

## The Tojg Bridge Construction Is Nearly Complete, but Several Contract Issues Need to Be Addressed



**March 1, 2010**



## OFFICE OF THE SPECIAL INSPECTOR GENERAL FOR AFGHANISTAN RECONSTRUCTION

March 1, 2010

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This report discusses the results of our audit of the Farah Provincial Reconstruction Team's \$1.745 million contract to construct a bridge across the Farah River. It includes four recommendations to help ensure U.S. resources are appropriately accounted for and that the bridge is safe and usable when completed.

A summary of our report is on page ii. This performance audit was conducted under the authority of Public Law No. 110-181 and the Inspector General Act of 1978, as amended. When preparing the final report, we considered comments on a draft of this report from U.S. Forces-Afghanistan (USFOR-A). In its comments, USFOR-A partially concurred with three of the recommendations and concurred with the fourth. However, USFOR-A indicated that the Farah PRT has taken or is taking steps that substantially address our recommendations. The comments are reproduced in appendix II of this report.

A handwritten signature in black ink that reads "John Brummet".

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# SIGAR

Special Inspector General for Afghanistan Reconstruction

SIGAR Audit-10-7

March 2010

## The Tojg Bridge Construction Is Nearly Complete, but Several Contract Issues Need to Be Addressed

### What SIGAR Reviewed

Provisional Reconstruction Teams (PRTs) are a key tool in helping Afghanistan become a self-sustaining, moderate state. To enable PRT commanders to respond to urgent humanitarian relief and reconstruction requirements, PRTs may use Commander's Emergency Response Program (CERP) funding. This report focuses on the efforts of the U.S.-led Farah PRT to construct a 300-meter bridge across the Farah River near Tojg village in Farah Province using CERP funding. A firm, fixed-priced, \$1.745 million construction contract was awarded in September 2007. In August 2008, the follow-on PRT Commander questioned the usefulness of the bridge and recommended that the project be cancelled; however, after an investigation, the PRT's command authority directed that the project continue. In this light, SIGAR examined the status of the bridge construction, focusing on several contract issues. SIGAR also examined PRT plans for turning the bridge over to the Afghan government. SIGAR reviewed available contract files, interviewed Farah PRT and other U.S. officials, and conducted an on-site inspection in June 2009. Since the inspection, SIGAR has corresponded with the current Farah PRT Commander to update information. SIGAR performed this performance audit in Afghanistan, from May 2009 to February 2010, in accordance with generally accepted government auditing standards.

### What SIGAR Found

In December 2009, the Farah PRT estimated that the Tojg Bridge was 80 percent complete. However, due to work site flooding, the bridge completion date has been delayed to September 2010, with the PRT approving two 6-month extensions with no change in contract price. The PRT did not address the contractor's spring 2009 request for an extension until SIGAR asked about it in December 2009. In addition, the Farah PRT had not developed a plan for turning over the bridge and an associated gravel plant worth at least \$300,000 to the appropriate Afghan ministry. Moreover, during SIGAR's June 2009 site inspection, a SIGAR engineer raised several issues regarding the safety and usability of the bridge. Specifically, concrete testing and other quality control measures were inadequate to ensure the structural integrity of the bridge and land ownership rights of the bridge approaches were not documented. According to the Farah PRT's current Commander in December 2009, these issues are being addressed, but, in some instances, SIGAR was unable to review documentation to support the Commander's assertions. For example, as of the date of this report, the PRT had not provided SIGAR a signed modification to the contract for the second extension or documents showing clear land ownership rights. SIGAR concluded in a September 2009 report on CERP monitoring (SIGAR-09-5) that incomplete files hampered adequate monitoring and management of CERP projects. Incomplete contract files have also contributed to the challenges the Farah PRT is currently addressing in executing this contract.

Finally, sustainment of the bridge by the Afghan government remains a concern. Until after our visit in June 2009, the PRT had not involved the appropriate Afghan ministry in the construction of the bridge, although applicable guidance encourages PRTs to do so. In December 2009, the PRT Commander told SIGAR that although the Farah District Public Works Department was struggling to provide engineering support due to a lack of funding, equipment, and personnel, it had been present on every PRT site visit to the Tojg Bridge since October 2009.

### What SIGAR Recommends

To help ensure both effective accounting of U.S. resources and the safety and usability of the Tojg Bridge when it is completed in September 2010, SIGAR recommends that the Commander, U.S. Forces-Afghanistan (USFOR-A) and International Security Assistance Force, direct the Farah PRT to implement the following four recommendations:

- 1) Establish accountability for the gravel plant and associated equipment to ensure the sustainability of the plant.
- 2) Ensure that necessary quality control and quality assurance procedures are performed and adequately documented.
- 3) Ensure that the land rights associated with the bridge approaches are documented and transferred to the Afghan government.
- 4) Address the deficiencies in the contract files per applicable guidance.

In commenting on a draft of this report, USFOR-A partially concurred with recommendations one, two, and four, and concurred with recommendation three. Nevertheless, based on the actions the Farah PRT has taken or plans to take in response to our findings, our recommendations are being addressed.

Tojg Bridge, January 2010



Source: Farah PRT, Jan. 2010.

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## ABBREVIATIONS

CERP	Commander’s Emergency Response Program
GIRoA	Government of the Islamic Republic of Afghanistan
PRT	Provincial Reconstruction Team
SIGAR	Special Inspector General for Afghanistan Reconstruction
USFOR-A	U.S. Forces-Afghanistan
USNCE	U.S. National Command Element, Kandahar Airfield



## The Tojg Bridge Construction Is Nearly Complete, but Several Contract Issues Need to Be Addressed

Provisional Reconstruction Teams (PRTs) are a key tool in helping Afghanistan become a self-sustaining, moderate state. As joint civil-military organizations operating under the leadership of the Commander, U.S. Forces–Afghanistan (USFOR-A) and International Security Assistance Force, U.S. PRTs assist the Government of the Islamic Republic of Afghanistan (GIROA) to increase its capacity to govern by encouraging good governance and enabling reconstruction and development. To help achieve these missions, PRTs coordinate reconstruction activities with the provincial government. To enable U.S.-led PRT commanders to respond to urgent humanitarian relief and reconstruction requirements, PRTs may use Commander’s Emergency Response Program (CERP) funding from the Department of Defense.

This report focuses on the U.S.-led Farah PRT’s efforts to construct a \$1.745 million bridge near the Tojg Village in Afghanistan’s Farah Province using CERP funding.<sup>1</sup> We examined the status of the construction, particularly whether the Farah PRT had addressed outstanding contract issues—some affecting the bridge’s safety and usability. We also examined the PRT’s plans for turning the bridge and related facilities over to the appropriate Afghan government authorities.

We conducted an on-site inspection of the Tojg Bridge in June 2009, reviewed available contract files provided by the Farah PRT, and interviewed various stakeholders, including Farah PRT personnel and others overseeing the Tojg Bridge construction, and Farah provincial officials. Since our site inspection, we have corresponded with the current Farah PRT Commander.<sup>2</sup> We performed our work from May 2009 through February 2010, in accordance with generally accepted government auditing standards. More details of our scope and methodology are provided in appendix I.

### BACKGROUND

In September 2007, the Farah PRT awarded a \$1.745 million, CERP-funded, firm fixed-price contract<sup>3</sup> to build a 300-meter bridge across the Farah River near the Tojg Village, about 45 kilometers southwest of Farah City. This contract was awarded to an Afghanistan company formed from several firms (referred to as the Joint Venture) in Farah Province. According to project documentation, the bridge was to be completed within 720 days after receiving a Notice to Proceed, or by September 20, 2009. To provide

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<sup>1</sup> The Farah PRT includes about 100 military service members and representatives from the Departments of Agriculture and State and the U.S. Agency for International Development.

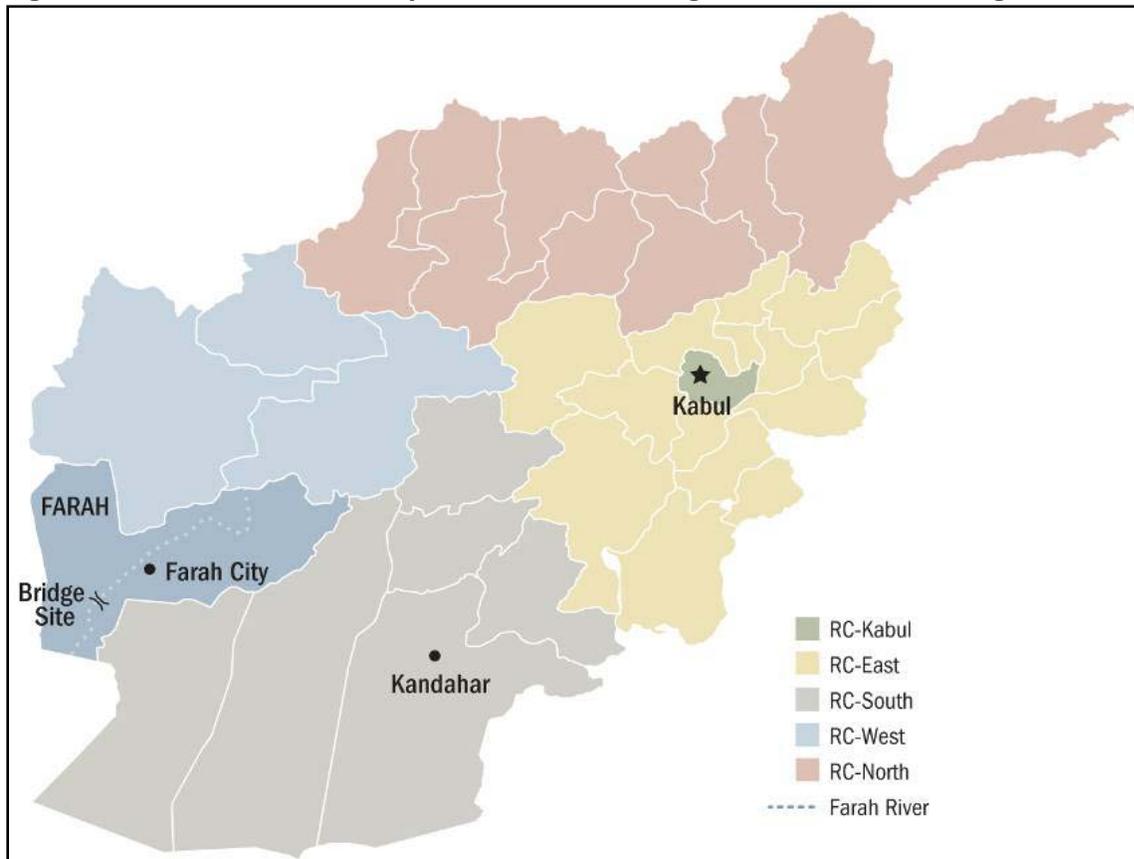
<sup>2</sup> At the Farah PRT, the military command and military members have rotated three times since the initiation of the Tojg Bridge construction contract.

<sup>3</sup> The contract was awarded by the Farah PRT’s Project Purchasing Officer, who is responsible for the procurement and contract administration of the Tojg Bridge contract.

the large quantity of properly sized gravel, the Joint Venture developed a rock quarry and gravel plant. The plant consisted of a rock crusher, conveyors, and material handling capability and was situated near the Farah PRT.

A useable bridge had not been in the area for more than 100 years. For much of the year, the river's water flow allows people to safely cross. However, during the rainy season the water level rises up to 6 feet, creating a hazard. The PRT reported that eight to ten persons are killed each year attempting to cross when water levels are high. According to project documentation, in addition to providing safe passage across the Farah River, the Tojg Bridge will link other Farah districts to Farah City, the capital (see fig. 1). By reducing travel time to Farah City, the Tojg Bridge would enhance (1) economic activity, (2) security responsiveness for the Afghan National Army and National Police, and (3) access to government services such as medical facilities and schools. The bridge was heavily supported by the local Shura leader and provincial government. In a meeting with SIGAR representatives, the current provincial governor also strongly supported the project.

**Figure 1: International Security Assistance Force Regional Commands in Afghanistan**



Sources: NATO, "ISAF and Afghan National Army Strength & Laydown," [www.nato.int/isaf/docu/epub/pdf/placemat.pdf](http://www.nato.int/isaf/docu/epub/pdf/placemat.pdf), accessed Sept. 30, 2009. The location of the bridge site is representational and not meant to be geographically precise.

Note: RC stands for Regional Command, which are geographic regions defined by the International Security Assistance Force. Farah Province is within the ISAF Regional Command-West area of responsibility. The Farah PRT operates from a compound on the outskirts of Farah City.

In March 2008, the military members of the PRT rotated. Despite the asserted benefits of the Tojg Bridge, the next Farah PRT Civil Affairs Officer and PRT Commander questioned whether to proceed with the Tojg Bridge construction due to concerns about the usefulness of the bridge. For example,

- In April 2008, the Farah PRT's Civil Affairs Officer questioned the benefits of the Tojg Bridge project in a Memorandum for the Record. He stated that the project was a poor use of resources and would not achieve the benefits intended. The Civil Affairs Officer recommended that the bridge be constructed at a different site.
- In August 2008, the Farah PRT Commander wrote a Memorandum for the Record that said the project had been mishandled from the start and that the bridge would have minimal, if any, positive effects for the GIRoA. The Commander questioned the decision to make large contract payments to finance the construction of a private gravel plant. The PRT Commander pointed out that, as of July 2008, the PRT estimated that the bridge was only 1 percent complete even though the Joint Venture had been paid more than \$576,000 or 33 percent of the total contract value.<sup>4</sup> The Commander recommended that the Tojg Bridge contract be terminated.

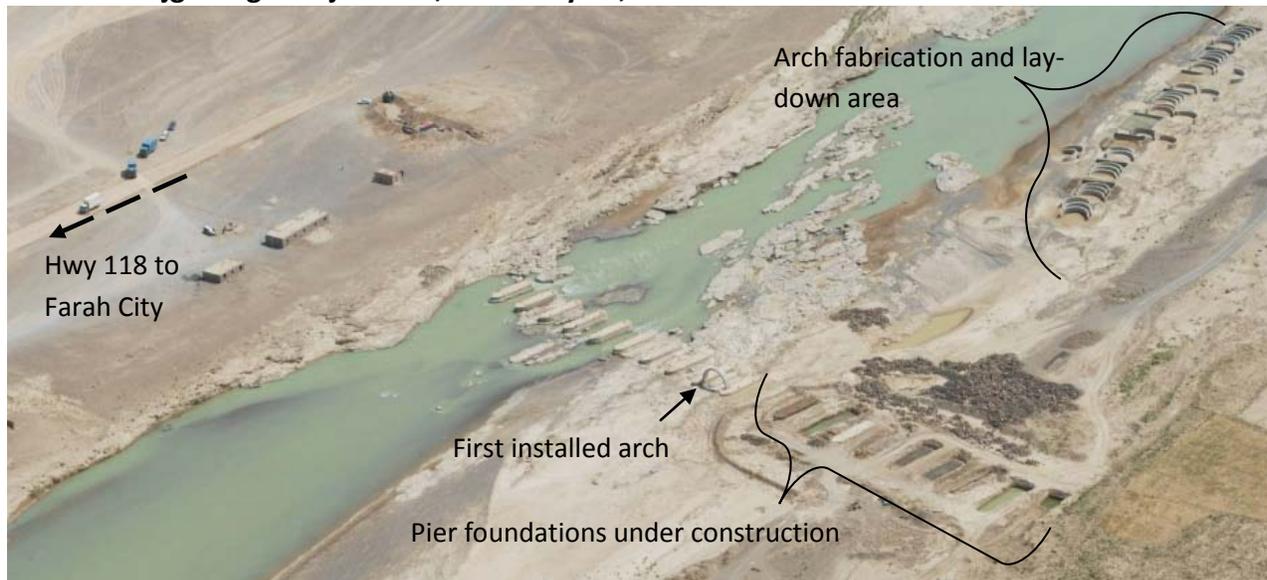
In light of these concerns, the Commander of U.S. National Command Element (USNCE) at Kandahar Airfield ordered an investigation.<sup>5</sup> On November 24, 2008, the USNCE Commander directed that the Tojg Bridge construction project continue with enhanced PRT oversight after reviewing the results of the investigation and additional documentation provided by the PRT, and conducting discussions with the parties involved, including the PRT Commanders. In his Memorandum for File, the USNCE Commander noted that early documentation on the Tojg Bridge project was lacking. However, he determined that "significant PRT-initiated control measures can alleviate these missteps" and that the gravel plant was an implied part of the bridge project. The USNCE Commander added that upon completion of the Tojg Bridge both the bridge and the gravel plant should be turned over to the appropriate GIRoA authority. See photo 1 for the layout of the Tojg Bridge project site.

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<sup>4</sup> This large disparity was primarily due to the previous PRT Commander's decision to finance construction and operation of the gravel plant using contract payments.

<sup>5</sup> Oversight of the Farah PRT CERP projects was the responsibility of USNCE at Kandahar Airfield near Kandahar City about 430 kilometers east of the Farah PRT.

**Photo 1: Tojg Bridge Project Site, as of May 27, 2009**

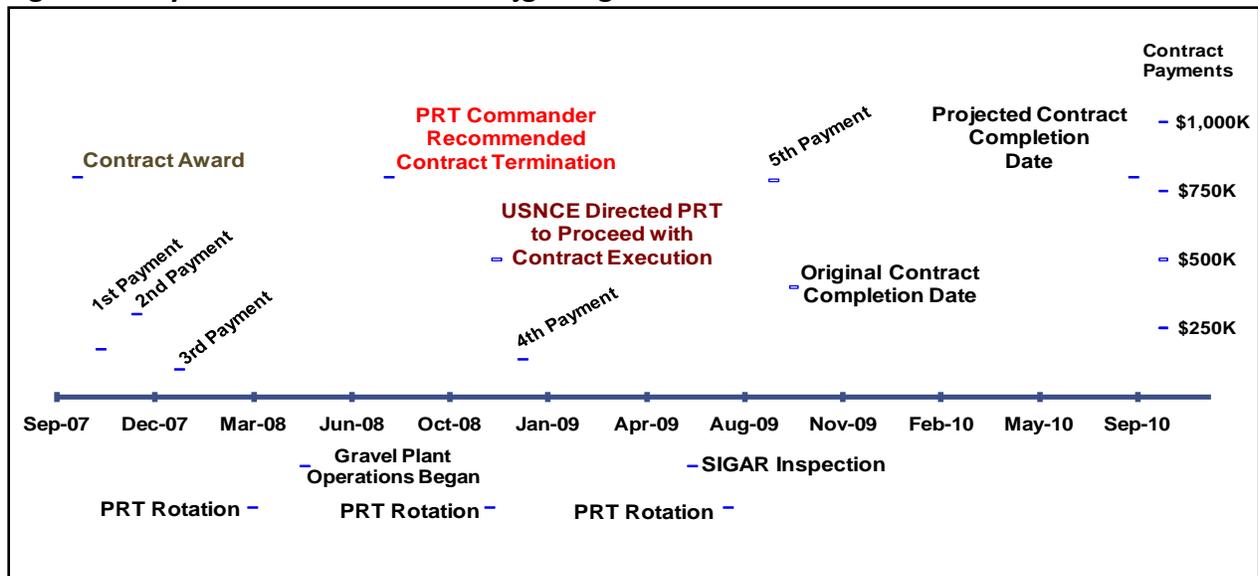


Source: U.S. Army Corp of Engineers, Afghanistan Engineer District.

**SEVERAL CONTRACT ISSUES NEED TO BE ADDRESSED**

In December 2009, the Farah PRT estimated that the Tojg Bridge was 80 percent complete. Due to work site flooding, the completion date has been extended to September 2010—about 1 year later than originally planned—with the PRT approving two 6-month, no-cost extensions to the original contract completion period. However, the PRT did not address the Joint Venture’s spring 2009 request for an extension until we raised the issue in December 2009. In addition, the PRT had not completed a plan for turning over the bridge and gravel plant to the GIRoA. See figure 2 for a timeline.

**Figure 2: Key Events Related to the Tojg Bridge Construction Contract**



Source: SIGAR analysis of Farah PRT data.

Moreover, during our June 2009 site inspection, a SIGAR engineer raised several matters regarding the safety and usability of the bridge that remained to be addressed. In particular,

- Concrete strength testing procedures and other quality control measures were inadequate to ensure the long-term structural integrity of the bridge.
- Ownership rights of the land leading to the bridge were not clearly established.

In corresponding with the Farah PRT's current Commander in November and December 2009, we found that these matters are being addressed. However, in some instances, the contact files were incomplete, and we were not able to obtain documentation to support the PRT Commander's assertions. For instance, quality assurance files for documenting material testing were incomplete. These issues need to be addressed before the Tojg Bridge construction is completed.

### **Consideration of the Joint Venture's Requests for Extension of Completion Date Was Delayed**

As indicated in the Farah PRT Commander's August 2008 memorandum and other documentation, the Joint Venture had not planned for seasonal flooding in its contract bid and timeline for completion. In the spring of 2008, floods affected the work site. After the USNCE Commander directed that the Tojg Bridge contract be continued, the Farah PRT Project Purchasing Officer approved a 6-month, no-cost extension on February 11, 2009. This moved the contract completion date to March 13, 2010. However, the worksite was affected again by flooding in the spring of 2009 (see photos 2 and 3).

#### **Photo 2: First Reinforced Concrete Arch in Place**



Source: SIGAR, June 11, 2009.

Note: Debris from flooding remains on the reinforcement bars and on top of the pier.

**Photo 3: Concrete Arches in a Fabrication Pit**



Source: SIGAR, June 11, 2009.

Note: Three concrete arches are in a pit used to fabricate the arches. Silt from the spring 2009 flooding has filled at least a third of the pit.

In spring 2009, the Joint Venture requested a second extension to the contract completion period. However, the PRT had not addressed the Joint Venture's request at the time of our site inspection in June 2009. Thus, the PRT lost an opportunity to influence the efforts of the Joint Venture. After we raised concerns about the PRT's delay in June 2009 and again in December 2009, PRT officials informed us that they were addressing the Joint Venture's request. A no-cost extension is under review by the Kandahar Airfield Legal Department. In December 2009, the PRT estimated that the bridge construction was 80 percent complete with substantial progress being made (see photo 4).

**Photo 4: Tojg Bridge Construction, as of January 2010**



Source: Courtesy of the Farah PRT.

## Ownership and Use of the Gravel Plant Remained Unclear Until February 2010

In his November 2008 Memorandum for File, the USNCE Commander determined that the gravel plant (see photo 5) was an implied part of the bridge project and should be turned over to the appropriate GIRoA authority. During our site inspection in June 2009, however, we raised concerns over the PRT's lack of progress in documenting the equipment and facilities that comprise the gravel plant and the lack of involvement by the GIRoA.

**Photo 5: Gravel Plant Associated with the Tojg Bridge Contract**



Source: SIGAR, June 12, 2009.

At the time of our site inspection and in the months afterwards, the PRT did not develop a comprehensive list of assets necessary to sustain gravel plant operations. Based on contract documentation, we found that the Joint Venture defined the gravel plant's equipment and facility requirements after contract award by requesting a \$300,000 payment for a list of equipment to be purchased. The PRT made the payment in November 2007. After several discussions, in January 2010, the current PRT reiterated its position that this equipment will be turned over to the GIRoA.

The plant began operations in May 2008 and has been supplying gravel to numerous projects around the province as well as for the bridge construction. In July 2008, the PRT determined that the Joint Venture had earned at least \$380,000 for gravel delivered to other projects. In addition, in December 2009, the Farah PRT indicated that the GIRoA Ministry of Public Works had become involved. However, the PRT had not developed a plan for training personnel to operate and maintain the plant or for turning over plant operations. The PRT needs to facilitate a smooth turnover to avoid an interruption in production because the gravel plant is already contributing to the economic activity of the province.

In commenting on a draft of this report, USFOR-A disagreed with the USNCE Commander's November 2008 determination that the gravel plant was an implied part of the contract and should be turned over

to the appropriate GIRoA authority. USFOR-A noted that the gravel plant and related equipment were not referenced in the Tojg Bridge construction contract. Further, according to USFOR-A, in February 2010, the Farah PRT, the appropriate GIRoA ministries, and the Joint Venture agreed that the Joint Venture will retain full rights to the gravel plant.

### **Material Testing of Structural Components Was Not Documented**

During our site inspection, discussions with the Joint Venture's Concrete Superintendent and PRT personnel revealed that proper material testing was not occurring. For example, the superintendent stated that to test the concrete placed in the arches (see photo 3), they took test cylinders to a nearby village and used a press to put weight on them. Since the cylinders did not break, he concluded that they were strong enough. This testing method will not accurately estimate the strength of the concrete placed in various sections of the bridge. The design requires that pressure be applied until the test cylinder breaks. The value of the force at that point is used to estimate the concrete strength.

We also noted that weekly engineer reports required by the contract were not being provided. Such contractor quality control reports should include documentation such as material test results, the quality of stone, and verification that concrete reinforcement bars are properly positioned prior to concrete placements (see photo 6).

**Photo 6: Reinforcement Bar Cage for a Concrete Arch in a Fabrication Pit**



Source: SIGAR, June 11, 2009.

We found no indications that the welds connecting the concrete arches to the pier foundations would be completed by qualified welders or tested (see photo 7).

**Photo 7: Connection of a Concrete Arch to its Pier**



Source: SIGAR, June 11, 2009.

Note: The arch is held in place on the pier by a temporary weld, which is marked by the oval. The photo also shows evidence of damage from the spring flooding with some reinforcement bars still bent over from the flooding.

Documentation of the PRT quality assurance efforts was lacking. The available reports documented some deficiencies in quality, but follow-up and corrective actions, if any, were not documented. Although the PRT reported conducting frequent meetings and providing verbal feedback to the Joint Venture in June 2009, the meetings were not documented in the files. The PRT staff recognized that the documentation was deficient and indicated that the PRT had insufficient resources to document all of its quality assurance activities. This lack of documentation could hamper efforts to effectively oversee quality control and influence the work of the Joint Venture, especially following PRT rotations. Without documentation of these quality control efforts, the PRT cannot ensure the structural integrity of the bridge.

In December 2009, the Farah PRT stated that the contractor was required to test the concrete cylinders only if directed by the Contracting Officers Representative. However, according to the PRT, during the fabrication of the arches and piers the Joint Venture had been taking test cylinders and storing them pending a request to have them tested. The PRT has now directed the Joint Venture to test the cylinders. Although the design required the tests to be made approximately 28 days after placement, the PRT's planned procedure should be adequate for an engineer to confirm the structural integrity of the concrete. The PRT is also exploring how to verify that welds will meet design criteria and, at the request of the PRT, the Joint Venture began providing weekly engineer reports. If the PRT follows through with these actions, the Joint Venture's quality control procedures should be adequate to ensure the structural safety of the completed bridge.

## Ownership of the Land Leading to the Bridge Was Not Addressed

During our site inspection, a man from Tojg Village told us that he owned the land on one end of the bridge. Through an interpreter, he stated that he was very happy that the bridge was being constructed and he would let the government use his land for free. The Farah PRT confirmed that the ownership of the land under the bridge approaches had not been verified. The governor indicated that he could assist the PRT to coordinate with the Ministry of Public Works and address land ownership issues. The land rights to the bridge approaches will be critical to the use of the bridge. In December 2009, the Farah PRT indicated that the Tojg Village area Shura leader is helping to develop the appropriate documents to provide the land rights.

## Contract Files Are Incomplete

The Farah PRT Project Purchasing Officer was not maintaining contract files as required by CERP guidance.<sup>6</sup> Although the background information and progress reports cited in this report were in the files, signed copies of some of the correspondence and other key documents were missing. In our September 2009 report on CERP monitoring, we found that incomplete contract files were a problem.<sup>7</sup> In particular, incomplete files hampered adequate monitoring and management of CERP projects.

Incomplete documentation contributed to each of our concerns. The PRT was initially unable to provide a signed copy of the first extension, and approval of the Joint Venture's spring 2009 request for the second extension was not formally documented. The PRT has not developed a comprehensive list of gravel plant assets that will be turned over to GIRoA. Quality control and quality assurance documents were incomplete, which led to uncertainties about the structural integrity of the bridge construction. Although the USNCE Commander noted the incomplete documentation in his November 2008 memorandum, we found no indication that the Farah PRT had taken action to make the files more complete before June 2009.

The files were also missing the proposals or bids and other competition documentation. This documentation can be critical when negotiating modifications to the contract or ensuring that the contractor has not substituted less expensive material. Due to vague contract specifications, the joint venture was allowed to set some key contract requirements through communications subsequent to contract award. With little signed documentation, the Project Purchasing Officers assigned to this contract did not have the normal controls in place for avoiding or detecting fraud or for ensuring that the government receives the products and services intended by the original contracting officer.

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<sup>6</sup> The Standard Operating Procedures for CERP (version 2, page 11) issued April 17, 2006, requires the Project Purchasing Officer to maintain CERP project documents for 5 years.

<sup>7</sup> See SIGAR, *Increased Visibility, Monitoring, and Planning Needed for Commander's Emergency Response Program in Afghanistan* (SIGAR-09-5, Sept. 9, 2009). We recommended that U.S. Forces-Afghanistan develop and implement a process to systematically collect and track information for CERP projects, implement a solution for centralizing CERP records, and develop and implement a plan to address the management of large-scale projects of \$500,000 or higher.

In June 2009, the Farah PRT's Project Purchasing Officer stated that he had limited training in procurement and had received no oversight of his procurement responsibilities. He asserted that this was also true for his predecessors. In addition, the PRT has changed leadership and responsibility for the Tojg Bridge construction contract three times since September 2007 when the contract was signed. The lack of training and turnover of personnel likely contributed to the loss of documentation and incomplete contract files.

## **SUSTAINABILITY REMAINS A CONCERN**

According to International Security Assistance Force guidance, PRTs are to identify and implement projects through the appropriate GIROA ministries to build governance capability and enhance GIROA leadership and ownership of projects. PRTs are also to guide and mentor from "behind and underneath," ensuring Afghan leadership and ownership.<sup>8</sup>

Although the PRT had facilitated a trip to the bridge site for the Farah governor, no GIROA ministry representative had been on site or involved in the design and construction of the bridge as of June 2009. The bridge construction provided an opportunity to acquaint GIROA officials with the design of the bridge and necessary actions to procure similar improvements. By involving the appropriate ministry, sustainment issues can be addressed early during the life of the project as required by the International Security Assistance Force guidance. This is especially critical for the gravel plant equipment and related facilities, which has created a new capability for the provincial economy.

In December 2009, the PRT Commander told us that officials from the Farah District Public Works Department had been present on every PRT site visit to the Tojg Bridge since October. However, the Commander also noted that the District Public Works Department was struggling to provide engineering support to the Farah District due to a lack of funding, equipment, and personnel.

## **CONCLUSION**

Although the Tojg Bridge is now projected to be completed by September 2010—nearly a year later than originally planned—a number of contract-related issues remain to be addressed. Specifically, to protect the U.S. investment, the PRT had not fully accounted for the gravel plant and associated equipment worth at least \$300,000. In addition, material testing still needs to be adequately documented and the land rights to the bridge approaches must be addressed. Moreover, the Tojg Bridge contract files are incomplete and, until recently, an appropriate GIROA authority had not been involved in the bridge construction or plans for the eventual turnover of the bridge and gravel plant. More attention to contract administration and oversight by the Farah PRT would likely have avoided some of the issues we found. In December 2009, the Farah PRT Commander reported a number of initiatives, which, if followed through, should address these issues and will greatly increase the likelihood that the U.S. investment will be adequately accounted for and that the Tojg Bridge will be safe and usable.

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<sup>8</sup> Ensuring Afghan leadership and ownership are two of several guiding principles provided in the International Security Assistance Force PRT Handbook, Edition 4.

## RECOMMENDATIONS

To help ensure both effective accounting for U.S. resources and the safety and usability of the Tojg Bridge when it is completed in September 2010, we recommend that the Commander, USFOR-A and International Security Assistance Force direct the Farah PRT to take appropriate actions to implement the following four recommendations:

- 1) Establish accountability for the gravel plant and associated equipment to ensure the sustainability of the plant.
- 2) Ensure that necessary quality control and quality assurance procedures are performed and adequately documented, including ensuring that:
  - a. Testing of critical construction materials is completed,
  - b. The structural concrete meets design requirements, and
  - c. Weekly engineer reports that document quality control and corrective actions are prepared.
- 3) Ensure that the land rights associated with the bridge approaches are documented and transferred to the GIRoA.
- 4) Address the deficiencies in the contract files per applicable guidance.

## COMMENTS

U.S. Forces-Afghanistan (USFOR-A) provided written comments on a draft of this report. The comments are reproduced in appendix II. USFOR-A partially concurred with recommendations one, two, and four and concurred with recommendation three. Nevertheless, based on the actions the Farah PRT has taken or plans to take in response to our findings, we believe our recommendations are being addressed.

USFOR-A partially concurred with our recommendation to establish accountability for the gravel plant and ensure a smooth transition to minimize disrupting the local economy. In the draft report, we also suggested the gravel plant should be turned over to an appropriate Afghan ministry. In its comments, USFOR-A disagreed with the USNCE Commander's November 2008 determination that the gravel plant was an implied part of the contract and should be turned over to GIRoA. USFOR-A's current position is that it can find no legal obligation for the Joint Venture to turn the plant and equipment over to GIRoA. During our audit we found that funds were advanced by the Farah PRT for the Joint Venture to construct the gravel plant and, throughout the course of our audit, the Farah PRT maintained that the plant would be turned over to the appropriate ministry. Nonetheless, now that the Tojg Bridge is nearly complete and within the contract's original firm, fixed-price, we do not dispute USFOR-A's current interpretation. Moreover, USFOR-A stated in its comments that in February 2010, the Farah PRT met with the Afghan Ministry of Public Works, the Afghan Minister of Economy, and the Joint Venture to discuss the gravel plant. According to USFOR-A, the meeting participants "determined and agreed" that if no additional funds were provided through the Tojg Bridge contract, that the Joint Venture had full rights to the gravel plant's land and equipment. This meeting effectively addressed the overall intent of our recommendation that the Farah PRT work with GIRoA to account for the gravel plant and equipment.

However, given the prior uncertainty over the gravel plant's ownership and its source of funding, we strongly urge USFOR-A and the Farah PRT to fully document their current position for turning the plant and equipment over to the Joint Venture and to include this documentation in the contract files.

USFOR-A partially concurred with our recommendation to ensure that the necessary quality control and quality assurance measures are performed and adequately documented. USFOR-A noted the actions the Farah PRT has taken or plans to take to address our recommendation. Most notably, the comments state that in February 2010, the U.S. Army Corps of Engineers conducted an assessment of the Tojg Bridge construction procedures and quality control. USFOR-A's comments state that the assessment verified that the Tojg Bridge quality control procedures have been adequate, which provides reasonable assurance that structural concrete placed prior to initiation of testing in August 2009 meets design requirements.

USFOR-A concurred with the recommendation to ensure that the land rights associated with the bridge approaches are documented and transferred to the GIRoA. USFOR-A's comments state that local land owners have granted the rights in question.

USFOR-A partially concurred with our recommendation to address deficiencies in the contract files. USFOR-A described actions the PRT has taken that substantially respond to our recommendation. As noted in this report and confirmed by USFOR-A's response, the most critical aspects of the incomplete files we noted in June 2009 have been addressed. We did not intend that the current PRT recreate the missing documents.

## APPENDIX I: SCOPE AND METHODOLOGY

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This report discusses the results of the Office of the Special Inspector General for Afghanistan Reconstruction's review to determine the status of the Tojg Bridge construction contract and address several outstanding contract issues.

To conduct this work, we reviewed documentation and conducted interviews with responsible officials at Farah, Kandahar, and Bagram, Afghanistan. Specifically, we:

- Conducted an on-site inspection of the Tojg Bridge on June 11, 2009. Personnel from the Farah PRT accompanied the SIGAR team.
- Interviewed the Farah PRT Commander and other knowledgeable members of his staff, the governor of Farah Province, the Tojg Village area Shura leader, and the concrete superintendent of the Joint Venture constructing the bridge.
- Reviewed CERP and procurement documentation available from the Commander, U.S. National Command Element (USNCE) Kandahar Airfield; the USNCE CERP Manager, Kandahar Airfield; and the Farah PRT contract and related files.
- Interviewed the Commander, USNCE, Kandahar Airfield; three different USNCE CERP Managers; and personnel in the Regional Contracting Center-South at Kandahar Airfield.
- Interviewed personnel in the office of the Principal Assistant Responsible for Contracting-Afghanistan at Bagram Airfield.

Finally, via e-mail in November 2009 through January 2010 with the current Commander of the Farah PRT, we updated our information concerning the gravel plant and status of the bridge construction and received some additional contract file documentation.

We conducted our work from May 2009 to January 2010 in Farah, Kandahar, and Bagram, Afghanistan in accordance with generally accepted government auditing standards. These standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusion based on our audit objectives. We believe the evidence obtained provides a reasonable basis for our findings and conclusion based on our audit objectives. The performance audit was conducted by SIGAR under the authority of Section 1229, Public Law No. 110-181, and the Inspector General Act of 1978, as amended.

## APPENDIX II: COMMENTS FROM U.S. FORCES-AFGHANISTAN

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### SIGAR DRAFT REPORT SIGAR 10-7

#### **"The Tojg Bridge Construction is Nearly Complete, but Several Contract Issues Need to be Addressed"**

#### **USFOR-A COMMENTS TO THE DRAFT REPORT**

To help ensure both effective accounting of U.S. resources and the safety and usability of the Tojg Bridge when it is completed in September 2010, we recommend that the Commander, U.S. Forces Afghanistan and International Security Assistance Force, instruct the Commander of the Farah PRT to take appropriate actions to enact the following recommendations: (see page 12 of the report):

1. Direct the Farah PRT to establish accountability for the gravel plant and associated equipment bought with contract funds to help ensure the future sustainability of the plant and a smooth transition to the appropriate Afghan ministry.

**USFOR-A RESPONSE:** USFOR-A partially concurs with information provided in this SIGAR report.

Upon further review of the contract documents and payments, there is no reference to an agreement to turn over the gravel plant to GIROA after completion of the bridge by the Joint Venture Construction Consortium (JVCC). Funds advanced to the JVCC (25-27%) were part of the contract as initial payment. The JVCC used the funds to establish a local gravel plant that was necessary for the construction of the bridge. Shipping of the required materials would have increased the costs of the project. Were JVCC required to turn over all equipment used to construct the bridge, ALL contractors who purchased equipment to build roads, clinic or schools in Afghanistan, funded by CERP, would be required to do the same.

The PRT can find no legal obligation for the JVCC to turn over equipment purchased to complete a project to GIROA. On February 3, 2010, PRT Farah, the Minister of Public Works, the Minister of Economy and JVCC met to discuss the gravel plant. It was determined and agreed upon that if no additional funds were provided through the contract or through separate contract to the JVCC, that the JVCC had full rights to the land and equipment purchased with the Tojg Bridge project 25% payment.

2. Direct the PRT Farah to ensure that the necessary quality control and quality assurance are performed and adequately documented, including:
  - o Adequate testing of critical construction materials is completed,
  - o Appropriate action to ensure that structural concrete meets design requirements, and
  - o Weekly engineer reports that document quality control and corrective actions are prepared per the contract.

**USFOR-A RESPONSE:** USFOR-A partially concurs with information provided in this SIGAR report.

Starting in August 2009, PRT Farah took the necessary steps to ensure proper quality control procedures were instituted and followed during the bridge construction. PRT Farah is the quality assurance entity and has been making regularly scheduled inspections of the

construction. Structural integrity testing has now been, and continues to be documented by PRT Farah.

The welds that hold the arches together during the concrete curing phase are not part of the structural design. The welds merely hold the arches in place during the concrete cure process to prevent shifting of the arches in relation to each other and the pillars. PRT Farah's Chief Engineer is a Certified Welder and has inspected the welds. The inspected welds are of good quality and have proper penetration and are free of inclusions, gaps and/or foreign material.

US Army Corps of Engineers (USACE) has assessed the construction procedure/quality on Friday, February 12, 2010 and determined that neither destructive nor non-destructive testing is required. Non-destructive testing (ultra sound, x-ray, etc) is not readily available in the country and would have to be imported. Destructive testing of the bridge is not desirable, nor would it yield representative results.

All weekly reports from JVCC have been received beginning October 2009, and are kept physically and electronically by the PRT Farah's CMOC.

3. Conduct a review of this project to ensure that the real estate rights associated with the bridge approaches are documented and transferred to the GIRoA.

**USFOR-A RESPONSE:** USFOR-A concurs with information provided in this SIGAR report.

The local Shura, the Farah Minister of Public Works, the District Development Assembly and the Provincial Council Head have provided signed statements from the land owners granting GIRoA rights to the real-estate in question. Copies of this documentation are held at the Farah PRT.

4. Address the deficiencies in the contract files per applicable guidance.

**USFOR-A RESPONSE:** USFOR-A partially concurs with information provided in this SIGAR report.

The PRT Farah contract files have been updated and corrected. Files misplaced or absent prior to August 2009 cannot be duplicated. However, the current files are complete and up to date.

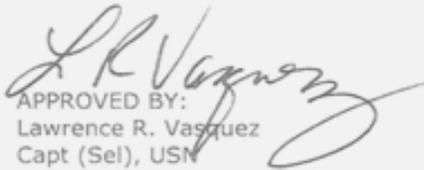
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#### GENERAL COMMENTS ON THE REPORT

1. The current PRT arrived in July 2009 and has made the Tojg Bridge project a top reconstruction priority. QA/QC visits, weekly QA reports and establishment of proper documentation have been improved. The JVCC has made an improved effort to build the bridge and is on track for a September 2010 completion. The PRT has been in frequent contact with members of the SIGAR staff on the report and appreciate the coordination and background provided on this very significant project.
2. (U) Page ii. SIGAR states "the Farah PRT had not developed a plan for turning over the bridge and an associated gravel plant worth at least \$300,000 to the appropriate



Afghan ministry." However, the contract indicates that no gravel plant was included within the contract, and the Contractor had purchased the gravel plant at his own expense with the initial 25% payment. In addition, after a meeting with the Minister of Public Works, the Minister of Economy and JVCC, the group decided that no turnover of the gravel plant shall occur, unless additional funds via the contract or a new contract would be established to compensate for the existing gravel plant.

  
APPROVED BY:  
Lawrence R. Vasquez  
Capt (Sel), USN  
PRT Farah Commanding Officer

  
FOR PREPARED BY: LT Stephen Feddon  
David J. Glass  
CDR, USN  
PRT Farah Chief Engineer  
DSN: 318-841-4706

(This review was initiated under SIGAR Project Code 09-IN-004)

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