

2016
NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS
MILTON F. LUNCH ETHICS CONTEST
(Fact Situation)

FACTS

Engineer A is retained by Client X to oversee the design of an industrial processing facility, including manufactured elements of the facility. Engineer A prepares the drawings, plans, and specifications for the industrial processing facility and in doing so, incorporates manufactured equipment into the facility. As part of Engineer A's preparation of the drawings, plans, and specifications, Engineer A includes copies of the drawings, plans, and specifications provided by the manufacturer of the manufactured equipment with Engineer A's drawings, plans, and specifications. Engineer A gives full attribution to the manufacturer. Also included within Engineer A's contract with Client X is the provision whereby Engineer A represents that he has reviewed the manufacturer's drawings, plans, and specifications and in his professional opinion believes the equipment will perform as represented, but that Engineer A is not responsible for the performance of the manufactured equipment.

QUESTIONS

1. Was it ethical for Engineer A to include copies of the drawings, plans, and specifications provided by the manufacturer of the manufactured equipment with Engineer A's drawings, plans and specifications, giving full attribution to the manufacturer?
2. Was it ethical for Engineer A to include within Engineer A's contract with Client X a provision whereby Engineer A represents that he has reviewed the manufacturer's drawings, plans, and specifications and in his professional opinion believes the equipment will perform as represented, but that Engineer A is not responsible for the performance of the manufactured equipment?

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.)

CONCLUSIONS

(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), phone number(s), and NSPE member 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.*