

VOLUNTARY UNDERTAKING and AGREEMENT of

Alireza Bahrami, P.Eng.

WHEREAS:

- A. The Association of Professional Engineers and Geoscientists of Alberta (“APEGA”) is a body incorporated pursuant to the *Engineering and Geoscience Professions Act*, R.S.A. 2000, c. E-11.1 (the “EGPA”);
- B. Alireza Bahrami, P.Eng. (the “Registrant”) was a member of APEGA from September 1, 2021, until he voluntarily cancelled his membership on January 18, 2024.
- C. On December 20, 2023, Mr. John Corriveau, P.Eng. (“the Complainant”), Deputy Registrar & Chief Regulatory Officer, APEGA, provided Mr. Garth Jespersen, Director, Investigations, APEGA with a letter of complaint concerning the Registrant.
- D. It came to the attention of the Complainant that the Registrant was recently the subject of two (2) disciplinary decisions through Engineers & Geoscientists British Columbia (“EGBC”), namely:
 - 1. EGBC Consent Order dated September 9, 2022, documenting an admission to unskilled practice with relation to a truck mounted articulating boom crane.

Admissions referenced in the Consent Order were,

- a. Signing and sealing an Annual Inspection Certificate dated December 9, 2018 (the “Certificate”) for a truck-mounted articulating boom crane owned by Canadian Form Rentals bearing certificate number IC-CF0001 (the “Crane”) certifying all structural components of the Crane to be safe for use based on an inspection report, dated December 9, 2018, prepared by [a crane inspector] (the “Report”) in circumstances where:
 - i. He failed to adequately instruct and or supervise [the crane inspector] with respect to the Crane’s inspection;
 - ii. He delegated responsibility to [the crane inspector] to determine whether defects, including bends, cracks or other deficiencies, were acceptable or required repair;
 - iii. He failed to undertake adequate independent checks to confirm the contents or accuracy of the Report;

- iv. The Report failed to address the mechanical and control elements of the Crane;
- v. The Report failed to identify, and to classify in terms of criticality, a number of defects with the structural components of the Crane, including defects requiring immediate repair, repair in advance of the next annual inspection, or monitoring as identified by Falcon Equipment Ltd. in its report dated December 13, 2018; and or where
- vi. Some of the structural components of the Crane were not, in fact, safe for use.

EGBC imposed sanctions including:

- i. Six-month suspension commencing September 15, 2022;
 - ii. Effective September 15, 2022, the Registrant is restricted from conducting crane or hoist inspections following the conclusion of the suspension period unless such work is subject to peer review for a period of 24 months;
 - iii. Practice review 6 months after completion of Peer Review Period;
 - iv. \$2000 in costs.
2. EGBC Determination of Discipline Committee dated May 2, 2022, and Decision of Discipline Committee on Penalty and Cost dated September 29, 2022, documenting a finding of unprofessional conduct with relation to the design of a fire suppression system at a dental office in Surrey, British Columbia to the reasonable standard expected of a professional engineer.

Findings of the EGBC's Discipline Committee Determination and Decision on penalty and costs:

- a. Failing to design a fire suppression system (the "Fire Suppression System") for a dental office located at , Surrey BC (the "Project") to the reasonable standard expected of a professional engineer by, among other things:
 - i. Incorrectly identifying the hazard classification for the Project;
 - ii. Utilizing a design method for the Fire Suppression System only permitted for single family or duplex residential occupancy;

- iii. Failing to provide for a sprinkler in the hot water tank closet for the Project;
 - iv. Failing to provide for a minimum distance of 8 feet between residential sprinklers in the patient areas of the Project;
 - v. Using hydraulic calculations for the Fire Suppression System in a format similar to NFPA 13D, instead of to NFPA 13;
 - vi. Providing notes and details on the drawings for the Project that are irrelevant;
 - vii. Utilizing two-sprinkler design methods for the Project; and Otherwise failing to comply with the standards set out in the NFPA 13 (2013).
- b. Failing to issue the drawings he prepared for the Project (the “Drawings”) as “Draft for Review” when he provided them to [3rd party professional engineer] for review and comments;
- c. Failing to provide the Subcommittee of the Investigation Committee with a copy of his complete file for the Project as requested of you by letter dated June 2, 2020. Specifically, in advising EGBC on June 4, 2020, that the Registrant did not have any additional records beyond those attached to the June 2, 2020 letter, the Registrant failed to provide EGBC with a number of documents, including additional correspondence between [3rd party professional engineer] and the Registrant regarding the Project and correspondence between [3rd party professional engineer] and Zoom Engineering Ltd. which had been forwarded to the Registrant.

EGBC imposed several sanctions, including:

- i. \$2500 fine;
- ii. \$25,000 costs;
- iii. Prohibition from performing any engineering work related to fire suppression systems. To lift the prohibition the Registrant must complete NFPA 13, Standard for the Installation of Sprinkler Systems Online Training Series offered by the National Fire Protection Association;
- iv. Report updated experience and competencies through the EGBC Competency-Based Assessment System using the 34 key competencies with generic indicators and providing registered professional engineers practicing in the fire suppression discipline as Validators.

- E. The Consent Order and the Discipline Committee’s Determination and Decision on Penalty and Cost were published by EGBC on September 9, 2022, and September 29, 2022, respectively.
- F. The Complaint was referred to the APEGA Investigative Committee (“IC”) in accordance with section 43 of the EGPA, and an Investigation Panel (“Panel”) was appointed by the IC to conduct an investigation in accordance with section 47 of the EGPA (the “Investigation”). The IC’s primary role in assessing misconduct findings in another jurisdiction is to ensure the protection of the public in Alberta.
- G. The Registrant, provided APEGA with written responses on January 8 and January 17, 2024, stating that:
- i. He has never been employed in the Province of Alberta and only obtained his APEGA membership for a job opportunity that never came to fruition;
 - ii. He has not provided any professional services or been involved in any projects in the Province of Alberta;
 - iii. He has fulfilled the requirements of both EGBC Orders except the NFPA 13 (Standard for the Installation of Sprinkler Systems Online Training) described under Sec. 2(c)(iii) as the Registrant is not interested in pursuing this field of engineering in the future;
 - iv. His current status with EGBC is: P.Eng., non-practicing (Figure 1). This was the Registrant’s choice as his current employment is not related to the practice of engineering;
 - v. The Registrant voluntarily canceled his APEGA membership on January 18, 2024.

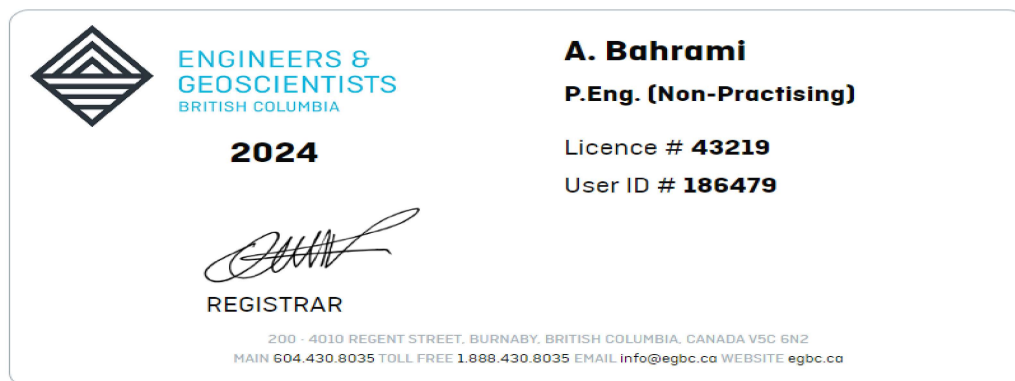


Figure 1 – Registrant’s current status with EGBC

- H. On the basis set out in this Voluntary Undertaking and Agreement, the Panel is prepared to recommend to the IC that the Complaint be resolved as an alternative to the Investigation proceeding further. Specifically, the Panel is prepared to recommend to the IC that no other steps in connection with the Complaint be taken; and
- I. On the approval of the Panel's recommendation by the IC as set out in paragraph H herein this Voluntary Undertaking and Agreement will immediately take effect and following the publication of the Voluntary Undertaking and Agreement in accordance with paragraph 12 herein the Investigation file will be closed, and no further steps taken in connection with the Complaint or Investigation except as provided for in this Voluntary Undertaking and Agreement.

THE REGISTRANT HEREBY VOLUNTARILY UNDERTAKES AND AGREES AS FOLLOWS:

1. The Registrant acknowledges the truth and accuracy of the recitals set out above.
2. By entering into this Voluntary Undertaking and Agreement, although the Registrant admits to the truth of the facts alleged in the Complaint (resulting from the EGBC proceedings), he does not admit to having engaged in unprofessional conduct or unskilled practice of the profession in Alberta contrary to the *EGPA*.
3. The Registrant shall not apply for reinstatement of licensure as a professional member, licensee, permit holder or restricted practitioner. If the Registrant elects to apply for reinstatement of licensure with APEGA, the Registrant shall be bound by APEGA's reinstatement process under the current or future legislation.
4. The Registrant will immediately surrender his certificate of registration, license and stamp to APEGA.
5. The Registrant shall not engage in the practice of engineering, as defined in section 1 of the *EGPA* (the "Practice of Engineering") in the Province of Alberta
6. By virtue of the Registrant's response in Sec. 2(G)(iii), should the Registrant apply for reinstatement to engage in the Practice of Engineering in the Province of Alberta, the Registrant shall be permanently restricted from engaging in the practice of engineering as it relates to:
 - a. Fire suppression systems.
7. Should the Registrant apply for reinstatement to engage in the Practice of Engineering in the Province of Alberta, the Registrant shall be restricted from engaging in the practice of engineering as it relates to
 - a. Conducting crane or hoist inspections. Should the Registrant elect to conduct crane or hoist inspections in the future, they shall have their practice restricted and only practice crane or hoist inspections under the

direct supervision of an APEGA registered professional engineer specializing in crane and hoist inspections for a period of two (2) years. Further, six (6) months after completion of the two (2) year period of supervision, the Registrant will be subject to practice review.

8. The Registrant shall not represent or hold himself out, either expressly or implicitly, as a member of APEGA to any other engineering professional regulatory body of any other Canadian province or territory, in any capacity.
9. The Registrant acknowledges that if APEGA receives an inquiry about his complaint history from another regulatory body, APEGA will be at liberty to provide a copy of this Voluntary Undertaking and Agreement to that body.
10. In the event that APEGA has reasonable grounds to believe that the Registrant has breached this Voluntary Undertaking and Agreement, the Registrant agrees that APEGA may notify any regulatory body or person who may be affected or potentially affected by the breach of this Undertaking and Agreement.
11. The Registrant agrees that a copy of this Voluntary Undertaking and Agreement will be provided to the Registrar of APEGA.
12. The Registrant acknowledges that a copy of this Voluntary Undertaking and Agreement will be published on the APEGA website.
13. The Registrant acknowledges he has had the opportunity, prior to signing, to seek and receive legal advice with respect to this Voluntary Undertaking and Agreement, and the Registrant enters this agreement and undertaking voluntarily
14. This document may be signed or executed and delivered by facsimile, electronic transmission or portable document format and the signing, execution or delivery of the document in such format shall have the same effect as the signing, execution or delivery of an original.

Alireza Bahrami, P.Eng.
 Signed with ConsignO Cloud (2024/02/08)
 Verify with verifio.com or Adobe Reader.



Mr. Alireza Bahrami, P.Eng.

Alan Elliott

Signed with ConsignO Cloud (2024/02/07)
 Verify with verifio.com or Adobe Reader.



Witness: