

**2011**  
**NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS**  
**MILTON F. LUNCH ETHICS CONTEST**  
**(Fact Situation)**

**FACTS**

Engineer A works for ES Consulting, a consulting engineering firm. In performing engineering services for ES Consulting, Engineer A performs construction observation services on a project for Client X. During the performance of the construction observation services for Client X, Engineer A observes potential safety issues relating to the performance of work by a subcontractor on a project being constructed on an adjacent piece of property for Owner Y, a party with whom neither Engineer A, ES Consulting, or Client X has any direct relationship.

**QUESTION**

What are Engineer A's ethical obligations under the circumstances?

**NSPE CODE REFERENCES**

(To be submitted by the contestant(s). Use NSPE Code of Ethics references only.)

**DISCUSSION**

(To be submitted by the contestant(s). Use the BER format as used in the attached sample case.)

**CONCLUSION**

(To be submitted by the contestant(s).)

**NOTE:** *In order to maintain anonymity for purposes of judging, the actual body of the entry should not include any reference to the state society, chapter, member, student, university, or any other individual group(s) who submitted the entry. However, be sure to provide the name(s), address(es), email address(es), and phone number(s) of (1) your NSPE chapter or state society, and (2) each of the individual(s) responsible for submitting the entry, on a separate cover sheet accompanying your entry. Submissions failing to include this information will be returned to submitter(s) and will not be eligible for the contest.*