



ENGINEERS &  
GEOSCIENTISTS  
BRITISH COLUMBIA

IN THE MATTER OF THE *PROFESSIONAL GOVERNANCE ACT*  
S.B.C. 2018, CHAPTER 47

and

IN THE MATTER OF ALIREZA (DANYAL) BAHRAMI, P.ENG.

ENGINEERS AND GEOSCIENTISTS BC FILE NO. T19-029

**CONSENT ORDER**

**Background**

1. On May 27, 2021, the Association of Professional Engineers and Geoscientists of the Province of British Columbia, doing business as Engineers and Geoscientists BC issued a Citation against Mr. Bahrami (the “First Citation”).
2. On May 2, 2022, a Panel of the Discipline Committee (the “Panel”) found that Mr. Bahrami committed unprofessional conduct and breached s. 30(4) of the *Engineers and Geoscientists Act*, R.S.B.C 1996, c. 116 (the “*EGA*”) in relation to the First Citation.
3. As of the date of this Consent Order, the Panel has yet to make an order with respect to the penalty and costs regarding the First Citation.
4. On April 7, 2022, Engineers and Geoscientists BC issued a Citation (the “Second Citation”) to Alireza (Danyal) Bahrami, P.Eng., pursuant to section 66(1) of the *Professional Governance Act*, S.B.C. 2018, c. 47 (the “*PGA*”).
5. The substance of the Second Citation is addressed in this Consent Order.
6. Engineers and Geoscientists BC and Mr. Bahrami wish to resolve the Second Citation by way of a Consent Order pursuant to section 73(2) of the *PGA*.

## Legislation

7. On February 5, 2021, the *EGA* was repealed and replaced by the *PGA*.
8. While the allegations set out in the Second Citation are made under the *EGA*, pursuant to sections 35(2) and 36(1)(c) of the *Interpretation Act*, R.S.B.C 1996, c. 238, this matter proceeds procedurally under the *PGA*.

## Admissions

9. Mr. Bahrami admits the allegations set out in the Second Citation, namely that he demonstrated unprofessional conduct, incompetence, or negligence by:
  - 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.
  - b. The conduct set out above at paragraph 9(a) is contrary to Part 14 of the *Occupational Health and Safety Regulation*, B.C. Reg. 296/297 (the "Regulation") which requires that a mobile crane or boom truck be inspected at least every 12 months to ensure that it meets the manufacturers specifications, the relevant safety standards specified in the Regulation and

that it not be used after inspection until an engineer has certified the mobile crane or boom truck as safe for use based on that inspection.

- c. The conduct set out above at paragraph 9(a) is contrary to s. 20(9) of the *EGA* which required that a member receiving a seal or stamp under this section must use it, with signature and date, to seal or stamp estimates, specifications, reports, documents, plans, or things that have been prepared and delivered by the member or licensee in the member or licensee's professional capacity or that have been prepared and delivered under the member or licensee's direct supervision.
- d. The conduct set out above at paragraphs 9(a) is contrary to Principle 1 of the Engineers and Geoscientists BC Code of Ethics, created pursuant to the *EGA* (the "Code of Ethics"), which required that members and licensees hold paramount the safety, health and welfare of the public, the protection of the environment and promote health and safety within the workplace.
- e. The conduct set out above at paragraphs 9(a) is contrary to Principle 3 of the Code of Ethics which required that members and licensees provide an opinion on a professional subject only when it is founded upon adequate knowledge and honest conviction.
- f. The conduct set out above at paragraphs 9(a) (iii) is contrary to section 14(b) of the Engineers and Geoscientists BC Bylaws, created pursuant to the *EGA*, which required that members and licensees shall establish and maintain documented quality management processes for their practices, including, as a minimum:

(2) regular, documented checks of engineering and geoscience work using a written quality control process appropriate to the risk associated with the work.

## **Disposition**

10. By consent, this Consent Order is made pursuant to section 73(2) the *PGA*.
11. Mr. Bahrami's registration with Engineers and Geoscientists BC is suspended for a period of six months commencing on September 15, 2022 (the "Second Citation Suspension Period"). The Second Citation Suspension Period must not run concurrently with any suspension that is ordered by the Panel regarding the First Citation. If, during the Second Citation Suspension Period, the Panel orders a suspension of Mr. Bahrami's registration in relation to the First Citation (the "First Citation Suspension Period"), the parties agree that the Second Citation Suspension Period will be paused and will resume after the conclusion of the First Citation Suspension Period.
12. From the date of the execution of this Consent Order to September 15, 2022, Mr. Bahrami will:

- a. make reasonable arrangements for the orderly transfer of his ongoing professional engineering project files to other professional engineers; and,
  - b. limit his practice to those project files that he is currently engaged on and not take any new project files or other engineering work.
13. Effective September 15, 2022, the following conditions are imposed on Mr. Bahrami's registration:
- a. Mr. Bahrami agrees that he will be restricted from conducting any crane or hoist inspections under Part 14 of the Regulation;
  - b. If Mr. Bahrami wishes to practice in the area of crane and hoist inspections following the conclusion of the Suspension Period, all such work must be subject to peer review pursuant to the *Discipline Committee Order Peer Review Policy* of Engineers and Geoscientists BC, as may be amended or revised from time to time (the "Peer Review"), subject to the following conditions:
    - i. The peer reviewer secured by Mr. Bahrami must be a professional engineer who is a registrant of Engineers and Geoscientists BC and who is approved in writing by the Registrar of Engineers and Geoscientists BC (the "Approved Peer Reviewer");
    - ii. The Peer Review will continue for a minimum period of 24 months from the date the Approved Peer Reviewer is approved by the Registrar, or the completion of ten crane or hoist inspections, whichever comes later (the "Peer Review Period");
    - iii. Following the Peer Review Period, Mr. Bahrami will obtain an opinion from the Approved Peer Reviewer that he is competent to perform crane and hoist inspections and provide that opinion to the Registrar;
    - iv. Following the Peer Review Period, if the opinion of the Approved Peer Reviewer is that Mr. Bahrami requires further peer review, the Peer Review Period must continue for additional six-month periods, or the completion of two crane or hoist inspections, whichever comes later; and
    - v. The costs of the Approved Peer Reviewer, if any, shall be borne by Mr. Bahrami.
  - c. If Mr. Bahrami participates in a Peer Review, six months after the completion of the Peer Review Period, Mr. Bahrami will commence a Practice Review at his own cost, the precise timing of which will be determined by the Practice Review Committee.

14. Mr. Bahrami will complete and pass the Engineers and Geoscientists BC Professional Practice Examination at his own expense, currently scheduled on January 23-25, 2023 (the "Examination") and will provide written notice of successful completion of the Examination to Engineers and Geoscientists BC.
15. Mr. Bahrami will complete the Professional Engineering and Geoscience Practice in BC Online Seminar at his own expense by no later than two months from the date of this Consent Order.
16. Mr. Bahrami will pay \$2,000 towards the legal and investigative costs of Engineers and Geosciences BC contemporaneous with the effective date of this Consent Order.
17. In the event that Mr. Bahrami fails to comply with any of the terms of this Consent Order, his registration with Engineers and Geoscientists BC will be suspended until every default has been remedied in accordance with the terms of this Consent Order.

#### **Consequences of the Consent Order**

18. The full text of this Consent Order will be published on the website of Engineers and Geoscientists BC, and a summary will be published in print and electronic publications, including in public communications.
19. This Consent Order has the same force and effect as an Order made under section 75(6) of the *PGA*.
20. Mr. Bahrami has received independent legal advice regarding the content of this Consent Order.

*[this space is intentionally left blank]*

21. Mr. Bahrami and Engineers and Geoscientists BC agree that this Consent Order may be executed electronically and in counterparts and delivered as an electronic document.

This Consent Order is approved and accepted by Mr. Bahrami and the members of the Discipline Resolution Panel this 9 day of September, 2022.

<original signed by>  
Alireza (Danyal) Bahrami, P.Eng.

Fatimeh Jahaidari  
Name of Witness

<original signed by>  
Signature of Witness

<original signed by>  
Dr. Ronald Yaworsky, P. Eng.  
Member, Discipline Resolution Panel

<original signed by>  
Rajib Ahsan, P.Eng.  
Member, Discipline Resolution Panel

<original signed by>  
John Wilson  
Member, Discipline Resolution Panel