

SIGAR

**Special Inspector General for
Afghanistan Reconstruction**

SIGAR 17-46 Inspection Report

Pol-i-Charkhi Prison: Renovation Work Remains Incomplete More than 7 Years after the Project Began



JUNE
2017

SIGAR

Special Inspector General for Afghanistan Reconstruction

WHAT SIGAR REVIEWED

Pol-i-Charkhi prison—Afghanistan’s largest correctional facility—was built in 1973 to hold about 5,000 inmates. In June 2009, in response to damage caused by 35 years of neglect, the Department of State’s (State’s) Regional Procurement Support Office awarded a renovation contract to Al-Watan Construction Company (AWCC) for \$16.1 million. The Bureau of International Narcotics and Law Enforcement Affairs (INL) funded the contract. The primary purpose was to reconfigure large, undivided prisoner holding areas into smaller minimum-, medium-, and maximum-security cells. The contract also specified electrical and plumbing improvements as well as construction of additional facilities, such as water well houses and conjugal buildings. After two modifications, the contract’s value increased to \$20.2 million.

SIGAR reported on its first inspection of Pol-i-Charkhi in October 2014. In that report, SIGAR noted that State terminated the contract with AWCC in November 2010 due to unsatisfactory contractor performance. At that time, only about 50 percent of the renovation work was complete, but State had paid AWCC \$18.5 million of the \$20.2 million. SIGAR also reported that not all of the work was completed according to contract requirements and that AWCC substituted building materials, such as wood for metal trusses, without authorization. Also, AWCC installed six backup generators but did not connect them to the prison’s power grid as required.

The objectives of this follow-up inspection were to assess the extent to which: (1) progress has been made in completing the unfinished renovation work at Pol-i-Charkhi prison, and, if so, whether the work was completed in accordance with contract requirements and technical specifications; and (2) the prison is being used and maintained.

June 2017

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SIGAR 17-46-IP INSPECTION REPORT

WHAT SIGAR FOUND

INL has not restarted renovation work at Pol-i-Charkhi prison since terminating its contract with AWCC in November 2010. Following the termination, another State contractor, Batoor Construction Company, reported that AWCC completed only about 50 percent of the required renovation work. Batoor also reported multiple instances of defective workmanship, such as AWCC’s failure to backfill trenches and repair/replace broken electrical and plumbing fixtures. During SIGAR’s 2016 site visits, we identified 20 design and construction deficiencies that remained after State terminated AWCC’s contract. The deficiencies resulted from poor designs, AWCC’s failure to comply with the contract’s scope of work, noncompliance with contract requirements, and INL’s poor oversight. For example, we found that:

- AWCC did not construct multiple buildings and structures, such as 20 of 32 visitor shades—covered areas that protect inmates and their visitors from the sun and rain during visits—in one prison block and 5 of 10 visitor shades in another prison block, 1 of 2 conjugal buildings, 2 of 6 new well houses, and 2 new transformer buildings. Several of the constructed buildings and structures are not being used because construction is incomplete.
- AWCC did not install emergency exit stairs for both sides of the three-story training center.
- AWCC did not install water heaters to provide warm water for showers and other washing needs in many of the buildings and facilities in the three blocks.
- AWCC did not install fire-rated doors in the staff barracks, as required. Instead, the contractor substituted nonrated steel doors, which create a fire and safety hazard.

INL officials told SIGAR that they intend to complete the renovation work, but currently the area of Kabul province where the prison is located is not safe for State employees or contractors; therefore, they cannot travel to the site and perform the work. In January 2017, INL officials said the bureau developed plans for a new lagoon-style wastewater management system for the prison that will require less maintenance and accommodate more people than the current septic system, but they will not award a contract to build the new system or complete work until the security situation improves and INL can provide appropriate construction oversight. However, in its written response on a draft of this report, INL stated that it has now undertaken a security assessment and is planning to move forward with renovation of a new wastewater management system, but will not award a new contract to complete the renovation, and instead will support the Afghan General Directorate of Prisons and Detention Centers in developing plans to address the deficiencies and necessary renovations using Ministry of Interior funding.

In October 2014, SIGAR reported that Pol-i-Charkhi prison was being used but was so overcrowded that inmates were housed in the hallways. At that time, the prison—which was originally designed to hold about 5,000 inmates—was holding about 7,400 inmates. During its March through April 2016 site visits, SIGAR found that prison was still overcrowded and inmates were still living in the hallways. However, those conditions would have even been worse, had it not been for action the Ministry of Interior’s General Directorate of Prisons and Detention Centers took that year to transfer more than 2,700 high-threat inmates from provincial prisons, such as Pol-i-Charkhi, to more secure facilities. Nonetheless, in January 2017, a directorate official told SIGAR that Pol-i-Charkhi prison is now holding between 9,500 and 10,000 inmates, nearly double its capacity.

In October 2014, SIGAR reported that Pol-i-Charkhi prison had been relatively well maintained. However, during its March through April 2016 site visits, SIGAR found that the prison was suffering from poor maintenance. Overall, SIGAR identified nine maintenance issues. For example, electrical fixtures that AWCC installed were broken, inoperable, or missing throughout the prison. SIGAR also found plumbing fixtures, such as toilets, sinks, showerheads, floor drains, and water/sewer pipes, that were broken or inoperable.

In January 2017, INL officials told SIGAR that although the 15 trained maintenance personnel currently on staff at the Pol-i-Charkhi prison were sufficient to maintain the prison, a number of factors contributed to the maintenance challenges, including the General Directorate of Prisons and Detention Centers reassigning staff, and the lack of replacement parts and equipment to perform maintenance. The officials noted that the directorate was still learning how to implement procedures to properly order and track the parts and equipment. The officials also said the directorate had been slow to embrace preventative maintenance.

Furthermore, INL officials stated that the directorate must fully commit to establishing a dedicated maintenance staff, adding that sometimes trained staff are moved to other positions across the directorate. However, INL officials did note some positive steps being taken to improve maintenance.

WHAT SIGAR RECOMMENDS

To help protect the U.S. investment in Pol-i-Charkhi prison and improve conditions for its occupants, SIGAR recommends that the Secretary of State direct INL to: (1) prepare contract solicitations, so action can be taken immediately when the security situation improves, for a new wastewater management system; and (2) in coordination with the Afghan General Directorate of Prisons and Detention Centers, (a) develop a plan to establish dedicated Pol-i-Charkhi prison maintenance staff and procedures to order and account for replacement parts and maintenance equipment, and to prioritize and address current prison maintenance problems, and (b) ensure that the directorate’s renovation work includes connection of the backup generators to the prison’s power grid.

INL provided written comments on a draft of this report. In its comments, INL partially concurred with our first two recommendations and concurred with our third recommendation. INL also stated that instead of awarding a new contract to complete the renovation work as stated to us during fieldwork, INL now supports the Afghan Directorate of Prisons and Detention Centers in developing plans to address the 20 deficiencies and necessary renovations using Ministry of Interior funding. As a result, we deleted our first recommendation and changed the second and third ones to reflect INL’s comments.



SIGAR

Office of the Special Inspector General
for Afghanistan Reconstruction

June 7, 2017

The Honorable Rex W. Tillerson
Secretary of State

The Honorable William R. Brownfield
Assistant Secretary, Bureau of International Narcotics
and Law Enforcement Affairs

The Honorable Hugo Llorens
Special Chargé d'Affaires to Afghanistan

This report discusses the results of SIGAR's follow-up inspection of Pol-i-Charkhi prison in Kabul province. In June 2009, the Department of State's (State's) Regional Procurement Support Office in Frankfurt, Germany, awarded Al-Watan Construction Company (AWCC) a \$16.1 million contract to renovate the prison. State's Bureau of International Narcotics and Law Enforcement Affairs (INL) funded the contract.

We reported on our first inspection of Pol-i-Charkhi prison in October 2014. In that report, we noted that INL terminated its contract with AWCC in November 2010 due to poor contractor performance and, at the time, only about 50 percent of the required work had been completed. We also found that AWCC installed six backup generators, but never connected them to the prison's power grid. State officials said they were hoping to issue a new contract to complete the unfinished renovation work in late 2014 or early 2015. In addition, INL was evaluating alternative wastewater management systems for the prison.

During our March 23 through April 3, 2016, site visits to Pol-i-Charkhi prison for this follow-up inspection, we found that INL had not completed any renovation work since it terminated AWCC's contract. INL stated this was due to the tenuous security environment in the area where the prison is located that makes it unsafe for State employees or contractors to travel to the site and perform work. During our fieldwork, INL officials told us they would award a follow-up renovation contract when the security environment improved, which would allow for appropriate INL oversight of construction. We also found 20 deficiencies from the original renovation work, as well as worsening inmate overcrowding and poor prison maintenance since we issued our first report.

We recommend that the Secretary of State direct INL to: (1) prepare contract solicitations, so action can be taken immediately when the security situation improves, for a new wastewater management system; and (2) in coordination with the Afghan General Directorate of Prisons and Detention Centers, (a) develop a plan to establish dedicated Pol-i-Charkhi prison maintenance staff and procedures to order and account for replacement parts and maintenance equipment, and to prioritize and address current prison maintenance problems, and (b) ensure that the directorate's renovation work includes connection of the backup generators to the prison's power grid.

We provided a draft of this report to State for comment. In its written comments, INL officials stated that they no longer intended to award a follow-up renovation contract, but instead they intended to support the Afghan General Directorate of Prisons and Detention Centers in developing plans to address the deficiencies and necessary renovations using Ministry of Interior funding. In addition, INL partially concurred with our first two recommendations and concurred with our third recommendation. However, we deleted the first recommendation and changed the second and third ones as a result of INL's statement that it would not award a follow-up renovation contract. INL's written comments are reproduced in appendix IV.



SIGAR

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SIGAR conducted this work 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.

A handwritten signature in black ink, appearing to read "John F. Sopko".

John F. Sopko
Special Inspector General
for Afghanistan Reconstruction

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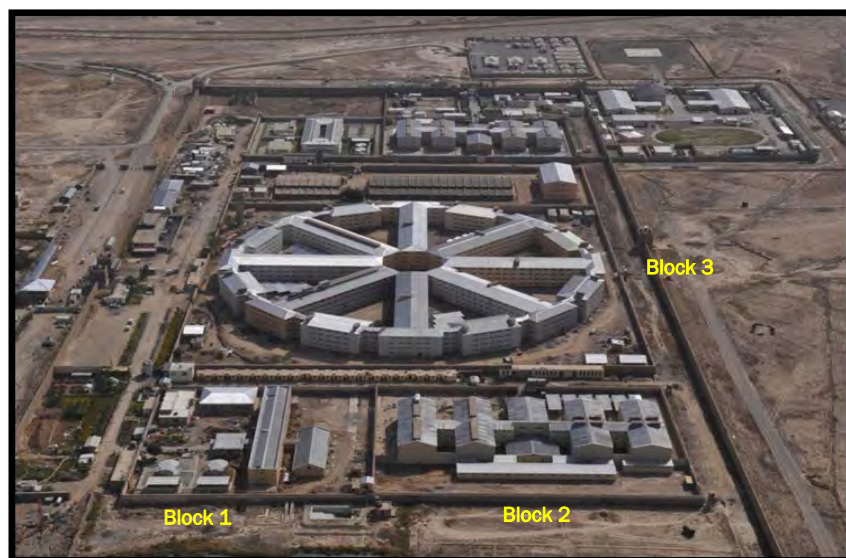
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ABBREVIATIONS

AWCC	Al-Watan Construction Company
COR	contracting officer's representative
INL	Bureau of International Narcotics and Law Enforcement Affairs
State	Department of State

In 1973 the Soviet Union funded the construction of Pol-i-Charkhi prison, Afghanistan's largest correctional facility, which is located in Kabul province. Built by a contractor from India, the prison was designed to hold about 5,000 inmates. Pol-i-Charkhi consists of three major blocks, shown in photo 1: block 1 includes a training center, barracks, and offices; block 2 houses female inmates; and block 3, the wheel-and-spoke structure, houses male inmates in the eight wings containing minimum-, medium-, and maximum-security cells.

Photo 1 - Aerial View of Pol-i-Charkhi Prison



Source: INL, December 16, 2012

In June 2009, in response to damage caused by 35 years of neglect, Soviet occupation, and warfare, the Department of State's (State's) Regional Procurement Support Office in Frankfurt, Germany, awarded \$16.1 million firm-fixed-price contract—number SGE500-09-C-0010—to Al-Watan Construction Company (AWCC), an Afghan firm, to renovate the prison. State's Bureau of International Narcotics and Law Enforcement Affairs (INL) funded the contract. The primary purpose was to reconfigure large, undivided prisoner holding areas into smaller minimum-, medium-, and maximum-security cells. Each cell would have a sink and eastern-style toilet facilities.¹ The contract also called for specific electrical and plumbing system improvements; renovating the prison industries building and kitchen facilities; building six water well houses, two conjugal buildings, roof-mounted water storage tanks, three transformer buildings, and two septic/leach field systems; and procuring and installing six refurbished backup diesel generators, six transformers, and three fuel storage tanks.² After two modifications, the contract's value increased to \$20.2 million. State terminated the contract before AWCC completed all of the required renovation work.

We reported on our first inspection of Pol-i-Charkhi prison in October 2014.³ During that inspection, we found that AWCC had completed only about 50 percent of the required work, some of which did not meet contract requirements. We also found the prison to be relatively well maintained, despite being overcrowded.

¹ An eastern-style toilet is used by squatting, instead of sitting.

² A leach field, also referred to as a drain field, is part of an on-site wastewater disposal system, or septic system, consisting of a septic tank and discharge to a drain field.

³ SIGAR, *Pol-i-Charkhi Prison: After 5 Years and \$18.5 Million, Renovation Project Remains Incomplete*, SIGAR 15-11-IP, October 17, 2014.

The objectives of this follow-up inspection were to assess the extent to which: (1) progress has been made in completing the unfinished renovation work at Pol-i-Charkhi prison, and, if so, whether the work was completed in accordance with contract requirements and technical specifications; and (2) the prison is being used and maintained.

We conducted our work in Kabul, Afghanistan, and at Pol-i-Charkhi prison in Kabul province from February 2016 through June 2017 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 our professional engineers in accordance with the National Society of Professional Engineers' *Code of Ethics for Engineers*. Appendix I contains a more detailed discussion of our scope and methodology.

BACKGROUND

In November 2010, 16 months after it awarded the contract to renovate Pol-i-Charkhi prison, State's Regional Procurement Support Office terminated the contract at the government's convenience due to AWCC's failure to complete the project by the required completion date of October 31, 2010, and AWCC's poor performance. The contracting officer terminated the contract for convenience based on legal advice that State would have difficulty defending a termination for default.⁴ This difficulty was mostly based on information a contracting officer's representative (COR), who replaced the initial COR for the contract, provided that partially supported AWCC's claim that it was not at fault for failing to meet the terms of the contract. Following a financial settlement 2 years after the termination, INL had paid AWCC \$18.5 million of the \$20.2 million contract value, even though AWCC completed only about 50 percent of the required work.

In March 2011, another State contractor, Batoor Construction Company, reviewed the work AWCC had completed under the renovation contract and reported that AWCC had completed approximately 50 percent of the required work.⁵ We first inspected Pol-i-Charkhi prison in April 2014 and found that AWCC did not complete all of the renovation work according to contract requirements. For example, all roof replacements required the use of metal trusses, but AWCC substituted wood trusses for the metal trusses. AWCC also covered 30-year-old wood trusses with new roofing material instead of replacing them as the contract required. Furthermore, although AWCC procured and installed the six backup generators as required, they could not be used because they were not connected to the prison's power grid before the contract was terminated. During our fieldwork, INL officials told us the work needed to make the generators operational would be done under a planned follow-on contract, which, at that time, they hoped to award in late 2014 or early 2015. We also reported that AWCC performed its renovation activities under the oversight of a COR who was later convicted and sentenced by a U.S. District Court for accepting illegal gratuities under a different contract related to this prison renovation project.⁶

⁴ As a general matter, U.S. government contracts include a termination for convenience clause and a termination for default clause (see Federal Acquisition Regulation, Subpart 49.5—Contract Termination Clauses). A termination for convenience clause allows the contracting officer to terminate the contract if termination is determined to be in the government's interest. A termination for default clause allows the contracting officer to terminate the contract for the contractor's failure to deliver the requisite supplies or to perform the requisite services as specified by the contract. When a contract is terminated for convenience, the contractor may recover its incurred costs and profit on work done, among other things (see Federal Acquisition Regulation 49.502). When a contract is terminated for default, the government may recover progress payments, excess costs of reprocurement, and damages, and the contractor may be subject to debarment (see Federal Acquisition Regulation 9.406-2).

⁵ Following State's termination of the AWCC renovation contract, INL awarded Batoor Construction Company, an Afghan company, a \$250,000 contract to review the work AWCC had completed.

⁶ INL and State's Office of Inspector General found that the State employee, who served as the COR for the AWCC renovation contract and a related renovation design, project monitoring, and contractor submittal review services contract awarded to Basirat Construction Firm, accepted \$30,000 in illegal gratuities from Basirat to promote that company's interest. State suspended the COR in May 2010 and suspended Basirat and AWCC from receiving any additional government contracts in August 2010.

All Five Recommendations from Our Previous Report Were Implemented

In our October 2014 report on Pol-i-Charkhi prison, we recommended that the Secretary of State direct INL to:

1. Determine the extent to which AWCC substituted wood for metal trusses or covered, rather than replaced, existing wooden trusses without authorization, and take appropriate action to recoup any funds due from the contractor.
2. Conduct an inquiry into whether the contracting officer negotiated an equitable settlement agreement with AWCC, document all accelerated construction payments, and take steps to recoup funds as appropriate.
3. Conduct a cost-benefit analysis of alternative wastewater management systems, and, if warranted, reissue a request for information soliciting proposed solutions to the prison's wastewater management needs.
4. Ensure that, before the follow-on renovation work and construction of the wastewater treatment plant or alternative system begins, it has a written monitoring plan in place to oversee the work to be performed pursuant to the two contracts.
5. Identify the scope of work required and conduct a cost-benefit analysis of awarding a separate contract—on an expedited basis—to hook up the prison's six backup power diesel generators to the prison's existing electrical system.

State partially agreed with our first recommendation, reiterating that the COR who approved the substitutions subsequently pled guilty to accepting illegal gratuities. Upon further review of the issue, State concluded that because the substitutions were authorized, it had no recourse in the matter.

State disagreed with our second recommendation and our assertion that the contracting office made unsupported accelerated payments. Despite this, the department did review the history of payments it made to AWCC and determined the accelerated payments were supported.

State agreed with our third recommendation and indicated that the department initiated steps to hire an independent firm specializing in wastewater treatment systems in Afghanistan to conduct a comprehensive analysis of the prison's wastewater management needs. State noted that the contracting process for the analysis was under way and that INL estimated it would be completed by the spring of 2015. State also said that INL continued to engage the Afghan Ministry of Interior's General Directorate of Prisons and Detention Centers for input.

State agreed with our fourth recommendation and indicated that it had initiated steps before our 2016 follow-up inspection to develop a monitoring and oversight plan. As part of this plan, State wrote that INL was developing a contract to monitor and report on daily construction activities at Pol-i-Charkhi prison. This monitoring contract would supplement INL's oversight of the project. State noted that the contracting process was under way and that INL anticipated the contract would be in place by mid-2015.

State partially agreed with our fifth, and final, recommendation. It agreed that connecting the six power diesel generators to the electrical grid was an essential component in providing the prison with reliable backup power. However, State noted that the prison did not have the infrastructure to support connecting the generators to the electrical grid. INL was considering a separate renovation project, which would involve installing the necessary infrastructure and then connecting the generators to the grid, but the bureau would not start the project until the monitoring contract was in place.

We agreed with the actions State took on all five recommendations and closed them as implemented in 2015, before the announcement of this follow-up inspection.

POL-I-CHARKHI PRISON RENOVATION REMAINS INCOMPLETE MORE THAN 7 YEARS AFTER THE PROJECT BEGAN

Although the Pol-i-Charkhi prison renovation project began in 2009, only about half the work has been completed. After State terminated AWCC's contract in November 2010, Batoor Construction Company reviewed and documented AWCC's work. In March 2011, Batoor reported that AWCC completed about 50 percent of the required renovation work. Batoor also reported multiple instances of defective workmanship, including AWCC's failure to (1) backfill trenches, (2) repair or replace broken electrical and plumbing fixtures, (3) properly install roof flashing, and (4) install gutters on one of the prison blocks resulting in damage to surface paint and moisture penetrating support walls.

During our follow-up site visits from March 23 through April 3, 2016, we found that INL had not restarted its renovation work at Pol-i-Charkhi prison.⁷ We also identified 20 design and construction deficiencies that remained after State terminated its renovation contract with AWCC in 2010. These deficiencies resulted from poor designs, AWCC's failure to comply with the contract's scope of work, noncompliance with contract requirements, and INL's poor oversight. Table 1 lists 4 of the 20 design and construction deficiencies we identified during our 2016 site visits, and appendix II lists all 20.

Table 1 - Examples of Design and Construction Deficiencies Remaining from AWCC's Unfinished Work

Design and Construction Deficiencies	Description
1. Some buildings were not constructed, and others were incomplete.	<p>AWCC did not construct the following buildings and structures:</p> <ul style="list-style-type: none">• 20 of 32 visitor shades at Block 3*• 5 of 10 visitor shades at Block 2• 1 of 2 conjugal buildings at Block 2• 2 of 6 new well houses• 2 new transformer buildings <p>In addition, 13 of the 17 constructed visitor shades in Blocks 2 and 3, 1 conjugal building in Block 2, and 2 of the 8 wings in Block 3 were incomplete.</p>
2. Emergency exit stairs were not constructed.	<p>AWCC did not construct emergency exit stairs for both sides of the three-story training center in Block 1.</p>
3. Fire-rated doors were not installed.	<p>AWCC did not install fire-rated doors in the staff barracks, as required. Instead, the contractor substituted nonrated steel doors, which present a fire and safety hazard.</p>
4. Water heaters were not installed.	<p>AWCC did not install water heaters to provide warm water for showers and other washing needs in the:</p> <ul style="list-style-type: none">• day room, training center, and office and barracks buildings in Block 1• administrative offices and meeting and commander rooms in Block 2• five of the eight wings in Block 3

Source: SIGAR's March–April 2016 site visits

* Visitor shades are covered areas that protect inmates and their visitors from the sun and rain during visits.

⁷ According to Ministry of Interior officials, two contracts were awarded for work at the prison since we issued our October 2014 report. The ministry awarded a contract to construct security infrastructure, such as concrete perimeter walls and guard towers. The Combined Security Transition Command–Afghanistan also awarded a contract to renovate the women's section.

In June 2016, INL officials told us that although they intend to complete the renovation work, the security environment in the area of Kabul province where the prison is located is so tenuous that it is not safe for State employees or its contractors to travel to the site and perform the work. INL officials told us they will not award a contract to complete the work until they can safely access the site to conduct oversight. In January 2017, State officials told us that a contract still had not been awarded due to the security situation. However, in its written comments to a draft of this report, INL stated that it will not complete the renovation work and now supports the Afghan General Directorate of Prisons and Detention Centers in developing plans to address the deficiencies and necessary renovations using Ministry of Interior funding.

INL officials also told us that based on an analysis of alternative wastewater management systems, they have developed a new lagoon-style system for the prison that will require less maintenance and accommodate more people than the current septic/leach field system. The officials said they have prepared the contract solicitation documents for the wastewater management system but will not award a contract to build the new system until the security situation improves.

OVERCROWDING AND MAINTENANCE REMAIN CONCERNS AT POL-I-CHARKHI PRISON

Pol-i-Charkhi Prison's Population Is Now Nearly Double Its Capacity

In October 2014, we reported that Pol-i-Charkhi prison was being used but was overcrowded with inmates housed in the hallways. At that time, the prison—which was originally designed to hold about 5,000 inmates—was housing about 7,400 inmates. We also noted that the security advantage of reconfiguring prisoner holding areas into smaller cells that could contain and separate maximum-security prisoners from others—the primary basis for the renovation work—had been lost.

During our March through April 2016 site visits, we found that the prison was still overcrowded and inmates were still living in the hallways, as shown in photo 2. However, the overcrowding would have even been worse had it not been for action the Afghan General Directorate of Prisons and Detention Centers took to transfer some high-threat inmates from the prison to more secure facilities. According to INL officials, in 2016, the directorate transferred more than 2,700 inmates from Pol-i-Charkhi to a high-security prison in Bagram. In January 2017, a directorate official told us Pol-i-Charkhi prison now holds between 9,500 and 10,000 inmates—almost double its capacity.

Photo 2 - Overcrowded Conditions with Inmates Living in Hallways



Source: SIGAR, March 29, 2016

Pol-i-Charkhi Prison's Maintenance Has Worsened Since 2014

In October 2014, we reported that Pol-i-Charkhi prison had been relatively well maintained. However, during our March through April 2016 site visits, we found that it was suffering from poor maintenance. For example, the electrical fixtures that AWCC installed were broken, inoperable, or missing throughout the prison, including the guard shack and gate house. Electrical panel boards were poorly maintained, and plumbing fixtures, such as toilets, sinks, showerheads, floor drains, and water/sewer pipes, were broken or inoperable, as shown in photos 3 and 4. Further, we found that the security entrance/exit vehicle drop arm was broken and lying on the ground. Appendix III lists the nine maintenance issues we identified.

Photo 3 - Poorly Maintained Electrical Panel Board in Block 2 Office Building



Source: SIGAR, March 26, 2016

Photo 4 - Poorly Maintained Bathroom in Block 3



Source: SIGAR, March 29, 2016

In October 2014, we reported that the prison had a trained maintenance staff, and, according to INL officials, the Facility Maintenance Team training initiative—a nationwide prison operation and maintenance program implemented through the U.S.-funded Corrections System Support Program—was expected to be operational by November 2014. This training initiative was designed to enhance the General Directorate of Prisons and Detention Centers' capacity to perform prison maintenance throughout Afghanistan. Under the initiative, mobile maintenance teams consisting of electricians, plumbers, masons, carpenters, and painters were to be placed in seven regions, including the Kabul region which services Pol-i-Charkhi prison.

According to INL officials, as of January 2017, 15 trained maintenance personnel were on staff at Pol-i-Charkhi prison. The officials said that although this number was sufficient, several factors contributed to maintenance challenges, including the General Directorate of Prisons and Detention Centers reassigning staff and the lack of replacement parts and equipment to perform maintenance.

The officials said the directorate was still learning how to implement procedures to properly order and account for replacement parts and maintenance equipment. INL officials also said the directorate had been slow to embrace preventative maintenance and the Ministry of Interior does not provide adequate budget support to maintain the prison. Furthermore, INL officials said the directorate must fully commit to establishing a dedicated maintenance staff, adding that sometimes trained staff are moved to other positions across the directorate. However, INL officials noted some positive steps being taken to improve maintenance, including the directorate's plan to implement a tracking system to facilitate ordering replacement parts, which one prison official told us is a major problem.

CONCLUSION

More than 7 years after it started in 2009, the Pol-i-Charkhi prison renovation project is still far from complete. As of December 2016, INL had not awarded a contract to perform needed renovation work at the prison and connect the generators to the local power grid. However, the prison is in serious need of renovation. Years of overcrowding and, more recently, poor maintenance have taken their toll on the prison, and the current conditions are deplorable. Due to security conditions and the reliance on the Afghan General Directorate of Prisons and Detention Centers to complete the project with Ministry of Interior funding, we remain concerned that the completion of the renovation project is at risk.

When security conditions permit, the construction of the new lagoon-style wastewater management system should be completed. In the meantime, formalizing a plan to properly dedicate trained maintenance staff and ensure that replacement parts and maintenance equipment are available to address maintenance issues would help improve the conditions at Pol-i-Charkhi prison.

RECOMMENDATIONS

To protect the U.S. investment in Pol-i-Charkhi prison and improve conditions for its occupants, SIGAR recommends that the Secretary of State direct INL to:

1. **Prepare contract solicitations, so action can be taken immediately when the security situation improves, for a new wastewater management system.**
2. **In coordination with the Afghan General Directorate of Prisons and Detention Centers, (a) develop a plan to establish dedicated Pol-i-Charkhi prison maintenance staff and procedures to order and account for replacement parts and maintenance equipment, and to prioritize and address current prison maintenance problems, and (b) ensure that the directorate's renovation work includes connection of the backup generators to the prison's power grid.**

AGENCY COMMENTS

We provided a draft of this report to State, and INL provided written comments. In its comments, INL partially concurred with our first two recommendations and concurred with our third recommendation. INL also provided technical comments, and we made changes to the report where appropriate. INL's written comments are reproduced in appendix IV.

In its comments, INL stated that instead of awarding a new contract to complete the renovation work, INL now supports the Afghan Directorate of Prisons and Detention Centers in developing plans to address the deficiencies and necessary renovations using Ministry of Interior funding. As a result, we deleted our first recommendation and changed our second and third ones to reflect INL's comments.

In our first recommendation, we recommended that the Secretary of State direct INL to periodically assess the security environment around Pol-i-Charkhi prison, and, when the security situation permits, conduct a survey of the prison, including the 20 deficiencies remaining from the original renovation contract, to identify all the work that needs to be done to improve prison conditions. INL partially concurred with our first recommendation and stated that INL has undertaken a security assessment of the prison and is planning to move forward with renovation of a new wastewater management system. However, regarding the other needed structural work, INL stated that it will not complete the renovation project and will support the Afghan General Directorate of Prisons and Detention Centers in developing plans to address deficiencies with Ministry of Interior funding. As a result of this new information, we deleted the recommendation.

In our second recommendation, we recommended that the Secretary of State direct INL to prepare contract solicitations, so action can be taken immediately when the security situation improves, for:

- a. All needed renovation work identified in the survey;
- b. A new wastewater management system; and
- c. All infrastructure and work needed to connect the backup generators to the prison's power grid.

INL partially concurred with our second recommendation. INL stated that it has prepared the contract solicitation documents for the wastewater management system, but will not move forward with plans for the other needed renovations as the Afghan General Directorate of Prisons and Detention Centers is responsible for the work. Regarding the backup generators, INL said it will work with the directorate to ensure that it includes connection to the prison's power grid in its renovation activities. As a result, we deleted parts a and c of the recommendation and retained part b.

In our third recommendation, we recommended that the Secretary of State direct INL, in coordination with the Afghan General Directorate of Prisons and Detention Centers, to develop a plan to establish dedicated Pol-i-Charkhi prison maintenance staff and procedures to order and account for replacement parts and maintenance equipment, and to prioritize and address current prison maintenance problems. INL concurred with the recommendation, stating that it has efforts under way to address the maintenance issues. INL stated that the directorate already has a dedicated facility maintenance team and that INL is working with the Afghans to ensure that regular office rotations do not affect the work, procedures, and staff of the facility maintenance team. As a result of the new information that INL provided in its written comments, we expanded this recommendation to ensure that the directorate's work includes the necessary connection of the backup generators to the prison's power grid.

APPENDIX I - SCOPE AND METHODOLOGY

This report provides the results of SIGAR's follow-up inspection of the Pol-i-Charkhi prison renovation project in Kabul province. The objectives of this inspection were to assess the extent to which: (1) progress has been made in completing the unfinished renovation work at Pol-i-Charkhi prison, and, if so, whether the work was completed in accordance with contract requirements and technical specifications; and (2) the prison is being used and maintained. Specifically, we:

- reviewed contract documents, design submittals, quality assurance and quality control reports, and other relevant documentation;
- interviewed Department of State Bureau of International Narcotics and Law Enforcement Affairs and Afghan Ministry of Interior officials concerning the prison's renovation and maintenance; and
- conducted site visits from March 23 through April 3, 2016.

We did not rely on computer-processed data in conducting this inspection. However, we considered the impact of compliance with laws and fraud risk.

In December 2014, SIGAR entered into a cooperative agreement with Afghan civil society partners. Under this agreement, our Afghan partners conduct specific inspections, evaluations, and other analyses. In this regard, Afghan engineers inspected Pol-i-Charkhi prison from March 23 through April 3, 2016, to evaluate the prison's improvements, if any, and sustainment since the issuance of our 2014 report.⁸ We developed a standardized engineering evaluation checklist covering items required by the contract and design/specification documents for the prison. Our checklist required our partners to analyze the contract documents, scope of work, technical specifications, and design drawings.

We compared the information our Afghan civil society partners provided to accepted engineering practices, relevant standards, regulations, laws, and codes for quality and accuracy. In addition, as part of our monitoring and quality control process, we:

- met with the Afghan engineers to ensure that the approach and planning for the inspection were consistent with the objectives of our inspection and the terms of our cooperative agreement;
- attended periodic meetings with our partners, and conducted our normal entrance and exit conferences with agency officials;
- discussed significant inspection issues with them;
- referred any potential fraud or illegal acts to SIGAR's Investigations Directorate, as appropriate;
- monitored our partners' progress in meeting milestones and revised contract delivery dates as needed; and
- conducted oversight of them in accordance with SIGAR's policies and procedures to ensure that their work resulted in impartial, credible, and reliable information.

We conducted our inspection work in Kabul, Afghanistan, and at Pol-i-Charkhi prison in Kabul province from February 2016 through June 2017. 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 our professional engineers in accordance with the National Society of Professional Engineers' *Code of Ethics for Engineers*. 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.

⁸ SIGAR, *Pol-i-Charkhi Prison: After 5 Years and \$18.5 Million, Renovation Project Remains Incomplete*, SIGAR 15-11-IP, October 17, 2014.

APPENDIX II - DESIGN AND CONSTRUCTION DEFICIENCIES THAT REMAIN FROM AL-WATAN CONSTRUCTION COMPANY'S UNFINISHED WORK

Table 2 lists the 20 design and construction deficiencies we found during our 2016 site visits to Pol-i-Charkhi prison. These deficiencies are associated with the renovation work that the Al-Watan Construction Company (AWCC) had completed poorly or had not completed at the time State terminated the contract.

Table 2 - Construction Deficiencies at Pol-i-Charkhi Prison

Design and Construction Deficiencies	Description
1. Some buildings were not constructed, and others were unfinished.	<p>AWCC did not construct the following buildings and structures:</p> <ul style="list-style-type: none"> • 20 of 32 visitor shades at Block 3¹ • 5 of 10 visitor shades at Block 2 • 1 of 2 conjugal buildings at Block 2 • 2 of 6 new well houses • 2 new transformer buildings <p>In addition, 5 of the 5 constructed visitor shades at block 2 and 8 of the 12 constructed visitor shades at block 3 are not being used or maintained, and 1 conjugal building in Block 2 and 2 of the 8 wings in Block 3 are not being used due to unfinished work.</p>
2. Well houses were not completed.	<p>The contract required AWCC to install six new water wells, complete with enclosure buildings, well casings, delivery pipes, submersible pumps, a check valve, a gate valve, and insulation. However, three of the four constructed well houses lacked pipes, fittings, and submersible pumps, and the other constructed well house was not being used.</p>
3. Partition walls were not constructed.	<p>In Block 3, AWCC did not install some of the partition walls needed to increase prison capacity and divide inmates by crime. Also, AWCC did not build partition walls in the training center, administrative office, and barracks of Block 1.</p>
4. Electrical fixtures and wires were not installed.	<p>AWCC did not install the wiring and electrical fixtures, such as lights, switches, and receptacles, to replace the old, unsafe electrical system and fixtures in the following locations:</p> <ul style="list-style-type: none"> • training center, barracks, and day room buildings in Block 1 • main building, meeting and commander rooms, and administrative offices of Block 2 • five of the eight wings in Block 3
5. Transformers, automatic transfer switches, and power load banks were not installed.	<p>AWCC did not install transformers, automatic transfer switches, and power load banks for the generators to improve connections, increase voltage power, switch to the generators when the main source for power is lost, and decrease long use of the generators.</p>
6. Electrical wires were installed without conduits.	<p>AWCC installed electrical cables for four of the eight wings of Block 3 without conduits for a new independent electrical system.</p>

7. The lightning protection system was not installed.	The contract scope of work required that work be performed in compliance with U.S. National Electric Code 2008. This code requires lightning protection system ground terminals for all buildings and structures. However, the design drawings did not include a lightning protection system. As a result, AWCC did not install any ground terminals at the prison.
8. Fire extinguishers were not installed.	Fire extinguishers were required, but AWCC did not install them in the following locations: <ul style="list-style-type: none"> • training center, office, and barracks buildings in Block 1 • main building, meeting rooms, administrative offices, and commander rooms in Block 2 • five of the eight wings in Block 3 • generator and fuel tank canopies • well houses
9. Fire-rated doors were not installed.	AWCC did not install fire-rated doors in the staff barracks. Instead, the contractor substituted nonrated steel doors, which create a fire and safety hazard.
10. Electric heaters were not installed.	AWCC did not install electric heaters with built-in air circulation blowers to provide winter heat and summer ventilation in the following locations: <ul style="list-style-type: none"> • day and main rooms, training center, office, and barracks buildings in Block 1 • administrative offices and meeting and commander rooms in Block 2
11. Water heaters were not installed.	AWCC did not install electric water heaters to provide warm water for showers and other washing needs in the following locations: <ul style="list-style-type: none"> • day room, training center, office, and barracks buildings in Block 1 • administrative offices and meeting and commander rooms in Block 2 • five of the eight wings in Block 3
12. Exhaust fans were not installed.	AWCC did not install exhaust fans to help control and eliminate odors and moisture in the following locations: <ul style="list-style-type: none"> • day room, training center, office, and barracks buildings in Block 1 • administrative offices and meeting and commander rooms in Block 2 • five of the eight wings in Block 3 • toilet facilities in three of the eight wings in Block 3 • four well houses
13. Generator day tanks, fuel pumps, pipes, and valves were not installed.	AWCC did not install day tanks, fuel pumps, fuel piping, and fuel valves and fittings, and did not connect the fuel tanks to the generators.
14. Sewage and water systems were not renovated.	The sewage and water systems were not functioning, and AWCC did not renovate the plumbing, water supply, and sewage piping.
15. Emergency exit stairs were not constructed.	AWCC did not construct emergency exit stairs for both sides of the three-story training center in Block 1.

16. Water storage tanks were not installed.	AWCC did not install water storage tanks and fixtures on the building roofs. Although AWCC did build a water tank with a tower, there is insufficient water storage to meet the prison's needs.
17. Interior and exterior wall renovations were not completed.	AWCC did not complete the renovations to interior and exterior walls—repairing, plastering, and painting—in the following locations: <ul style="list-style-type: none"> • day room, training center, office, and barracks buildings in Block 1 • main building, administrative offices, and meeting and commander rooms in Block 2 • six of the eight wings in Block 3
18. Electrical manholes were not completed.	AWCC did not complete the electrical manholes and laid almost all of the electrical cables above ground instead of below as required.
19. Spotlight and electric unit heater were not installed.	AWCC did not install the spotlight and electrical unit heater at the training center's two guard towers in Block 1. The absence of a spotlight and electrical heater reduces the line of sight for guards at night and provides no heat in the winter, respectively.
20. Dirt sidewalks were poorly compacted.	The dirt sidewalks for the administrative offices and Block 3 were poorly compacted. The contract required compaction to be at least 95 percent, but 4 of 10 compaction tests revealed that the sidewalk densities were between 84.8 and 88.5 percent. This could result in settlement of the sidewalks.

Source: SIGAR, March through April 2016 site visits

¹ Visitor shades are covered areas that protect inmates and their visitors from the sun and rain during visits.

APPENDIX III - MAINTENANCE ISSUES DOCUMENTED DURING SIGAR'S MARCH THROUGH APRIL 2016 SITE VISITS TO POL-I-CHARKHI PRISON

Table 3 lists the nine maintenance issues we identified during our March through April 2016 site visits to Pol-i-Charkhi prison.

Table 3 - Maintenance Deficiencies at Pol-i-Charkhi Prison

Deficiency	Description
1. Electrical fixtures were not maintained.	Electrical fixtures in the three of Block 3's eight wings, the guard shack, gate house, and guard towers of the staff barracks were broken, not working, or missing.
2. Chlorination system was missing.	The chlorination system for the well house next to the water tank was missing.
3. Fire extinguishers were removed.	The fire extinguishers installed in two of Block 3's eight wings were removed.
4. Plumbing fixtures were nonfunctioning or broken.	The installed plumbing fixtures, such as toilets, sinks, showerheads, floor drains, and water/sewer pipes, were not functioning or broken in three of Block 3's eight wings, reducing water availability and damaging walls.
5. Electrical heaters were removed, nonfunctioning, or not used.	The installed electric heaters in three of Block 3's eight wings were removed, not functioning, or not used due to insufficient electricity. Without heaters, inmates will be exposed to cold temperatures during the winter.
6. Water heaters were inoperable, removed, or not used due to lack of reliable electricity.	The installed water heaters in three of Block 3's eight wings were inoperable, removed, or not used due to insufficient electricity. Without hot water heaters, inmates will not have warm water for showers.
7. Door hardware was missing or broken.	The hardware for doors, such as handles, locks, hinges, and stops, were missing or broken in most of the prison buildings.
8. Exhaust fans were not functioning.	The installed exhaust fans for the kitchen hood in Block 1 were not working.
9. Entrance/exit drop arm was broken and not used.	The installed security drop arm at the prison entrance/exit gate was broken and lying on the ground.

Source: SIGAR, March through April 2016 site visits

APPENDIX IV - COMMENTS FROM THE DEPARTMENT OF STATE'S BUREAU OF INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT AFFAIRS



United States Department of State

Washington, D.C. 20520

May 11, 2017

Ms. Gabriele A. Tonsil
Assistant Inspector General for Audits and Inspections
Special Inspector General for Afghanistan Reconstruction
1550 Crystal Drive, Suite 900
Arlington, VA 22202

Dear Ms. Tonsil:

The Department of State welcomes the opportunity to comment on this draft Special Inspector General for Afghanistan Reconstruction (SIGAR) report entitled, "Pol-i-Charkhi Prison: Renovation Work Remains Incomplete More than 7 Years After the Start of the Project" (dated May 2017). The Department respects SIGAR's role in safeguarding U.S. taxpayer investment, and we share your goals of implementing programs free from waste, fraud, and abuse.

Responses to Recommendations

Recommendation 1: Periodically assess the security environment around Pol-i-Charkhi prison and when the security situation permits conduct a survey of the prison including the 20 deficiencies remaining from the original renovation contract to identify all the work that needs to be done to improve prison conditions.

INL Response (May 2017): INL partially agrees with this recommendation. INL has undertaken a security assessment of Pol-i-Charkhi prison and is planning to move forward with renovation of a new wastewater treatment facility. However, with regard to the remaining structural work that is needed, INL supports the Afghan General Directorate of Prisons and Detention Centers (GDPDC) in developing plans to address the deficiencies and necessary renovations using Ministry of Interior (MOI) funding. In order to properly house the number of prisoners currently at the facility, the GDPDC has begun some of the renovation work using funds provided to them by the MOI for this purpose.

Recommendation 2: Prepare contract solicitations so action can be taken immediately when the security situation improves for;

- a) All needed renovation work identified in the survey
- b) A new wastewater management system
- c) All infrastructure and work needed to connect the backup generators to the prison's power grid.

INL Response (May 2017): INL partially agrees with this recommendation. INL has prepared the contract solicitation documents for the wastewater treatment facility, but will not move forward with plans for most of the remaining renovations as the GDPDC is responsible for this work. With regard to the backup generators, INL will work with the GDPDC to ensure that they include connection to the prison's power grid in their renovation activities.

Recommendation 3: In coordination with the Afghan General Directorate of Prisons and Detention Centers, develop a plan to establish dedicated Pol-i-Charkhi prison maintenance staff and procedures to order and account for replacement parts and maintenance equipment and to prioritize and address current prison maintenance problems.

INL Response (May 2017): INL agrees with this recommendation and already has efforts underway to address it. While the GDPDC already has a dedicated facility maintenance team (FMT) for Pol-i-Charkhi prison we are working with them to ensure regular officer rotations do not impact the work, procedures, and staff of the FMT. Further, INL has already prioritized training of the FMT on tool and equipment management as well as procurement.

The Department of State appreciates SIGAR's thorough examination of U.S. foreign assistance programming in Afghanistan's corrections sector. INL looks forward to continuing to work with SIGAR and other relevant authorities on these issues.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mary Pat Hayes-Crow', with a long horizontal flourish extending to the right.

Mary Pat Hayes-Crow
Executive Director
Bureau of International Narcotics and
Law Enforcement Affairs

Attachment:

Technical Comments

APPENDIX V - ACKNOWLEDGMENTS

Steven Haughton, Senior Inspection Manager

William Shimp, Inspector-in-Charge

Wilhelmina Pierce, Professional Engineer

Abdul Rahim Rashidi, Program Analyst

Aziz Rahman Zaki, Engineer

This inspection was conducted
under project code SIGAR-I-039.

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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.

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