

Department of Justice
U.S. Attorney's Office
District of Rhode Island

FOR IMMEDIATE RELEASE

Wednesday, October 19, 2022

United States Resolves Construction and Procurement Investigation into Route 6/10 Project; Former Superintendent to Plead Guilty; Massachusetts Construction Company to Pay \$1.5 Million in Connection with False Statements

United States Attorney Zachary A. Cunha announced today the resolution of federal criminal and civil investigations into Barletta Heavy Division, Inc., the Massachusetts construction firm responsible for construction of the Route 6/10 Interchange Project, and Dennis Ferreira, former Superintendent for the project.

These resolutions involve a criminal plea, a civil resolution that will recover more than twice the amount paid by the government as a result of the conduct, and a non-prosecution agreement with the construction firm.

Federal investigations into contracting and procurement on portions of the federally-funded 6/10 project centered on false statements made by a project superintendent and the company in connection with the project, as well as billing submissions made to the federal government for stone and dirt that was transported from sites in Boston and Pawtucket and used in portions of the 6/10 Project as fill. This fill, which was required to either be used at its original location, or subjected to additional testing and handling, did not meet the requirements of the contract.

Ferreira, the former project superintendent, will plead guilty in federal court to charges of making false statements; under a separate agreement, Barletta will pay a criminal fine of \$500,000, return \$1,000,000 to the government, make factual admissions, and undertake a series of monitoring, reporting, and compliance measures.

“When federal tax dollars fund work in our communities, we expect that the government will get what it bargains for,” said U.S. Attorney Cunha. “In this case, that didn’t happen. Today’s resolution should serve as a reminder to any company or corporate official that, when the government is footing the bill, false statements have consequences.”

As part of the resolution, as detailed in documents filed in federal court, Ferreira will plead guilty to an Information that charges him with three counts of making a false statement in connection with a federally funded highway project. These charges stem from Ferreira’s decision to import railroad ballast (loose stone) from a Barletta project site in Massachusetts, and soil from the Pawtucket/Central Falls Rail Station and Bus Hub Project, a separate Barletta job site in Rhode Island, to the 6/10 Project to be used as fill. It is alleged in the Information that

- In July of 2020, Ferreira caused an environmental report to be sent to the Rhode Island Department of Transportation (RIDOT) that falsely represented the origin and environmental quality of the stone imported from Massachusetts.

- In September of 2020, during meetings with the Federal Highway Administration (FHWA) and RIDOT officials, Ferreira falsely represented the origin and environmental quality of the imported stone and falsely stated that none of the material imported from Pawtucket was used on the Project. and
- Ferreira allegedly caused a letter to be sent to RIDOT officials which falsely stated that the stone imported from Massachusetts had been tested prior to being brought to Rhode Island.

The United States has separately entered into a Non-Prosecution Agreement with Barletta Heavy Division, Inc., in connection with the series of false statements that were made in the summer of 2020 to FHWA and RIDOT Officials. These statements were meant to conceal the fact that Barletta had imported regulated material in violation of a Soil and Materials Management Plan, which was part of the contract governing the 6/10 Project. Under the Agreement, Barletta accepts responsibility for the actions of its employees and admits to the facts that constitute making false statements in connection with a federally funded highway project. In addition to paying a \$500,000 criminal fine, the agreement requires Barletta to implement ongoing monitoring, reporting, and compliance measures for a period of three years; failure to comply with these conditions will make the company subject to prosecution for the conduct set forth in an agreed-upon Statement of Facts.

Additionally, Barletta has entered into a False Claims Act settlement that resolves allegations that the company knowingly submitted claims for payment for work on the project in connection with the movement of dirt that did not comply with contract requirements, in violation of the federal and Rhode Island state False Claims Acts. Barletta will pay \$1,000,000 to the government, representing more than twice the government funds paid as a result of the relevant claims.

Assistant U.S. Attorneys Dulce Donovan and Bethany Wong are handling the prosecution and litigation of these matters.

The cases were investigated by the U.S. Department of Transportation, Office of Inspector General, and the U.S. Department of Labor, Office of Inspector General, with the assistance from the Rhode Island Department of Environmental Management, Division of Law Enforcement.

###

Attachment(s):

[Download Information and Plea Agreement](#)

[Download Non Prosecution Agreement](#)

Component(s):

[USAO - Rhode Island](#)

Contact:

Jim Martin (401) 709-5357

Press Release Number:

22-136