



## **Antitrust Compliance Policy**

adopted by the board of officers & directors on October 24, 2003

### **Policy of Full Compliance**

It is the policy of the American Council of Engineering Companies of Alabama (ACEC/Alabama) to fully comply with all applicable antitrust laws, both Federal and those of the State of Alabama. Consistent with this policy of full compliance, ACEC/Alabama has adopted the following Antitrust Compliance Policy.

### **Procedures and Conduct**

- 1) All ACEC/Alabama Executive Committee, Committee and General Membership meetings shall be conducted in accordance with the agenda or programs provided to the attendees in advance of the meeting. Discussions shall be limited to the published agenda or program items. No substantive discussion of ACEC/Alabama matters shall occur other than at official ACEC/Alabama meetings or upon notification of the ACEC/Alabama Executive Director in association with ACEC/Alabama projects.
- 2) Minutes of all Executive Committee, Committee and General Membership meetings shall be kept. All minutes shall be reviewed by ACEC/Alabama Executive Director prior to finalization.
- 3) Attendance of ACEC/Alabama General Counsel at Executive Committee, Committee or General Membership meetings shall be at the discretion of the ACEC/Alabama President or the Executive Director.
- 4) ACECA/Alabama and its membership shall not engage in activities, discussions or other activities which may be construed as an attempt to regulate or allocate markets, encourage or otherwise foster unfair trade practices or to violate existing Federal and/or State of Alabama antitrust laws.
- 5) Any ACEC/Alabama member who participates in conduct which the ACEC/Alabama Executive Committee determines to be contrary to the ACEC/Alabama Antitrust Compliance Policy shall be subject to disciplinary measures, up to, and including, termination of membership in ACEC/Alabama in accordance with ACEC/Alabama bylaws.
- 6) A copy of the ACEC/Alabama Antitrust Compliance Policy shall be included in all Executive Committee board packages, Committee meeting agenda and with new membership materials. The existence of the ACEC/Alabama Antitrust Compliance Policy shall also be announced at each General Membership meeting and copies of the policy shall be made available to members at such meetings.

### **Promotion of the Qualifications Based Selection Process (QBS)**

ACEC/Alabama supports a Qualifications Based Selection process for the procurement of Professional Engineering Services. It is the policy of ACEC/Alabama that:

- 1) Adherence to or advocacy of QBS is not a condition of membership.
- 2) Efforts to educate public bodies and agencies concerning the benefits of QBS are vital to maintaining the quality of professional services provided by ACEC/Alabama members.

### **Pertinent Antitrust Laws**

The Federal antitrust provisions of primary concern to ACEC/Alabama members acting within the context of ACEC/Alabama are Section I of the Sherman Act (15 U.S.C. § 1) and Section 5 of the Federal Trade Commission Act (15 U.S.C. § 45).

**October 2003**