



AMERICAN COUNCIL OF ENGINEERING COMPANIES  
of Wisconsin

## The American Council of Engineering Companies of Wisconsin

3 S Pinckney Street, Suite 800 Madison, WI 53703  
Tel: 608-257-9223 Fax: 608-257-0009 www.acecwi.org

*the business voice of the Wisconsin consulting engineering industry*

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### **ACEC WI Antitrust Compliance Policy**

1. Consistent with organization's nonprofit and tax exempt purposes, ACEC WI in the course of its activities shall not agree with, participate in, or give consideration to any activity, plan, understanding, agreement, or other arrangement that constitutes a violation of any federal or state antitrust law, including but not limited to actions that would (a) raise or stabilize prices or fees for specific services, (b) boycott or refuse to do business with any third parties, (c) restrict or interfere with the exercise of free and independent judgment by the members in management or operation of their respective business, or (d) obstruct or interfere with commerce or free and lawful competition.
2. ACEC WI membership is open to all interested and eligible parties. No applicant for membership or party requesting to participate, who otherwise meets the qualifications set forth in the ACEC WI Bylaws or adopted in ACEC WI policy, may be rejected for any anti-competitive purposes. Participation in ACEC WI activities is also available on reasonable terms to nonmembers with a valid interest in such activities.
3. Participants at ACEC WI activities should not discuss, exchange information, or enter into agreements on prices or fees or refuse to purchase, sell to, or otherwise impermissibly deal with competitors, customers, or suppliers.
4. Any ACEC WI information, materials, or reports available for the use of its members should be made available to nonmembers when non-availability of those materials imposes a significant economic disadvantage or cost to nonmembers that drastically limits their ability to compete against ACEC WI members. Nonmembers may be charged higher prices than members as long as the higher prices are not unreasonable.
5. Discussions during ACEC WI meetings should relate solely to the legitimate purposes of the organization. Care should be taken to avoid any discussion of competitively sensitive information, such as prices, rates, or fees; current or potential bids for particular services; contractual terms on which any participant will or will not deal with particular competitors, suppliers, or customers; and matters relating to actual or potential individual suppliers or customers that might have the effect of influencing the business conduct of other companies toward such suppliers or customers.
6. To avoid even the perception that ACEC WI meetings could violate this antitrust policy, good meeting practices should be exercised, including: the use of a written agenda, the prompt presentation of brief minutes summarizing the matters discussed and conclusions reached; and the retention and distribution of only final approved minutes.
7. Even informal discussions must comply with the principles and prohibitions of this policy.
8. A copy of this policy shall be posted for public viewing on the ACEC WI website. It will be provided to ACEC WI leadership and included as an agenda item for all committees, once a year. It will be included in meeting material for the annual meeting and other meetings, as appropriate.

Revised September 6, 2007; replacing policy adopted by the ACEC WI Board June 7, 2006