



# Department of Justice

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## **MISSOURI ROAD CONSTRUCTION COMPANY AND EXECUTIVE INDICTED ON BID-RIGGING CHARGE**

WASHINGTON, D.C. -- A federal grand jury in Kansas City, Missouri, today indicted a Missouri road construction company and its vice president for conspiring to rig a bid submitted for a \$7.1 million highway construction project let by the State of Missouri, the Department of Justice announced.

APAC-Missouri Inc. and its vice president, Donald G. "Donnie" Mantle, were charged today in the U.S. District Court in Kansas City, Missouri, with participating in a conspiracy to suppress and eliminate competition from approximately July 20, 2000 until April 16, 2002 by rigging a bid on a road construction contract.

APAC-Missouri Inc. is a wholly owned subsidiary of Ashland Inc., a transportation construction, chemical, and petroleum company headquartered in Kentucky.

The indictment charges that the conspirators agreed not to compete on a highway construction project let in July 2000, by designating that APAC-Missouri would submit the low bid and its co-conspirator would submit a higher, complementary bid, with APAC-Missouri subcontracting a portion of the project to its co-conspirator, after APAC-Missouri was awarded the project by the State of Missouri. The highway construction project was located in Ste. Genevieve County, Missouri, and was worth more than \$7.1 million to the State of Missouri.

"America's roads and bridges are built and maintained using federal, state, and local taxes. Today's indictment demonstrates our ongoing commitment to prosecute anticompetitive

conduct that undermines the competitive bidding process in the road construction industry and harms American taxpayers,” said R. Hewitt Pate, Assistant Attorney General in charge of the Department’s Antitrust Division.

The ongoing investigation is being conducted by the Antitrust Division’s Chicago Field Office, with the assistance of the U.S. Department of Transportation, Office of Inspector General, and the Federal Bureau of Investigation.

APAC-Missouri Inc. and Mantle are charged with bid rigging in violation of 15 U.S.C. § 1, which carries a maximum fine of \$10 million for companies, and a maximum penalty for individuals of three years in prison and a fine of \$350,000, for violations occurring prior to June 22, 2004. The maximum fines may be increased to twice the gain derived from the crime or twice the loss suffered by the victims of the crime if either of those amounts is greater than the statutory maximum fine.

Anyone with information concerning bid rigging or other anticompetitive conduct in the road construction industry should contact the Chicago Field Office of the Antitrust Division at 312-353-7530.

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