



APEGA Registrant Voluntary Undertaking

APEGA members and permit holders are required to practice engineering and geoscience skillfully, ethically, and professionally. They must meet all prescribed requirements and follow all applicable legislation and regulations, such as the *Engineering and Geoscience Professions Act*, *General Regulation*, APEGA Code of Ethics, and APEGA bylaws. The APEGA Investigative Committee is mandated by Section 43 of the *Engineering and Geoscience Professions Act* to investigate complaints of unprofessional conduct and unskilled practice against APEGA registrants and permit holders. During the course of an investigation, the Investigative Committee may determine the need to protect the public by restricting the practice of the registrant or permit holder with a Voluntary Undertaking until a decision can be reached. Voluntary Undertakings are mutually agreed upon by the Investigative Committee and the subject of the investigation.

For more information, please visit apega.ca/enforcement/protecting-the-public-during-preliminary-investigations.

Date of Voluntary Undertaking: June 21, 2022

APEGA Investigation Case Number: 21-29

**IN THE MATTER OF A VOLUNTARY UNDERTAKING BETWEEN THE ASSOCIATION OF
PROFESSIONAL ENGINEERS AND GEOSCIENTISTS
OF ALBERTA**

pursuant to the Engineering and Geoscience Professions Act,
being Chapter E-11 of the Revised Statutes of Alberta 2000, Section 43, and
HARINDER SANDHU, P.L.(ENG.) (REGISTRANT # 227061)

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. Harinder Sandhu (the “Registrant”) was a member of APEGA from June 5, 2017, until his registration was cancelled for non-payment of fees, effective October 8, 2021;
- C. At the time the Registrant’s membership was cancelled for non-payment of fees, the Registrant was the subject of a complaint received July 2, 2021, from APEGA Director, Investigations, Garth Jespersion (the “Complaint”);
- D. 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”).
- E. The Complaint alleged that the Registrant engaged in unprofessional conduct and/or unskilled practice by virtue of his alleged participation in a false invoicing scheme to obtain payments from the City of Edmonton, between 2015 and 2019, while the Registrant was employed by the City of Edmonton, in respect of the supply and delivery of temporary traffic control devices that were not delivered, which false invoices are alleged to exceed \$1.6 million.



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- F. The Registrant does not accept or admit any portion of the truth of the allegations in the Complaint or admit to having engaged in an unprofessional conduct or unskilled practice.
- G. The Registrant provided APEGA with a letter dated January 28, 2022 and addressed to the Registrar, which letter states, in part:

Please accept this letter as my resignation from the Engineering and Geoscience profession.

Formally, I request the cancellation of my registration as a professional member immediately and without conditions.

I am prepared to surrender, to your office, my certificate of registration, licence and stamp/seal.

In addition, I undertake to case using my permit number.

I further undertake not to use, in any personal or professional capacity, the fact that I have been a member of the profession. I further undertake not to advise in a public fashion that I have been a member.

I further undertake not to apply for registration in any other province in Canada in the future.

- 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 that APEGA waive any and all costs associated with the Investigation.
- 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 13 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 Agreement.

THE REGISTRANT HEREBY VOLUNTARILY UNDERTAKES AND AGREES AS FOLLOWS:

- 1. The Registrant acknowledges the accuracy of the recitals set out above.
- 2. By entering into this Undertaking and Agreement, the Registrant does not admit to the truth of the facts alleged in the Complaint and does not admit to having engaged in unprofessional conduct or unskilled practice of the profession.



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3. The Registrant will immediately surrender his certificate of registration, license and stamp to APEGA.
4. The Registrant shall not apply for registration or reinstatement to any register maintained by APEGA in any capacity, including but not limited to registration or reinstatement as a professional member, licensee, permit holder or restricted practitioner.
5. The Registrant shall not apply for membership in any engineering regulatory body in any other Canadian province or territory.
6. 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 nor in any other Canadian province or territory.
7. The Registrant shall not represent or hold himself out, either expressly or implicitly, as a member of APEGA or of an engineering professional regulatory body of any other Canadian province or territory, in any capacity.
8. 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.
9. In the event that APEGA has reasonable grounds to believe that the Registrant has breached this Undertaking and Agreement, the Registrant agrees that APEGA may notify any body or person who may be affected or potentially affected by the breach of this Undertaking and Agreement.
10. Should the Registrant apply for registration to engage in the Practice of Engineering in any other jurisdiction, APEGA may release to other regulatory bodies, in its discretion, information contained in or relating to the Complaint and/or this Voluntary Undertaking and Agreement.
11. Should the Registrant apply for registration to engage in the Practice of Engineering in the Province of Alberta, contrary to the terms of this Voluntary Undertaking and Agreement (the "Reinstatement Application"), the Registrant understands and agrees that his Reinstatement Application will be denied as a result of this Voluntary Undertaking.
12. The Registrant agrees that a copy of this Voluntary Undertaking and Agreement will be provided to the Registrar of APEGA.
13. The Registrant acknowledges that a copy of this Voluntary Undertaking and Agreement may be published on the APEGA website.



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14. 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.

June 21, 2022

Date

Harinder Sandhu

June 21, 2022

Date

Witness: