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Transportation Agency Releases CHP Bay Bridge Management Investigation

SACRAMENTO—The California State Transportation Agency today announced the conclusion of a California Highway Patrol (CHP) probe into Caltrans management activities during fabrication of Bay Bridge components in China, an investigation that found no violation of law.

“The California Highway Patrol investigators found no retaliation or retribution against employees or contractors or any other violation of law,” said Transportation Agency Secretary Brian Kelly, who launched the investigation after hearing allegations of retaliation lodged against Caltrans during a Senate hearing in January. “While the California Highway Patrol found no violation of law, it identified past management shortfalls that must be addressed. I’ve asked Director Dougherty to review the document and its recommendations and make necessary changes to the management structure of the bridge to improve project oversight. I’ve asked for the new management structure to be in place by December 1, 2014.”

The reorganization will focus on the recommendations made in the CHP report including improving communication, documentation, transparency and consistent adherence to policies. Mindful of budget pressures, the reorganization will also include right-sizing the operation to better comport with the remaining work on the project.

The CHP’s investigation, titled “Inquiry Into Personnel Practices Associated with the San Francisco-Oakland Bay Bridge Project,” probes management of Bay Bridge construction and component fabrication that occurred more than five years ago, primarily overseas in China. The report does not address the safety of the bay bridge, an issue which was not in question. Witnesses during Senate hearings expressed consensus regarding bridge safety, even those who questioned management practices.

Earlier this year, the State Senate Transportation Committee alleged that employees suffered retaliation from management after voicing concerns about quality control. The CHP found no retaliation: “The totality of the evidence does not support the elements of a violation of the Whistleblower Protection Act,” investigators wrote.

CHP also found nothing unlawful in Caltrans’ decision six years ago to allow new companies to bid for a quality assurance contract. “The investigation revealed there was insufficient evidence

to support a claim of collusion, or an effort to select other than the most qualified firm,” investigators concluded.

Although CHP did not find retaliation or other violations of law, the report describes how poor internal communication and management practices created distrust and confusion, leading to speculation of improper activity by some employees. “While management personnel indicated that those concerns brought forward were considered, and a course of action selected, they failed to communicate this information to subordinate employees, resulting in a perception that management intended to suppress or ignore concerns,” investigators found.

Since January, Caltrans has been engaged in a department reform effort to improve performance, accountability, management and communication. The department’s new vision includes being a “performance-driven, transparent and accountable organization,” and many of the past management issues identified in the investigation were inconsistent with that new vision.

“I’m working closely with Director Dougherty to improve Caltrans’ operations, with greater emphasis on transparency and accountability,” said Secretary Kelly. “The CHP report reflects the fact that we have more improvements to make—and we will.”

The CHP’s investigative report can be found here:

<http://calstablog.files.wordpress.com/2014/10/chp-investigative-report.pdf> The CHP does not list names in public reports of official investigations. To assist readers of the report, a list of the names and titles of witnesses who testified before the Senate can be found here:

<https://calstablog.files.wordpress.com/2014/10/names-and-titles-of-witnesses.pdf>

The California State Transportation Agency, which launched July 1, 2013, is responsible for transportation-related departments within the state: Board of Pilot Commissioners, California Highway Patrol, California Transportation Commission, Department of Transportation, Department of Motor Vehicles, High-Speed Rail Authority, New Motor Vehicle Board and Office of Traffic Safety. The Agency was formed as part of Governor Brown’s Government Reorganization Plan, which became law in 2012. For more information, visit www.calsta.ca.gov.

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