

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

FOR IMMEDIATE RELEASE

Wednesday, December 14, 2022

Former 6/10 Construction Project Supervisor Pleads Guilty to Making False Statements

PROVIDENCE – A former Superintendent of the 6/10 Interchange Construction Project, who falsely represented the origin and environmental quality of railroad ballast (loose stone) and the origin of soil imported into the 6/10 Project, today pleaded guilty in federal court to three counts of making a false statement in connection with a federally funded highway project, announced United States Attorney Zachary A. Cunha.

Dennis Ferreira, a former employee of Barletta Heavy Division, Inc., a Massachusetts construction company responsible for the construction of the Route 6/10 Interchange Project, admitted to a federal judge that, in July 2020, he falsely reported to the Rhode Island Department of Transportation (RIDOT) the origin of 93 truckloads of railroad ballast imported to the 6/10 Project from Massachusetts; 52 truckloads of dirt imported to the 6/10 Project from the Barletta Pawtucket/Central Falls Rail Station Project; and that he was responsible for a report submitted to RIDOT by Barletta stating that the stone imported from Massachusetts had been tested and met environmental criteria as required in a Soil and Materials Management Plan (SMMP) prepared by RIDOT. In fact, the stone had not been tested and did not meet the environmental criteria.

In October, United States Attorney Cunha announced the resolution of federal criminal and civil investigations into Barletta and Ferreira. The resolutions included Ferreira's agreement to plead guilty; a civil resolution that will recover from Barletta 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 by Ferreira and the company, as well as billing submissions made to the federal government for the stone and dirt. 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 is scheduled to be sentenced on March 16, 2023. The defendant's sentence will be determined by a federal district judge after consideration of the U.S. Sentencing Guidelines and other statutory factors.

The United States has separately entered into a Non-Prosecution Agreement with Barletta in connection with the false statements that were made to the Federal Highway Administration and RIDOT. These statements were meant to conceal the fact that Barletta had imported regulated material in violation of the SMMP, 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 matter was 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.

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