

CAPITOL / STATE NEWS

Caltrans leaked bridge bid data, pair say

By Stephen Green
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Two University of Arizona professors have charged the California Department of Transportation with leaking confidential information on their research in order to steer a contract to home state engineers.

Caltrans "didn't do anything improper or inappropriate," responded spokesman Jim Drago. "And frankly we resent the implication that we did."

The allegations were made in a protest filed with Caltrans over a contract to test methods for making highway bridge columns stronger. Court action could follow if the professors don't get satisfaction.

Although the contract was for just \$73,000, it could lead to more work worth millions of dollars. Caltrans officials estimate about 1,000 bridges owned by the state and local governments must be strengthened to avoid the types of collapses that occurred during last year's Loma Prieta earthquake.

The Arizona professors, Mohammad Ehsani and Hamid Saadatma-

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nesh, were losing bidders on the contract. The winner was Fyfe Associates, a two-person company in Del Mar. Edward Fyfe, the owner, has subcontracted the testing to a private company owned by two University of California, San Diego, professors, Nigel Priestley and Frieder Seible.

Priestley and Seible have been conducting the tests at a UCSD laboratory and will finish by the end of January, Fyfe said.

"They have tried to cover their dirty tracks, but there are too many of them," Ehsani said in an interview. "The ultimate loser will be the public. God forbid that we should have another earthquake . . . while safety decisions are delayed."

Priestley didn't mince words either.

"These idiots over in Arizona are being very foolish," he retorted. "I have not seen their proposal . . . I may have them in court."

The dispute stems from a Caltrans request to the engineering community a few weeks after the Oct. 17, 1989, quake. The department wanted proposals to strengthen bridges and Ehsani and Saadatmanesh thought they had the answer.

They had spent four years experimenting with a substance called Kevlar made by Du Pont & Co. The fiberglass-like material is lightweight, but five times stronger than steel. It's been used in products ranging from boat hulls to bullet-proof vests.

The Arizona professors developed a technique for wrapping concrete

columns with Kevlar straps so they would be less likely to crumble if put under stress by a quake.

"Only a few engineers in the United States have been working with Kevlar for this kind of application," said Ehsani. "There is no doubt in my mind that Mr. Fyfe could not have come up with this method without access to our proposal to Caltrans."

R.J. LeBeau, who handles contract bids for Caltrans, denied having shared the Arizona proposal with Fyfe and the San Diego professors. Fyfe and Priestley also said they have never seen it. But even if they had, said Caltrans attorney Nicholas Tirling, such bids are public record and the techniques being used have discussed in research papers since at least 1987.

Last spring, Ehsani and Saadatmanesh learned Caltrans had a competing proposal from UCSD that was similar to theirs. By April 10, they were concerned enough to notify Caltrans that they didn't want information that they considered to be proprietary shared with competitors.

Caltrans records, however, show that Caltrans gave part of their proposal to another competitor three days later, a company called Fiber-Trench Inc. of Fremont.

A month later, Fyfe met with LeBeau and apparently came away thinking he had a Caltrans contract. He wrote LeBeau confirming their conversation and included a schedule for testing work at UCSD.

LeBeau said that was not the case. Another request for proposals was issued the following week and Fyfe was awarded the contract on June 25.

LeBeau said he encouraged both sets of professors to work with people such as Fyfe who have experience in product development.

Ehsani refused to believe that.

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"They ignored deadlines and rules to get the contract to UCSD, which is one of their favorite research institutions," he said. "The San Diego professors couldn't benefit financially from this, since they're already on the state payroll, so they subcontracted with Fyfe through their own company to overcome that."

Priestley called that "ridiculous business. The University of California, San Diego, has more than \$2 million in research contracts with Caltrans. We've been submitting proposals to Caltrans to test various kinds of strengthening projects since 1987."

The university encourages engineering professors to do consulting work as long as it doesn't interfere with their teaching, he added.

"We're not even using Kevlar (in the current tests)," he insisted. "It's a altogether different kind of material and a different kind of application."

Fyfe said, however, that Priestley is using Kevlar.

"It's a hybrid system," he said. "There are three types of fiber, including Kevlar and high-strength glass. Kevlar is not the main component." Saadatmanesh claimed the San Diegans are using "the same family of product. It's as close to the subject as it could get. They aren't doing anything very different."

Ehsani claimed Fyfe didn't know who made Kevlar when he talked with him. Fyfe pointed out, however, he once worked for DuPont and has

a "broad knowledge" of industrial fibres.

M.L. Rudee, dean of engineering at UCSD, was unaware of the controversy. He said, however, that Priestley and Seible had been experimenting with fiber wrapping for several years. The university has the largest laboratory of its type in the nation and both Priestley and Seible have international reputations for their work, he continued. Seible also was just given the university's highest honor for teaching excellence.

But Fyfe is no stranger to controversy. In June 1989, a federal judge issued an injunction ordering Fyfe to quit engaging in illegal competition with a company he sold in 1985.

When Fyfe submitted his qualifications to Caltrans, he said his firm engages in "consulting engineering." By law, only civil engineers who have passed a test administered by the California Board of Registration for Professional Engineers and Land Surveyors are allowed to use that term. Fyfe, who has a degree in chemical engineering, is not registered with the board.

Darlene Stroop, executive officer of the board, could not comment on Fyfe's situation. But misrepresenting oneself as a civil engineer is defined as a misdemeanor under state law, she said.

LeBeau said he felt Fyfe was qualified to be the primary contractor since most of the work was being done by civil engineers at UCSD.