

PBSJ Corporation

Case ID:

ST-480

Case Cluster :

PBSJ Corporation

Jurisdiction of Settlement:

United States

Jurisdiction of Settlement / Enforcement Agency:

Securities and Exchange Commission

Jurisdiction of Foreign Public Official(s) :

Qatar

Year of Settlement:

2015

Month/Day of Settlement (or Notes):

1/22

Other Jurisdictions of Settlement:

Unknown

Settlement with Individual or Legal Person?:

Legal Person

Type of Settlement:

Civil

Legal Form of Settlement:

Deferred Prosecution Agreement

Monetary Sanctions (Types):

Disgorgement of Profit, Prejudgment Interest, Civil Penalty

Total Monetary Sanctions (US\$):

\$3,407,875

Civil Disgorgement of Profits (US\$) :

\$2,892,504

Civil Prejudgment Interest (US\$) :

\$140,371

Civil Fine / Penalty (US\$):

\$375,000

Monetary Sanctions Returned / Ordered Returned (US\$):

\$0

Monetary Sanctions Returned / Ordered Returned (Explanation):

NA

UNCAC Articles(s) Implicated:

Art.16

OECD Anti-Bribery Convention Articles Implicated:

Art. 1, Art. 2, Art. 8

Offenses - Alleged:

Bribery of foreign officials, falsification of books and records; internal controls violations

Offenses - Settled:

Bribery of foreign officials, falsification of books and records; internal controls violations

Public Procurement Contract / SOE Involved?:

Yes

Summary:

According to the US Securities and Exchange Commission, the agency agreed to a deferred prosecution agreement (DPA) with The PBSJ Corporation and issued a Cease and Desist Order against the company's former President Walid Hatoum. PBSJ is now known as The Atkins North America Holdings Corporation and no longer offers public stock in the U.S. According to the SEC, its "investigation found that Walid Hatoum, who has agreed to settle the SEC's charges, offered to funnel funds to a local company owned and controlled by a foreign official in order to secure two multi-million Qatari government contracts for PBSJ in 2009. The foreign official subsequently provided Hatoum and PBSJ's international subsidiary with access to confidential sealed-bid and pricing information that enabled the PBSJ subsidiary to tender winning bids for a hotel resort development project in Morocco and a light rail transit project in Qatar. [] According to the SEC's order instituting a settled administrative proceeding against Hatoum, he also offered employment to a second foreign official in return for assistance as the bribery scheme began to unravel and PBSJ lost the hotel resort contract. Even though the bribes themselves were not consummated before the scheme was uncovered by the company, PBSJ earned approximately \$2.9 million in illicit profits because it continued work on the light rail project until a replacement company could be found." (US SEC Press Release, "SEC Charges Former Executive at Tampa-Based Engineering Firm With FCPA Violations," January 22, 2015.)

Sources :

US Securities and Exchange Commission v. PBSJ, Deferred Prosecution Agreement, at <https://www.sec.gov/news/press/2015/2015-13-dpa.pdf>; SEC Press Release, "SEC Charges Former Executive at Tampa-Based Engineering Firm With FCPA Violations," January 22, 2015