



New Mexico State Board of Licensure for Professional Engineers and Professional Surveyors

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Advisory Opinion Engineer/Surveyor of Record Affidavits

The purpose of the Engineering/Surveyor of Record Affidavit is to ensure accountability to the public that all business entities offering engineering and surveying services are legally able to do so.

Business entities that advertise or otherwise purport to offer engineering and/or surveying services, either by direct solicitation of work primarily involving engineering and/or surveying, or by responding to solicitations that have engineering and/or surveying as the primary component of the solicitation, must have a licensed professional engineer and/or surveyor on staff who is able to contractually bind the firm on matters pertaining to engineering and/or surveying, pursuant to Sections 61-23-21 and 61-23-27.9 of the Engineering and Surveying Practice Act. This individual must be a full-time employee of the business entity. The business entity must file an affidavit with the Board identifying this individual and the licensee must acknowledge and accept this designation.

Business entities that do not offer engineering and/or surveying services as a primary part of their business activities, but who may, from time to time, bid and accept a contract that has an engineering and/or surveying component in the scope of work, are required to retain, by contract, a licensed engineer or surveyor to oversee these professional activities. This individual must be able to contractually bind the firm on matters pertaining to engineering and/or surveying. An affidavit identifying the licensed professional who will oversee these activities and the specific time period this oversight will be in effect must be kept on file with the Board.

Further, the professional engineer or surveyor so identified by the business entity must acknowledge and accept this designation, and an officer of the business entity must affirm this contractual relationship. This affidavit must be kept current and on file with the Board.