

~~6/12/18~~ 6/12/18 Meeting w/ Matthew Hake (FHWA) Ann Gannon (VTans)
 Matt Dillon (FHWA)
 Joe Flynn (VTans)
 Byron Symonds (VTans)

Bennington- 019-1(53) Allegations

1 VSA 317(c)(5)(A)(iv)

Furnace Brook Bridge

- Attempted to bend connecting bolts into alignment with a template anchor plate- heads cut in a manner similar to Bristol project- directed to hammer or cut the bolt heads

East Road Bridge

- When drilling concrete for anchor bolts, workers hit rebar. [redacted] cut through rebar [redacted]

Gulford 091-1(33) Allegation

- Rebar cutting on "Bridge No. 3" similar to that of East Road

1 VSA 317(c)(5)(A)(iv)

[REDACTED]

[REDACTED] is aware of potential violations which occurred in Bennington, Vermont and which may be broken into the "Furnace-Brook" violations and the "East Road" violations. The Furnace Brook violations [REDACTED] going around to various connecting bolts and attempting to bend them into alignment with a template anchor plate. [REDACTED] cut the bolt heads in a manner similar to the Bristol project [REDACTED]

[REDACTED] directed to hammer or cut the bolt heads [REDACTED]

[REDACTED]

The East Road violations were at another part of the larger Bennington project which began after the Furnace Brook portion, [REDACTED]. The specification violating act was that anchor bolts had to be dropped through reinforced concrete. It is possible to either pour the concrete and attempt to drill through the concrete without hitting rebar or to use hollow sleeves at the time of pouring the concrete through which the bolts can later pass [REDACTED]

[REDACTED] workers were hitting rebar when drilling through the concrete preventing inserting the bolt through the concrete as needed due to rebar being in the way. [REDACTED] cut through the rebar [REDACTED]

[REDACTED]

[REDACTED] had been out late at night cutting rebar on the East Road project [REDACTED]

Later, in approximately March 2016, [REDACTED] well known in JA McDonald for shorting people their wages under Davis-Bacon and for cutting comers, such as cutting rebar and bolt heads. [REDACTED] stated that he did not know why [REDACTED] had the practice of cutting rebar as the use of sleeves was easy but otherwise acknowledged [REDACTED] regularly cut rebar on other projects. Another employee, [REDACTED] also stated to [REDACTED] he also knew about [REDACTED] habit of cutting rebar.

[REDACTED] another project where [REDACTED] cut rebar in a like manner. That project was part of rehabilitation on "Bridge No. 3" on I-91 and was part of a federal grant totaling \$3,008,442 in 2008, and which eventually was disbursed under Vermont ACT Project Guilford AC IM 091-1(33). The project was finally complete in November 2011. [REDACTED]

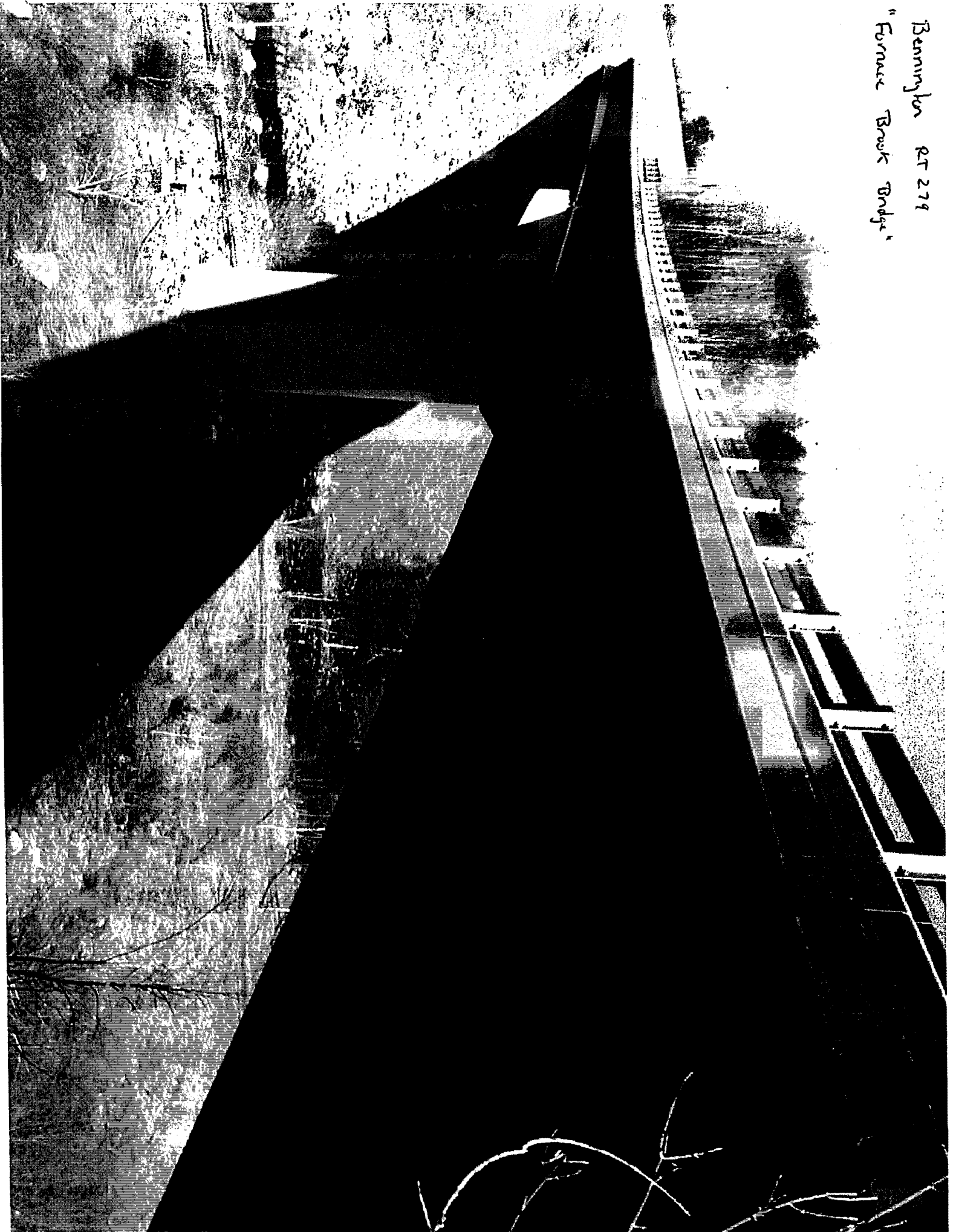
[REDACTED] the same rebar cutting be done on the Guilford Project as on East Road [REDACTED] cutting was also done at night on the Guilford project, [REDACTED]

[REDACTED] had also taken part in the nighttime cutting.

1 VSA 317(c)(5)(A)(iv)

CONFIDENTIAL

Bennington Rt 279
"Furnace Brook Bridge"

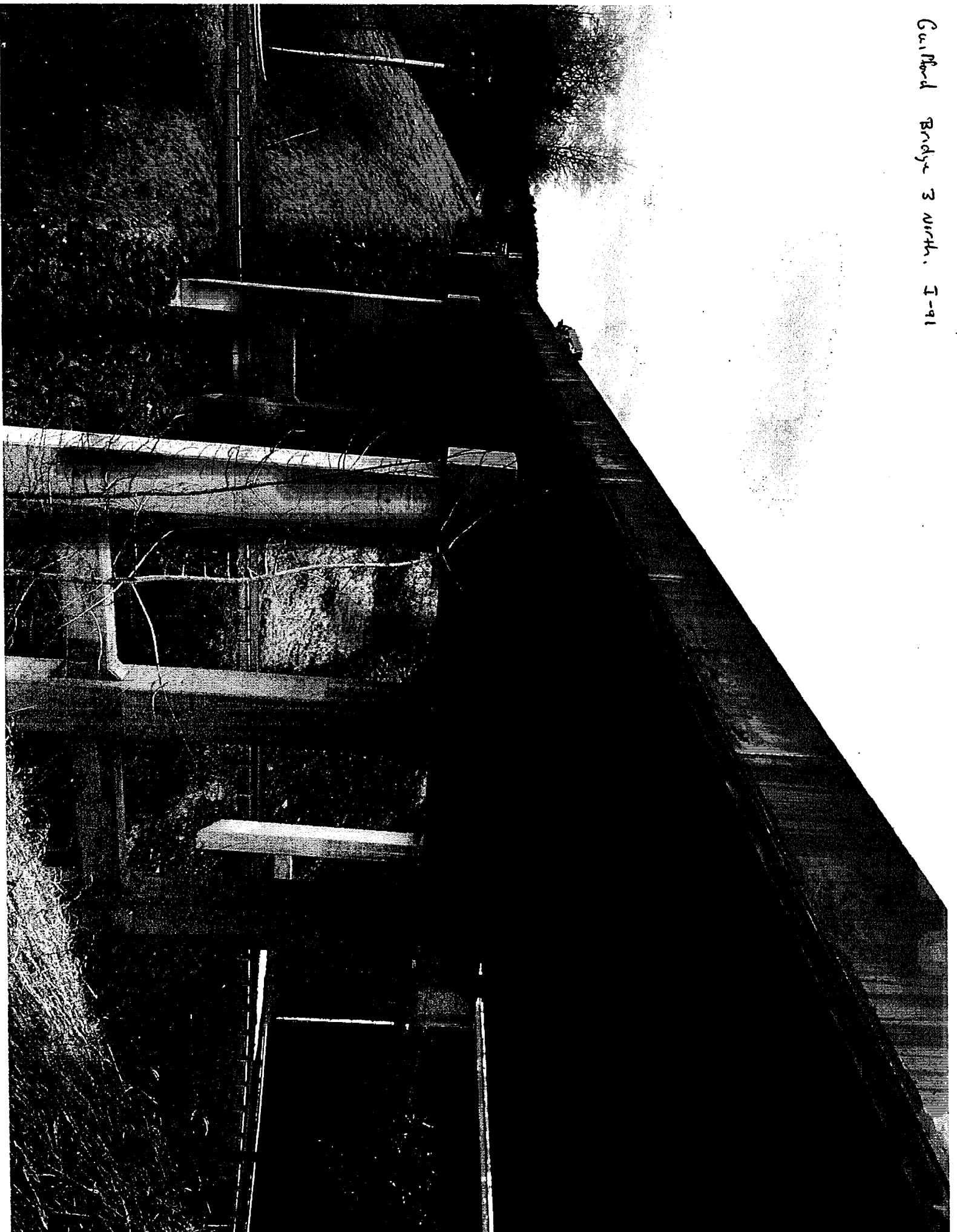


Bennington EAST ROAD OVER RT 279

" EAST ROAD BRIDGE "



Gulfport Bridge 3 north. I-91



COLIFORD BRIDGE 3 SOUTH I-91



State Route Highway Bridges Constructed (2002 - 2019)

Project Name and Number	Route	Bridge(s)	Type of Bridge	Construction Completion
Barnet IM SCRP(2)	I-91	54" and 60" pipe liner and headwalls	ultrashort structure	9/15/2008
Barton BRO 1449(29)	TH-3	bridge #61	welded plate girder	12/5/2008
Bennington AC NH 019-1 (54)	US-7	US-7 Ramp A over VT-279 (bridge #14A or VT-279, bridge #9)	two span continuous welded curved girder	11/6/2013
Bennington AC NH 019-1 (54)	US-7	US-7 over VT-279 (bridge #14S or VT-279, bridge #8)	two span continuous welded curved girder	11/6/2013
Bennington AC NH 019-1 (54)	US-7	US-7 Ramp G over VT-279 (bridge #13N or VT-279, bridge #10)	two span continuous welded curved girder	11/6/2013
Bennington AC NH 019-1(53)	FAS-1021	East Road / TH-5 over VT-279 (bridge #11D or VT-279, bridge #11)	two span continuous curved girder	6/16/2011
Bennington AC NH 019-1(53)	VT-279	bridge #12 over Fumance Brook	two span continuous curved girder	6/16/2011
Brattleboro BRF 2000 (21)S	TH-10	bridge #30	welded plate girder	8/19/2011
Brattleboro NH 010-2(2)	VT-9	RR bridge #62.56	rail bridge	7/14/2005
Brattleboro NH 010-2(2)	VT-9	RR bridge #62.51	rail bridge	7/14/2005
Brighton ER STP 034-3(25)	VT-105	bridge #34	next beam	11/21/2013
Bristol STP F 021-1(15)	VT-116	bridge #8	two span welded plate girder	12/22/2017
Cabot-Danville FEGC F 028-3(26) C/2	US-2	bridge #87	next beam	9/20/2019
Cabot-Danville FEGC F 028-3(26) C/2	US-2	bridge #88	next beam	9/20/2019
Clarendon BRO 1443(48)	TH-3	bridge #11	next beam	11/16/2016
Duxbury BF 013-4(47)	VT-100	bridge #193	precast concrete culvert	10/28/2017
Fairfax-St. Albans IM 089-3(27)	I-89	bridge #87N	welded plate girder	10/28/2002
Fairfax-St. Albans IM 089-3(27)	I-89	bridge #87S	welded plate girder	10/28/2002
Fairfax-St. Albans IM 089-3(27)	I-89	bridge #88N	three span continous rolled beam	10/28/2002
Fairfax-St. Albans IM 089-3(27)	I-89	bridge #88S	three span continous rolled beam	10/28/2002
Fairfax-St. Albans IM 089-3(27)	I-89	bridge #86-5	corrugated metal plate pipe	10/28/2002
Fairfax-St. Albans IM 089-3(27)	I-89	bridge #87-3N	segmental reinforced concrete box	10/28/2002
Fairfax-St. Albans IM 089-3(27)	I-89	bridge #87-3S	segmental reinforced concrete box	10/28/2002
Fairfax-St. Albans IM 089-3(27)	I-89	bridge #88-3	reinforced concrete box	10/28/2002
Guilford AC IM 091-1(33)	I-91	bridge #3N	three span continuous plate girder	11/8/2011
Guilford AC IM 091-1(33)	I-91	bridge #3S	three span continuous plate girder	11/8/2011

State Route Highway Bridges Constructed (2002 - 2019)

Project Name and Number	Route	Bridge(s)	Type of Bridge	Construction Completion
Hubbardton ER STP 0161(26)	VT-30	bridge #96	precast concrete frame	2/12/2015
Hubbardton ER STP 0161(27)	VT-30	bridge #98	precast concrete box	2/12/2015
Irasburg STP CULV(30)	VT-58	bridge #6	segmental precast concrete box	8/30/2016
Irasburg STP CULV(30)	VT-58	bridge #7	segmental precast concrete box	8/30/2016
Lincoln BRF 0188(8)	TH-1	bridge #19	prestressed concrete box beam	6/8/2016
Lunenburg NH CULV(27)	US-2	bridge #126	precast segmental arch	9/8/2017
Putney IM 091-1 (31)	US-5	bridge #19A (I-91, bridge #17 under US-5)	five span welded plate girder	7/13/2011
Searsburg-Wilmington NH F 010-1(18)	VT-9	bridge #24	precast rigid frame	12/10/2004
Searsburg-Wilmington NH F 010-1(18)	VT-9	bridge #25	three span continuous curved girder	12/10/2004
Searsburg-Wilmington NH F 010-1(18)	VT-9	bridge #25A	two span continuous curved girder	12/10/2004
Searsburg-Wilmington NH F 010-1(18)	VT-9	bridge #25B	three span continuous curved girder	12/10/2004
Shelburne NH EGC 019-4(27)	US-7	US-7 over Munroe Brook (3 sided culvert, bridge #145, 145' long)	segmental reinforced concrete box	6/1/2008
Shelburne NH EGC 019-4(27)	Bay Road	Bay Road over Munroe Brook (3 sided culvert, town short #4, 95' long)	segmental reinforced concrete box	6/1/2008
South Burlington IM CULV(24) and Georgia IM CULV(25)	I-89	bridge #63-1N	segmental reinforced concrete box	5/24/2018
South Burlington IM CULV(24) and Georgia IM CULV(25)	I-89	bridge #63-1S	segmental reinforced concrete box	5/24/2018
South Burlington IM CULV(24) and Georgia IM CULV(25)	I-89	bridge #64-1N	segmental reinforced concrete box	5/24/2018
South Burlington IM CULV(24) and Georgia IM CULV(25)	I-89	bridge #64-1S	segmental reinforced concrete box	5/24/2018
South Burlington IM CULV(24) and Georgia IM CULV(25)	I-89	bridge #83-1	precast concrete arch	5/24/2018
South Burlington IM DECK(36)	US-2	bridge #18C (I-89, bridge #68 under US-2)	multi span rolled beam	12/4/2003
South Burlington STP BIKE(28)S	US-2	bike path on bridge #18C (bridge #68)	bike path bridge	12/4/2003
Springfield ST CULV(5)	VT-11	bridge #55	buried precast box beam	7/31/2008
Walden BRF 030-3(5)	VT-15	bridge #83	next beam	1/21/2016



FOR IMMEDIATE RELEASE

August 30, 2019

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AGENCY OF TRANSPORTATION TAKES ACTION AGAINST J.A. MCDONALD, INC.

Barre, Vt. – The Vermont Agency of Transportation (AOT) is actively investigating whistleblower allegations of willful, non-conforming construction services by contractor J.A. McDonald, Inc. pertaining to two bridges constructed by J.A. McDonald in Bennington on Route 279 and two bridges on I-91 in Guilford. The investigation has corroborated the allegations, but also confirmed there are no immediate safety concerns.

The agency has notified the company that the investigation has led AOT to conclude that J.A. McDonald is no longer eligible to work on additional AOT projects or on projects utilizing AOT grant funds. The company has also been made aware of the State's intent to pursue legal recourse under the state's laws prohibiting fraudulent activities and false claims. The State is also reviewing potential contract claims.

"Safety is the number-one concern of this agency and has been our top concern in this matter," said Transportation Secretary Joe Flynn. "While there is no immediate public safety concern, the agency will aggressively investigate any actions that allegedly violate our contracts, threaten the integrity of our infrastructure, or undermine the public trust."

Immediately following the whistleblower complaints, AOT bridge engineers evaluated the bridges and determined there were no immediate public safety concerns. Additionally, AOT hired an engineering consultant to further review the project designs and analyze the impacts. The engineers used ground-penetrating radar, ultrasonic tests, and conducted visual examinations. Based on the results of all the testing, the agency has concluded the affected bridges are safe and will remain safe for full traffic capacity. However, the construction practices, which were discoverable and confirmed only after invasive testing of the structures, will affect the longevity of the structures.

J.A. McDonald is currently contracted by the State to perform work in downtown Waterbury and Route 2 in Cabot, Vermont. AOT has assigned additional oversight to these projects to ensure the integrity of the work meets the contract requirements. Both contracts were awarded prior to confirmation of the allegations and do not include the type of construction involved in the bridge projects. The agency has determined that halting construction on these projects would cause significant and costly delays for the state, the communities and taxpayers. AOT will work to mitigate the impacts of this ongoing investigation, and ensuing legal action, on the communities.

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