

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

IN THE MATTER OF:

Mr. Rick Woods
Woods & Associates Fabrication Company
127 Moonlight Drive
Gurly AL 35748

Respondent



Case No. 2018-03-C

CONSENT ORDER

Rick Woods, (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 on October 26, 2017, the Board received a complaint from Mr. Jeff Hillman regarding Respondent possibly violating Title 34 of the Code of Alabama.

Respondent stipulates he is not licensed in the State of Alabama as a professional engineer and his firm has not been issued a certificate of authorization for engineering by the Board.

Respondent stipulates he made changes to the requirements of the original engineer design of a structure by placing upsized beams in the structure without consulting the engineer of record for the project.

Respondent stipulates by making changes to the original engineer design plan relative to upsizing beams that he performed engineering without being licensed as a professional engineer 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, § 34-11-16(a)(1) and the jurisdiction of the Board.

Respondent stipulates his conduct as set forth in the foregoing "Stipulated Facts" constitutes a violation of one or more of Title 34, Chapter 11, Code of Alabama 1975, § 34-11-02(a).

STIPULATED DISPOSITION

Respondent shall not in the future violate the provisions of Title 34, Chapter 11, Code of Alabama 1975.

Respondent understands this Consent Order and subsequent Final Order will be a public record, and this information will be placed on the Board's website and in its newsletter.

Respondent agrees to **cease and desist** the practice of engineering until he receives a license to practice engineering in the State of Alabama.

Respondent shall submit to the Board with this signed Consent Order a check made payable to the State of Alabama General Fund in the amount of one thousand dollars (\$1,000).

Respondent shall submit to the Board with this signed Consent Order a check made payable to PE/PLS Fund in the amount of two hundred and twenty-five dollars (\$225) for the cost of the investigation.

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 to comply with the terms of this Consent Order and understands failure to comply with the terms of the Consent Order may result in additional charges or discipline.

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 28 day of DEC, 2018.



Mr. Rick Woods
Woods & Associates Fabrication Company

APPROVED:


Benjamin H. Albritton
Assistant Attorney General

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FINAL ORDER

The Alabama Board of Licensure for Professional Engineers and Land Surveyors having considered the consent order signed by Rick Woods, in which he stipulated his firm violated the Code of Alabama 1975, § 34-11-16(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 15th day of January 2019.



Nathan G. Johnson



M. Helen Adams-Morales



Marc S. Barter



Joseph F. Breighner Jr.



Randall D. Whorton



Richard G. Grace



M. Elisabeth Hyde