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Former Employee of a U.S. Construction Company Working in Afghanistan Pleads Guilty to Receiving Illegal Kickback

A former project manager of a U.S. construction company working on U.S. government contracts in Afghanistan who solicited a \$60,000 kickback from an Afghan subcontractor pleaded guilty today in federal court in Tucson, Arizona.

Assistant Attorney General Leslie R. Caldwell of the Justice Department's Criminal Division and U.S. Attorney John S. Leonardo of the District of Arizona made the announcement.

Robert L. Bertolini, 67, of Arivaca, Arizona, pleaded guilty to one count of conspiracy to commit wire fraud and receive an illegal kickback. He is scheduled to be sentenced on Oct. 8, 2014.

According to court documents, Bertolini worked for a construction company that received a U.S. Army Corps of Engineers contract to build a forward operating base for the Afghan National Army in Kabul Province, Afghanistan. The company for which Bertolini worked entered into a subcontract with an Afghan construction company. Shortly after the subcontract was awarded in the spring of 2011, Bertolini solicited personal financial benefits from the subcontractor, including a \$60,000 kickback and employment for his son. On May 11, 2011, the subcontractor's vice president wired approximately \$59,975 from Afghanistan to Bertolini's son's bank account in Ohio. In return, Bertolini approved two modifications on the subcontract – for which Bertolini did not have actual approval from his company – that were worth \$980,000 and \$680,000 respectively.

This case is being investigated by the Special Inspector General for Afghanistan Reconstruction, the FBI, the Defense Criminal Investigative Service and the U.S. Army Criminal Investigation Command Major Procurement Fraud Unit. This case is being prosecuted by Trial Attorney Daniel Butler of the Criminal Division's Fraud Section and Assistant U.S. Attorney David Zipps of the District of Arizona.