

## Danielle Aymond

---

**From:** Mark DeBosier  
**Sent:** Thursday, March 03, 2016 9:14 AM  
**To:** Ben Plaia  
**Subject:** BillyBroussard Chronology.docx  
**Attachments:** BillyBroussard Chronology.docx

**DR: 1607 (Hurricane Rita)**  
**PW 4562**  
**Calcasieu Gravity Drainage District No. 8**

**Issues:**

1. Contract dispute between the applicant, Calcasieu Gravity Drainage District No.8 (GDD8) and their contractor Larry Doiron, Inc. and subcontractor Billy Broussard. Doiron has subsequently subrogated its contract rights to Billy Broussard. Basics of the dispute:
  - a. The original FEMA estimate of eligible debris was 950 c.y.
  - b. The applicant's contract was based on a lump sum pricing for removal of all of the eligible debris between "points A and B". There was instruction in the advertisement to bid for perspective contractors to make site visits to understand the proposed work.
  - c. The contractor removed 2,881 c.y. of debris (according to the applicant).
  - d. The applicant engaged GOHSEP and FEMA to version (amend) the grant to add additional c.y. from the contractor and to add cost for their monitoring and for cost to burn the removed material.
  - e. The applicant was unable to negotiate a reasonable cost for the additional contract debris removed so, the applicant completed the remaining debris removal of about 2,400 c.y. with force account labor and equipment (FAL; FAE)
  - f. The applicant has taken the legal position that the contract payment terms was for a lump sum payment and even though 3 times the FEMA estimate of debris was removed, no more payment is due. Their legal position has prevailed over years of law suits.
2. FEMA has at one time agreed to evaluate the debris removed and amend the scope and cost of the PW to reflect actual fair and reasonable cost. We conveyed FEMA's willingness to the applicant and they expressed no interest in pursuing. Sen. Mills met with the Calcasieu area senator and they together tried to convince the applicant to re-engage FEMA – to no avail.
3. For the past two or so years, Mr. Broussard has pursued his theory that the applicant committed fraud in seeking GOHSEP reimbursement. Billy claims applicant used their FAL on ineligible work to support payments for eligible work. We had our LLA reps review his claim and they found no basis for the fraud claim based on the information that Mr. Broussard submitted.
4. GOHSEP has notified both State IG and AG of the fraud allegations and provided them with Mr. Broussard's contact information.
5. The grant has now been closed and while theoretically possible to re-open the grant and amend it to address the actual debris removed, it is a "tall order" at this juncture.

**Facts, etc.**

**V0: Obligated: Oct. 22, 2007**  
**Amount: \$102,500**  
**Scope: 950 Cu yds (63 specific sites)**

**V1:**

**Obligated: Feb. 11, 2009**  
**Amount: \$102,500 + \$350,527.60 = \$453,027.60**  
**\$410,187.60 (contract) + \$42,840 (FAL & FAE)**  
**Scope: More contract debris (unspecified quantity in version) and FAL for monitor and burn site prep (63 specific sites)**

**V2:**

Obligated: Aug. 26, 2010

Amount: \$102,500 + \$350,527.60 - \$108,887.28 = \$344,140.32

Scope: Contract 2,881 cu. yds.; FAL 2,393 cu. yds. + monitoring and burn site prep (based on GDD8 est.)

Work completed by mid 2010

GOHSEP management first engaged: 4-20 2011 Mark Riley – tasked Adam Vegas to engage; Riley involvement ends 5-10, 2011 20 days later with advice for applicant to request version for additional work

Mark DeBosier first documented engagement with Billy 3-6-2012

- o Over 100 emails
- o Several meetings with Billy Broussard
- o 2 meetings with Sen. Mills (8-23-2103 & 12-8-2014)
- o 1 meeting with local state rep (during 2015 leg session)
- o 1 meeting with Kevin Davis and Sen. Mills (7-20-2015)
- o 1 meeting with Kevin Davis Calcasieu Parish DA DeRosier (9-23-2015)

Appears that Billy performed additional work

- o Billy Broussard statements
- o Kelly Fontenot (Calcasieu Parish PJ finance emails)(how do we pay for additional work?)
- o John Reon (Superintendent GDD8) letter (2,881 cu. yds or 3 times estimated)

Billy had a local state rep. introduce legislation in 2015. AGC up in arms as existing laws covered and added confusion. Bill never made it to the floor.

Billy engaged K Davis in July 2015

- o 17 emails
- o At least one meeting at Indy
- o Meeting with Calcasieu DA
- o Recent request for affidavit after leaving GOHSEP

**Version Summary**

#	Size	Ref #	Bundle	Package	Is Ineligible	Eligible Amount	Federal Amt	Admin	Obligated	% Comp
0	L	8GDD1	321	321	N	\$102,500.00	\$102,500.00	\$2,050.00	October 22, 2007	0.00
1	L	4562V1	436	436	N	\$350,527.60	\$350,527.60	\$7,010.55	February 11, 2009	33.00
2	L	4562V2	512	512	N	-\$108,887.28	\$108,887.28	\$2,177.74	August 26, 2010	100.00



**BOBBY JINDAL**  
GOVERNOR

**State of Louisiana**  
**Governor's Office of Homeland Security**  
**and**  
**Emergency Preparedness**

**KEVIN DAVIS**  
DIRECTOR

November 29, 2012

Mr. William Doran  
Acting Executive Director  
Louisiana Recovery Office  
One Seine Court  
New Orleans, LA 70114

Subject: Project Closeout  
Applicant Name: See attached spreadsheet  
Disaster #: 1603/1607

Dear Mr. Doran:

After conducting a Closeout review of the projects listed on the attached spreadsheet, the Governor's Office of Homeland Security & Emergency Preparedness ("GOHSEP") is requesting that the project and all associated versions be closed.

As provided by 44 CFR, §206.203(c)(2), §206.205(a), the State certifies that:

- Work was completed in compliance with the provisions of the FEMA – State Agreement.
- All required and allowable funds have been reimbursed to the Applicant.
- All reported costs were incurred in the performance of eligible work.
- Insurance has been obtained, if applicable.

If you have any questions, or need additional information, please contact Nathan Elkins at [Nathan.Elkins@La.gov](mailto:Nathan.Elkins@La.gov) or by phone at 225-346-4112.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark DeBosier", with a long horizontal flourish extending to the right.

Mark DeBosier  
State Coordinating Officer

MD:NE:sm