewed the design plans bearing his signature and professional engineer seal, and issued a report that in summary stated the design plans did not meet the acceptable Standards of Practice for the Practice of Engineering in the State of Alabama.

STIPULATED CONCLUSIONS OF LAW

Respondent admits he is subject to the provisions of Title 34, Chapter 11, Code of Alabama 1975, §34-11-11(a)(2) and the Administrative Code of the Board.

Respondent stipulates his conduct as set forth in the foregoing "Stipulated Facts" constitutes a violation of Title 34, Chapter 11, Code of Alabama 1975, §34-11-02(a) and the Administrative Code of the Board §330-X-14-.03(b) §330-X-14-.05(g), and §330-X-14-.06(a)(1).

STIPULATED DISPOSITION

Respondent agrees he will comply with the provisions of Title 34, Chapter 11, Code of Alabama 1975, and the Rules promulgated in the Administrative Code of the Board.

Respondent understands this Consent Order and subsequent Final Order will become a matter of public record. Respondent further understands this information will be placed on the Board's website, in its newsletter, and posted to the National Council of Examiners for Engineers and Surveyors (NCEES) Enforcement Exchange.

Respondent shall submit to the Board with this signed Consent Order a check in the amount of four hundred forty-five dollars (\$445) made payable to PE/PLS Fund as payment for the cost of this investigation.

Respondent shall submit to the Board with this signed Consent Order a check in the amount of five thousand dollars (\$5,000) made payable to the PE/PLS Fund as payment of a fine.

Respondent understands that within 30 days he must submit a list of the Alabama projects he has performed for the previous five-year period beginning from the date the Board

issues its Final Order.

Respondent understands his Alabama professional engineer license is **SUSPENDED** for two years beginning the date the Board issues its Final Order. Respondent further understands that during the suspension period he cannot offer to practice, or practice engineering in the State of Alabama.

Respondent understands that at the end of the two-year suspension period he may apply for reissuance of his professional engineer license in accordance with the requirements of the Administrative Code of the Board.

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 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 the discussion will take place at a regularly scheduled meeting of the Board.

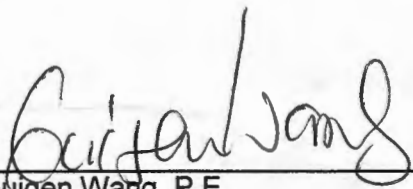
Respondent understands he has the right to seek the advice of legal counsel. Respondent also understands he has the right to a formal fact-finding hearing before the Board, to compel the testimony of witnesses, to cross-examine witnesses against him, and to obtain judicial review of the Board's decision 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. It is agreed that presentation to and consideration of the Consent Order by the Board requires certain factual information related to this matter be disclosed to the Board members. Should the Consent Order not be accepted by the Board, it is

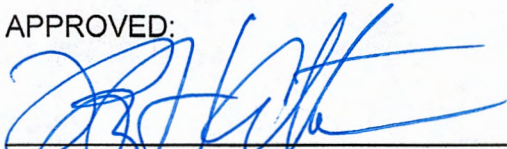
therefore, expressly agreed that the reviewing, and consideration of this Consent Order, and the information provided to the Board for their review, shall not unfairly prejudice the Board and shall in no way act to disqualify any Board member from any further participation in this matter through its resolution, including, but not limited to, any contested hearing on this matter should one be necessary. 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 and all stipulations hereinabove are thereby rescinded.

SIGNED this the 12 day of July, 2019.



Guigen Wang, P.E.

APPROVED:



Benjamin H. Albritton
Assistant Attorney General

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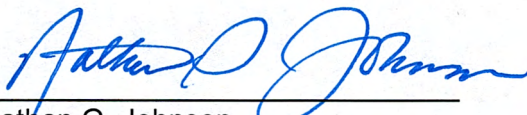


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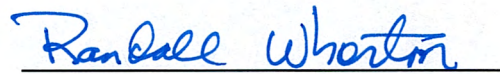
FINAL ORDER

The Alabama Board of Licensure for Professional Engineers and Land Surveyors having considered the consent order signed by Guigen Wang, in which he stipulated his firm violated Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11(a)(2) and the Rules of Professional Conduct of the Administrative Code of the Board in Section § 330-X-14-.03(b), § 330-X-14-05(g), §330-X-14-.06(a)(1).

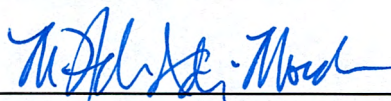
The Consent Order and Final Order take immediate effect upon the signing of this Final Order and the Respondent is **ORDERED** to abide by the Consent Order and Final Order as approved by the Alabama Board of Licensure for Professional Engineers and Land Surveyors. **ENTERED** this the 16th day of July 2019.



Nathan G. Johnson



Randall D. Whorton




M. Helen Adams-Morales



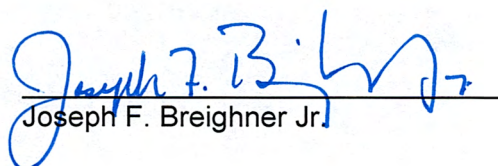
Richard G. Grace

RECUSED

Marc S. Barter



M. Elisabeth Hyde



Joseph F. Breighner Jr.