

SIGAR

**Special Inspector General for
Afghanistan Reconstruction**

SIGAR 15-27 Inspection Report

Afghan Special Police Training Center's Dry Fire Range: Poor Contractor Performance and Poor Government Oversight Led to Project Failure



JANUARY
2015



SIGAR | Office of the Special Inspector General
for Afghanistan Reconstruction

January 13, 2015

The Honorable Chuck Hagel
Secretary of Defense

General Lloyd J. Austin III
Commander, U.S. Central Command

Major General Todd T. Semonite
Commanding General, Combined Security Transition Command-Afghanistan

Brigadier General Brett J. McMullen
Commander, Joint Theater Support Contracting Command

This report discusses the results of SIGAR's inspection of the Afghan Special Police Training Center's dry fire range (DFR) located in Wardak province. The DFR replicates a typical Afghan village and is used to conduct simulated police search and clearance exercises. It was constructed in 2012, under the direction of the Regional Contracting Center at Forward Operating Base Shank, which falls under U.S. Central Command's Joint Theater Support Contracting Command.

SIGAR found that within 4 months of completion, the DFR's buildings began to disintegrate. These "melting" buildings were the direct result of the construction contractor, Qesmatullah Nasrat Construction Company (QNCC), failing to adhere to contractual requirements and using substandard bricks and other building materials. Unfortunately, this problem was compounded by poor oversight on the part of the responsible U.S. government officials.

This report recommends that the Commander, U.S. Central Command, direct the Commander, Joint Theater Support Contracting Command to take the following actions, in coordination with the Commanding General, Combined Security Transition Command-Afghanistan, and report back to SIGAR within 90 days: (1) determine the extent to which QNCC substituted building materials without authorization or did not complete work according to the contract requirements and, where appropriate, recoup those funds, and (2) identify the contracting officer and contracting officer's representatives responsible for oversight of the DFR construction activities and determine (a) why the range was not built according to contract requirements and acceptable construction standards, and (b) what disciplinary action should be taken against these contracting officials for failing to provide adequate oversight.

In commenting on a draft of this report, U.S. Central Command's Joint Theater Support Contracting Command concurred with both recommendations and stated that it plans to take corrective action.

SIGAR conducted this inspection under the authority of Public Law No. 110-181, as amended, and the Inspector General Act of 1978, as amended; and in accordance with the *Quality Standards for Inspection and Evaluation*, published by the Council of the Inspectors General on Integrity and Efficiency.

John F. Sopko
Special Inspector General
for Afghanistan Reconstruction

On May 2, 2012, the Regional Contracting Center (RCC)¹ at Forward Operating Base Shank in Logar province awarded a \$456,669 firm fixed-price contract to Qesmatullah Nasrat Construction Company (QNCC)—an Afghan firm—to construct a dry fire range (DFR) for the Afghan Special Police Training Center.² This training center is co-located—in Wardak province—with the larger National Police Training Center (NPTC). The North Atlantic Treaty Organization (NATO) Training Mission-Afghanistan requested the DFR’s construction, which involved multiple adobe-style brick buildings within four discrete compounds.³ It was designed to replicate a typical Afghan village and used to conduct simulated police search and clearance exercises. The range is “dry fire,” meaning that the training exercises are conducted without live ammunition.

The U.S. government accepted the completed project on October 20, 2012, initiating the 1-year warranty period provided under the contract per the standard Federal Acquisition Regulation clause for Warranty of Construction. With RCC’s payment of the final invoice on November 13, 2012, QNCC was paid in full for its DFR work. See photo 1 for an example of DFR construction in September 2012.

Photo 1 - Example of Completed Construction



Source: QNCC, September 28, 2012

For this inspection, we assessed whether (1) construction was completed in accordance with contract requirements and applicable construction standards, and (2) the DFR was being used as intended and maintained. This report focuses on the construction and warranty repairs made under the original construction contract overseen by RCC officials. SIGAR’s inspections staff were not able to conduct an on-site inspection due to security concerns, which prohibited travel to the site. However, a SIGAR investigator was able to visit the site in April 2013.

We conducted our work in Kabul, Afghanistan, and Washington, D.C., from May 2014 through January 2015, in accordance with the *Quality Standards for Inspection and Evaluation*, published by the Council of the Inspectors General on Integrity and Efficiency. Appendix I contains a more detailed discussion of our scope and methodology. Appendix II contains a list of project milestones and events.

¹ RCCs are part of U.S. Central Command’s Joint Theater Support Contracting Command.

² The contract included a Statement of Work (SOW) produced by a Regional Support Command-East engineer. The SOW included three attachments (1) Regional Support Command-East engineering specifications, (2) a guide entitled Standard Design Adobe Brick House (no source or date of publication indicated), and (3) Afghan Engineering District: AED Design Requirements for Culverts & Causeways issued in July 2009 by the U.S. Army Corps of Engineers. The contract award document added additional terms and standards relating to expected contractor compliance with Department of Defense Unified Facilities Criteria which includes adobe-style construction standards found in the Uniform Building Code issued by the International Code Council.

³ In September 2014, the International Security Assistance Force in Afghanistan reorganized, and as a result, incorporated the training mission into its organizational structure. The NATO Training Mission-Afghanistan’s previous mission became the responsibility of Essential Function Four.

THE DRY FIRE RANGE DETERIORATED DUE TO NONCOMPLIANCE WITH CONTRACT REQUIREMENTS AND INADEQUATE CONTRACT OVERSIGHT

The DFR was not constructed according to contract requirements, and our analysis showed that, as a result, water penetration caused its walls to begin disintegrating within 4 months of when the U.S. government accepted the project from QNCC. QNCC's use of defective construction methods and materials—as well as poor project planning and oversight—were responsible for the water penetration and subsequent damage to the range. Table 1 describes instances of QNCC's noncompliance with contract requirements and building standards for the DFR. Our analysis of available documentation showed that the contracting officer's representatives failed to identify any of the deficiencies.

Table 1 - Instances of QNCC's Noncompliance with Contract Requirements and Building Standards

Building Feature	Description
Roofing structure	Without written approval from the contracting officer, QNCC installed roofs using plastic sheeting with a concrete cap instead of building paper with gravel and asphalt on top as called for in the SOW.
Drainage system	QNCC did not properly slope the roof to allow water to drain to collection points linked to downspouts around the roof perimeter. Furthermore, the metal flashing connecting the drain openings to the downspouts had gaps, which allowed water to run down exterior and interior spaces.
Brick size and composition	QNCC used smaller bricks than the SOW required and did not produce a brick of sufficient strength to meet the material strength test specified in contract documents. RCC field analysis showed that the bricks were made mostly of sand with little clay content and that the lack of adequate clay material caused the bricks to fail when water penetration occurred.
Interior roof joists and supporting beams	RCC staff found that the interior steel roof joist support beams were not properly constructed in that they lapped side by side and were not securely fastened to the structure.

Source: SIGAR analysis of available project records and from post-construction RCC site visits in 2013

The contract award document and QNCC's proposal noted that the contractor was responsible for developing detailed design drawings and specifications to supplement the general design drawings and specifications included in the project solicitation and final contract. Although the DFR was awarded as a design-build contract, RCC staff could not locate any QNCC-submitted or RCC-approved construction drawings or detailed specifications.⁴ If such drawings and specifications had been completed and approved, they would have allowed the contracting officer to determine whether more technical requirements—such as those contained in the international building standards referenced in the contract—had been addressed. For example,

⁴ Under a design-build contract, the contractor is responsible for preparing the design drawings and constructing the project in accordance with those drawings. In addition to the lack of detailed design drawings and specifications, we noted other omissions in the contract records. For example, RCC officials were unable to provide "as-built" drawings; drawings annotated with "red ink" to depict deviations from SOW drawings and diagrams; QNCC-produced quality control reports and materials test results; and QNCC product substitution requests, such as the use of bricks smaller than specified in the SOW.

international building standards require that exterior surfaces for buildings such as the DFR be covered with at least two coats of Portland cement plaster.⁵ However, this plastering was not done for the DFR.

In addition to RCC's failure to provide evidence of detailed design drawings and specifications, our analysis showed that its contracting officer and contracting officer's representatives assigned to this project did not provide sufficient oversight throughout the DFR's construction.⁶ Although the contracting officer's representatives conducted seven on-site inspections from July through October 2012, our review of the site visit reports found no reference to any of the building deficiencies that resulted in the DFR's deterioration. Notably, the October site visit report indicated that the project was 100 percent complete with no deficiencies or missing items noted.

In February 2013, a U.S. mentor at the NPTC brought the DFR's deterioration to the attention of RCC officials. As a result, RCC and QNCC officials visited the range in March and April 2013. RCC trip reports from those two visits noted that "the roof was not constructed in accordance with the SOW" and that the concrete cap used by the contractor was of very poor quality. It was also noted that the "concrete cap cracked and decomposed allowing water penetration into the adobe brick system." In addition, an RCC acquisition analyst concluded that "the facility is completely unsafe... It appears the contractor intentionally used different materials and construction standards to cut costs or/and fraud the government...It is recommended that the contractor completely deconstruct to the foundation and properly construct under close supervision."⁷ Further, an RCC construction representative reported that "due to the level of deterioration of the adobe structures due to storm water penetration it is recommended that the structures be demolished to the foundation and rebuilt using the proper materials/procedures specified in the SOW." Photos 2 and 3 show exterior and interior views, respectively, of damage done to DFR buildings due to water penetration.

Photo 2 - Exterior View of Building Deterioration Due to Water Penetration



Source: NPTC Mentor, February 2013

Photo 3 - Interior View of Building Deterioration Due to Water Penetration



Source: NPTC Mentor, February 2013

⁵ International Building Code, Section 2109.3.4.8, 2012.

⁶ RCC and NATO Training Mission-Afghanistan contracting staff assigned three contracting officer's representatives to oversee construction activity. RCC's contracting officer assigned a primary contracting officer's representative, who served in that capacity throughout the contract.

⁷ At RCC's request, SIGAR opened an investigation to determine whether fraud or gross malfeasance was involved in the project's execution. Even though a review of the files showed that proper procedures—such as modifying the contract to authorize substitute building materials—were not always followed, SIGAR investigators concluded that insufficient evidence existed to meet the burden of proof needed to support a referral for a fact-based debarment, and that there were no exigent circumstances to support a fact-based suspension.

As a result of the two site visits in 2013, QNCC submitted multiple construction plans to RCC proposing various courses of action to correct the deficiencies. However, none of the contractor's plans addressed all of the critical site deficiencies—such as the use of smaller and weaker bricks than required—nor did the plans call for the facility to be torn down and re-built from the ground up, as RCC staff recommended. RCC and QNCC ultimately agreed to a construction plan for correcting the deficiencies, but QNCC's work was limited to selected interior and exterior repairs—such as re-plastering surfaces—which did not fully address the deficiencies.⁸ Further, RCC officials could not explain the decision to pursue only a partial repair of the facility.

Between June and November 2013, QNCC sent multiple emails to RCC staff stating that it had completed the warranty work called for in the plan to correct the construction deficiencies—with the exception of sealing the roof with asphalt. QNCC reported that its completed work included (1) repairing the damaged sides of all walls and clay plaster, (2) installing new downspouts, and (3) layering polythene sheets, earth, and a gravel mix on the roof. QNCC noted that it was unable to seal the roof because Afghan National Police staff would not give them access to the range to complete the work. The NPTC commander disputed QNCC's claim and stated that the contractor was never denied access to the site. The commander claimed the contractor fabricated the story because of its unwillingness to complete the repair work covered under warranty. RCC officials were unable to locate any documentation to explain why, or if, the contractor was not granted access to the site or whether anyone at the contracting command ever followed up to get an explanation or resolve the purported access issue. Further, we found no evidence that RCC verified that the repairs were actually made, either through a site visit or by obtaining photos of the completed repairs. Notably, QNCC claimed that it was not allowed—for unexplained reasons—to have a camera on-site to take photos of the work.

RCC officials stated that they could not take action requiring QNCC to fulfill its commitments under the new construction plan to seal the roof with asphalt because this part of the work did not begin before the warranty expired in October 2013. The officials noted that any attempts to engage QNCC to make the repairs after the warranty expired would have created an unfunded liability for the government. RCC's failure to ensure that proper, timely repairs were made to the range resulted in the DFR's continued disintegration.

In September 2014, the NPTC commander sent us photos showing reconstruction work underway at the DFR. The NPTC commander explained that the DFR needed rebuilding because it deteriorated to the point that it was unsafe and ultimately unusable (see photos 4 and 5).⁹

Photo 4 - DFR Reconstruction



Source: NPTC Commander, September 2014

Photo 5 - DFR Reconstruction



Source: NPTC Commander, September 2014

⁸ The officials stated that they gave QNCC verbal approval to proceed with warranty repair work, using the final construction plan submitted.

⁹ National Geospatial-Intelligence Agency staff confirmed that these are photos of the DFR.

These photos show that the compound walls and buildings were demolished to the foundation and reconstructed with kiln-fired clay brick and covered with a cement compound. The commander stated that the Afghan Ministry of Interior was administering the contract to rebuild the DFR. RCC officials told us, however, that they were not aware of the Ministry's demolition and reconstruction efforts.

THE DRY FIRE RANGE WAS BEING USED AS INTENDED PRIOR TO ITS DEMOLITION AND RECONSTRUCTION

According to the NPTC commander—prior to demolition and reconstruction—Special Police teams from provinces throughout Afghanistan had used the DFR for training exercises. However, the NPTC commander said that the facility is currently not being used because Afghan authorities have demolished the range and are rebuilding it due to problems with the underlying integrity of the buildings.

After RCC transferred the facility to the Afghan government and the warranty period expired, ongoing maintenance for the facility became the Afghan government's responsibility. However, the NPTC commander noted that, to his knowledge, no provisions were made for routine maintenance at the facility.

CONCLUSION

Within 4 months of the U.S. government spending nearly a half a million dollars to construct the Afghan Special Police Training Center's DFR, the range's buildings began to disintegrate. This disintegration or "melting" was caused by QNCC failing to adhere to contract requirements and international building standards, and using substandard bricks and other materials. Further, the DFR's construction was plagued by poor government oversight throughout all phases of the contract. RCC failed to ensure proper design of the facility and failed to hold the contractor accountable for its work. In particular, RCC accepted work that did not fulfill the requirements of the contract, and then failed to hold the contractor fully accountable for correcting all of the range's structural deficiencies before the contract warranty expired. Due to the fact that these deficiencies were not corrected, the range's safety and its long-term sustainability were compromised. As a result, Afghan authorities demolished the DFR and are rebuilding it with funds from the Ministry of Interior. Therefore, although this project may have been well intentioned, the fact that the Afghans had to demolish and rebuild the DFR is not only an embarrassment, but, more significantly, a waste of U.S. taxpayers' money.

RECOMMENDATIONS

To ensure full accountability for the expenditure of government resources and help avoid future problems with contract oversight, we recommend that the Commander, U.S. Central Command, direct the Commander, Joint Theater Support Contracting Command, to take the following actions, in coordination with the Commanding General, Combined Security Transition Command-Afghanistan, and report back to SIGAR within 90 days:

1. **Determine the extent to which QNCC substituted building materials without authorization or did not complete work according to the contract requirements and, where appropriate, recoup those funds.**
2. **Identify the contracting officer and contracting officer's representatives responsible for oversight of the DFR construction activities and determine:**
 - a. **why the range was not built according to contract requirements and acceptable construction standards; and**
 - b. **what disciplinary action should be taken against these contracting officials for failing to provide adequate oversight.**

AGENCY COMMENTS

We provided a draft of this inspection report to U.S. Central Command and Central Command's Joint Theater Support Contracting Command (C-JTSCC) for review and comment. C-JTSCC provided written comments, which are reproduced in appendix III. C-JTSCC concurred with our two recommendations and provided information on the actions it plans to take to address them.

C-JTSCC concurred with the first recommendation, but stated that it is a "contractual execution Command and not an expert on determining technical construction compliance . . ." Thus, C-JTSCC recommended that Regional Support Command-East provide the appropriate technical response to help C-JTSCC determine whether recoupment of funds is applicable. However, U.S. Central Command officials told us that the engineering function of Regional Support Command-East is now the responsibility of the Combined Security Transition Command-Afghanistan (CSTC-A), and the functions and responsibilities of C-JTSCC and CSTC-A had been realigned. As a result, CSTC-A will provide C-JTSCC with the requested technical response. C-JTSCC will then make its decisions based on that information.

C-JTSCC also concurred with our second recommendation and stated that upon receipt of our final report and the technical engineering report, it would take appropriate action.

APPENDIX I - SCOPE AND METHODOLOGY

This report provides the inspection results of the Afghan Special Police Training Center's dry fire range (DFR)—located in Wardak province—which was constructed in 2012. The DFR replicates a typical Afghan village and is used to conduct simulated police search and clearance exercises. To determine whether the work was completed in accordance with contract requirements and applicable construction standards, and the range was being used as intended and maintained, we:

- reviewed available contract documents, site visit reports, and other relevant project information;
- conducted an engineering assessment of the range's general design and specifications and the construction methods used by the contractor;
- interviewed cognizant U.S. government officials concerning the facility's construction and maintenance; and
- interviewed the Commander, National Police Training Center (NPTC), to determine the current use of the DFR and obtained photos showing its current condition.

SIGAR's inspection team was not able to conduct an on-site inspection of the DFR due to security concerns which prohibited travel to the site. However, a SIGAR investigator was able to visit the site in April 2013.

We conducted our inspection work in Kabul, Afghanistan, and Washington, D.C., from May 2014 through January 2015. This work was conducted in accordance with the Quality Standards for Inspection and Evaluation, published by the Council of the Inspectors General on Integrity and Efficiency. The engineering assessment was conducted by professional engineers in accordance with the National Society of Professional Engineers' Code of Ethics for Engineers. We did not rely on computer-processed data in conducting this inspection. However, we considered the impact of compliance with laws and fraud risk. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our inspection objectives. We conducted this inspection under the authority of Public Law No. 110-181, as amended; and the Inspector General Act of 1978, as amended.

APPENDIX II - DRY FIRE RANGE TIMELINE OF EVENTS

Table 2 - Dry Fire Range Timeline

Date	Activity
July–October 2012	Construction initiated and completed. U.S. and NATO Training Mission-Afghanistan contracting staff conducted six site visits prior to final project acceptance. No significant problems were noted with the quality of construction or materials.
October 2012	The two contracting officer’s representatives assigned to the project conducted a final inspection prior to formal acceptance. They certified that the work was 100 percent completed. One-year warranty period begins.
February 2013	U.S. mentor stationed at the National Police Training Center alerted Regional Contracting Center (RCC) officials to deteriorating conditions at the dry fire range (DFR).
March 2013	RCC representatives conducted a site visit on March 11.
April 2013	RCC officials and a SIGAR investigator conducted a site visit on April 11. The site visit report recommended that because of the DFR’s level of deterioration due to water penetration, the structures should be demolished and rebuilt using the proper materials and procedures. RCC staff requested that Qesmatullah Nasrat Construction Company (QNCC) provide a construction plan describing the way forward. QNCC filed several construction plans and was given verbal approval to implement the last plan filed.
July–August 2013	QNCC initiated and completed agreed upon work—with the exception of sealing the roof with asphalt.
October 2013	QNCC warranty expired.
December 2013	SIGAR investigator questioned RCC staff about the incomplete repairs. RCC officials responded that the warranty had expired and that no further action could be taken.

Source: SIGAR review of contract records

APPENDIX III - COMMENTS FROM U.S. CENTRAL COMMAND'S JOINT THEATER SUPPORT CONTRACTING COMMAND



REPLY BY
ATTENTION OF

HEADQUARTERS
CENTCOM JOINT THEATER SUPPORT CONTRACTING COMMAND
HEADQUARTERS BAGRAM AIRFIELD
APO AE 09354



CENTCOM-JTSCC

30 December 2014

MEMORANDUM FOR CENTCOM CCJ4

SUBJECT: SIGAR 1-020 Draft Report – Dry Fire Range

1. Per CENTCOM tasker USCC1435036021, C-JTSCC provides the following in response to the two (2) Special Inspector General for Afghanistan Reconstruction (SIGAR) recommendations:

a. SIGAR recommendation #1: *Determine the extent to which QNCC substituted building materials without authorization or did not complete work according to the contract requirements and, where appropriate, recoup those funds.* C-JTSCC response: C-JTSCC is a contractual execution Command and not an expert on determining the technical construction compliance with regard to meeting contractual technical performance. Thus, C-JTSCC recommends the Regional Support Command-East Engineer provide the appropriate technical expertise response, and as a result of the response, C-JTSCC can determine if recoupment of funds is applicable.

b. SIGAR recommendation #2: *Identify the contracting officer and contracting officer's representatives responsible for oversight of the DER construction activities and determine: a. why the range was not built according to contract requirements and acceptable construction standards; and b. what disciplinary action should be taken against these contracting officials for failing to provide adequate oversight.* C-JTSCC response: C-JTSCC concurs with recommendation, and upon receipt of SIGAR's final report and Regional Support Command-East Engineer's technical response to paragraph 1(a) above and paragraph 2(a) herein, C-JTSCC will render the requested determinations.

2. Please direct any questions to the undersigned at [REDACTED] or DSN [REDACTED]
[REDACTED]

BENZA.SCOTT
.I.1026087356
SCOTT I. BENZA, Colonel, USAF
Senior Contracting Official- Afghanistan

Digitally signed by
BENZA.SCOTT.I.1026087356
(DN: c=US, o=US Government,
ou=AFSS, ou=Dod, ou=USAM,
cn=BENZA.SCOTT.I.1026087356
(Date: 2014.12.30 09:39:02 -04'00')

APPENDIX IV - ACKNOWLEDGMENTS

Scott Harmon, Senior Inspection Manager

Brian Flynn, Senior Audit Manager

Michael ten Kate, Inspector-in-Charge

Ronald Snyder, P.E., Engineer

Ronald Riach, P.E., Engineer

This inspection report was conducted
under project code SIGAR-I-020

SIGAR's Mission

The mission of the Special Inspector General for Afghanistan Reconstruction (SIGAR) is to enhance oversight of programs for the reconstruction of Afghanistan by conducting independent and objective audits, inspections, and investigations on the use of taxpayer dollars and related funds. SIGAR works to provide accurate and balanced information, evaluations, analysis, and recommendations to help the U.S. Congress, U.S. agencies, and other decision-makers to make informed oversight, policy, and funding decisions to:

- improve effectiveness of the overall reconstruction strategy and its component programs;
- improve management and accountability over funds administered by U.S. and Afghan agencies and their contractors;
- improve contracting and contract management processes;
- prevent fraud, waste, and abuse; and
- advance U.S. interests in reconstructing Afghanistan.

Obtaining Copies of SIGAR Reports and Testimonies

To obtain copies of SIGAR documents at no cost, go to SIGAR's Web site (www.sigar.mil). SIGAR posts all publically released reports, testimonies, and correspondence on its Web site.

To Report Fraud, Waste, and Abuse in Afghanistan Reconstruction Programs

To help prevent fraud, waste, and abuse by reporting allegations of fraud, waste, abuse, mismanagement, and reprisal, contact SIGAR's hotline:

- Web: www.sigar.mil/fraud
- Email: sigar.pentagon.inv.mbx.hotline@mail.mil
- Phone Afghanistan: +93 (0) 700-10-7300
- Phone DSN Afghanistan: 318-237-3912 ext. 7303
- Phone International: +1-866-329-8893
- Phone DSN International: 312-664-0378
- U.S. fax: +1-703-601-4065

Public Affairs

Public Affairs Officer

- Phone: 703-545-5974
- Email: sigar.pentagon.ccr.mbx.public-affairs@mail.mil
- Mail: SIGAR Public Affairs
2530 Crystal Drive
Arlington, VA 22202