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Senators Press For Legal Action Against AECOM as Odor at Arthur A. Richards Modular Units Persists and School Remains Unusable

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Modular classrooms at the Arthur A. Richards K-8 School By. THE VIRGIN ISLANDS DEPARTMENT OF EDUCATION

AECOM, a firm hired by the Government of the Virgin Islands to perform major work across the territory, including the building of modular units for schools following Hurricanes Irma and Maria, was under fire from senators Wednesday as they questioned what legal action could be taken against the firm over contracted work legislators thought was unacceptable.

Senator Kurt Vialet outlined issues he has with AECOM's performance. "We have a contractor that was hired to erect a school in the Frederiksted district that gave us a facility that has never

been able to accommodate students for one school year," he said, adding that the local government has paid AECOM "over 100 million dollars and they have billed us for an additional 100 million dollars" for work performed across the territory. He said the firm could not be allowed to "get away with giving us a facility where the rooms as you open the door you could smell what was emitted from the wood."

The school Mr. Violet was referring to is the Arthur A. Richards facility in Frederiksted. The senator said it was the only school AECOM had completed, "because the rest were partial."

[Thirteen months ago](#) Mr. Violet asked for a case to be filed by the V.I. Department of Justice against AECOM, and on Wednesday he again pleaded with the V.I. attorney general to "immediately intervene."

"We have the results that the structures themselves were emitting that smell," Mr. Violet said of the Arthur A. Richards facility. "The attorney general needs to call AECOM and find out what they are going to do to remedy that problem and if they don't, carry them to court."

Mr. Violet wants the issue to be resolved before August, stating that students at Arthur A. Richards have been displaced for three years, and said students were the ones suffering because a contractor refused to take responsibility for its actions.

The senator also brought attention to kitchen equipment that AECOM was "holding hostage" because a change order had yet to be paid. According to Mr. Violet, AECOM has had the equipment on island for a year locked in a trailer. "They say we are not going to give you the equipment until you pay for a change order, but they don't have anything to say about the complete school that they built that is inoperable," the senator said.

Department of Education Attorney Alvincent Hutson was asked by Senator Janelle Sarauw, who chairs the Committee on Disaster Recovery and Infrastructure in which the Wednesday hearing was held, whether there were any discussions with the attorney general about the issues with modulars that Mr. Violet brought up. Mr. Hutson responded, "At this point there hasn't been any discussion about legal action."

Ms. Sarauw pounced: "I need a little pit bull in Education to fight for the fact that we have modulars that we can't occupy and the A.G. needs to proceed with those companies rectifying what happened at those modulars so they can be used. As the previous senator said, it's unfair to those students that attend Arthur Richards."

She added, "I don't expect a proceeding tomorrow but I need you to come back next time [and say], 'listen we spoke with the A.G.'"

Mr. Hutson said the department has spoken to the contractor about resolving the situation amicably.

Senate President Donna Frett-Gregory, vexed by the situation, inquired whether the problem was a D.O.E. or Dept. of Justice issue, adding that it was not "the first time, the second time, the third time, the fourth time or the fifth time" that Mr. Violet had brought up the matter during hearings.

D.O.E. Chief Operations Officer Dionne Wells-Hedrington stated, "In regards to Arthur Richards campus, we did two scheduled testing. We're waiting to have the scheduled meeting with the Department of Justice. This is beyond [D.O.E.'s] purview and it requires legal addressing of AECOM so they know what they expect to address."

Ms. Frett-Gregory asked Office of Disaster Recovery Director, Adrienne Williams-Octalien, for her thoughts on the matter. "The next step is to see what legal ramifications the territory has to enforce the contractual obligations of AECOM," Mrs. Williams-Octalien said.

Relative to D.O.E.'s lack of engagement with the Dept. of Justice on the matter, Ms. Frett-Gregory stated, "You see, this is exactly the issues we have. We are having a Department of Justice conversation, we have a lawyer at [D.O.E.] that serves as chief counsel for the Department of Education and he's not involved. This is what we do have over and over, circular conversations in this legislative body."

The Senate president wrapped up her comments on the matter by stating, "We should not be pleading to do what is right and we should also not place the burden on Dr. Hedrington's shoulder. She's dealing with the operational piece and this has become a legal issue — kick it over to where it belongs. That's the problem. This is the issue we have here and that's why I specifically asked O.D.R. what is it that they are doing to support the department because at this point the department should not be burdened with this issue."