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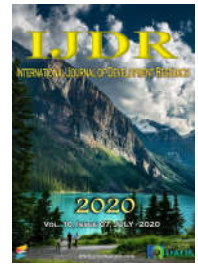
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RESEARCH ARTICLE

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ODEBRECHT AND IRREGULARITIES IN THE NEW AIRPORT WORKS OF GOIÂNIA

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ABSTRACT

The Brazilian construction company Odebrecht took over the construction work for Goiânia's Santa Genoveva Airport in 2003, through a consortium with Via Engenharia. The airport was only opened in 2016, however, after several stoppages due to irregularities uncovered by the Federal Audit Court (TCU) and the Federal Public Ministry in Goiás (MPF/GO). Given Odebrecht's involvement in the 26th and 35th phases of Operation Lava Jato, the vast, wide-ranging anti-corruption investigation in Brazil, the intent of this article is to provide evidence of corruption by identifying the mechanisms used by the Consortium to overprice the work. We opted for descriptive and documentary research, using data analysis, public files, and legal documents including official reports from the bodies involved in the investigations. The theoretical foundation of this study is based on the works of authors who conceptualize, approach and analyze corruption in public works, with an emphasis on State Capture theory, a situation in which powerful individuals, institutions, companies or groups use corruption to shape a nation's policies, legal environment and economy. Our analysis found that corruption played a relevant role in the construction delays on the airport project in Goiânia, which generated damage to society and public coffers.

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INTRODUCTION

Goiânia is one of the newest capitals in the country. Founded in 1933, its first airport dates from 1937, where it was located in a region close to the city center (INFRAERO AEROPORTOS, 2016). This was controversial as the original plans for Goiânia did not include an airport, and at the time the idea was not universally accepted. The owner of the company responsible for the construction of the new capital, Jerônimo Coimbra Bueno, insisted on the commercial need for an airport, but it was finally the Army's endorsement on national security grounds that made the project feasible (PORTO, 2004). Thus, the new airport was born with the new capital, providing a crucial link between the state of Goiás and the rest of the country, given that the roads at the time were very precarious. As the city grew, and the demand for more passengers and cargo grew with it, a bigger, more modern airport became necessary. The new location in the northeast region of the city, eight kilometers from the Central Sector, was officially made available in 1955 (InfraeroAerportos, 2016). This would eventually become Santa Genoveva Airport.

In January 1974, administration of Santa Genoveva was transferred to Infraero, a public company formed to manage the airport, which then initiated important reforms and improvements such as the renovation of a closed airstrip. That project involved the use of innovative technology to reinforce the asphalt pavement, and was the first use of such technology in any Brazilian airport (INFRAERO AEROPORTOS, 2016). In the 2000's, the passenger terminal was renovated and expanded. Even so, with the number of passengers continuing to grow, Santa Genoveva needed a bigger and more modern passenger terminal. A large-scale project to build the new passenger terminal was put out to bid, attracting the interest of the big, established Brazilian construction companies. One such company, Norberto Odebrecht SA won the bid, in consortium with Via Engenharia SA, in 2003. Odebrecht had participated in other major construction projects in the state, always in partnership with other construction companies, so this was business as usual. The work actually started in 2005 (INFRAERO AEROPORTOS, 2016). There are several construction companies that have played a prominent role in Brazil's development. Through Operation Lava Jato – the largest investigation into corruption in Brazil – it was

discovered that many contractors were targets of the investigation for their involvement in overcharging, money laundering and campaign financing violations. Odebrecht suffered major upheavals from the repercussions of Lava Jato, as well as from bribery scandals in several other countries, almost going bankrupt. Castro; Gonçalves (2018), in light of this, the present study aims to identify the mechanisms used by the Odebrecht and Via Engenharia consortium for overpricing the work at Santa Genoveva Airport. We attempt here to highlight the reasons for indicting the company, for the investigations and accusations by the Federal Audit Court (TCU) and the Federal Public Ministry in Goiás (MPF/GO), and for Odebrecht's involvement in the 26th and 35th phases of Operation Lava Jato. We analyzed the original project of Santa Genoveva, the various changes during the course of the work, liability for suspected bribes and the amount of overpricing resulting from the alleged corruption.

THEORETICAL FOUNDATION

Corruption in Public Administration: Globally, major scandals have made systemic corruption public, especially those resulting from payments of bribes and kickbacks from large companies to public officials. This corrupt behavior increases overall costs of projects to the public and can create obstacles to the social and economic development of the country (CUNHA; SOUZA, 2018, p. 11). As pointed out by Pinotti et al. (2019, p. 31), corruption as "the abuse of public power for private benefit, is a phenomenon as old as humanity". Dallagnol (2017, p. 43), State Attorney and coordinator of the Operation Lava Jato task force, argues that corruption can be considered "a roadblock to economic development"; therefore, it is essential to "dispel once and for all the myth that corruption works as a lubricant in the gears of the economy", because, according to him, "a country's corruption rates are inversely proportional to the competitiveness of its companies in the scenario global". With regard to corruption in public works in Brazil, Chemim (2018, p. 7) highlights Operation Lava Jato, evidenced from 2014, through the investigation of white collar crimes and criminal association by the Federal Police (PF). Those investigated were public and private agents, who, by paying bribes and kickbacks, ultimately caused an increase in the costs to public coffers. This in turn meant the money was not available for other projects, which is a direct loss to the people.

Regarding overpricing in public works, Carazza (2018, p. 13) describes how the scheme works, namely: Odebrecht and its cartel partners agree to inflate both the price of materials and services and the quantity. They create shell companies to issue invoices for these materials and services. To hide their illegal profits, they engage in a variety of money laundering practices and creative accounting from within their Structured Operations Sector. Thus, the values are exorbitant, due to the combined overpricing among those involved in the corruption and money laundering scheme; then, after contracting the works, those involved create shell companies, which issue cold invoices, to provide a veneer of lawfulness to the product of the illegal acts, thus enabling the sending of money to ghost bank accounts, opened abroad, in so-called tax havens. It is observed that globalization has intensified the problem of corruption, since it now goes beyond territorial borders. Globalization has promoted an increase in the number of both licit and illicit commercial operations, through the crossing of information between international markets and the

dramatically increased movement of financial resources via the Internet, through the world banking system (DEMATTÉ, 2015). Federal Law No. 12.846, of 2013, provides, in its art. 1st: "This Law provides for the objective administrative and civil liability of legal entities for the practice of acts against public administration, national or foreign" (BRASIL, 2013, s.p.). Also known as the Anti-Corruption Law or the Law on Corporate Administrative Probity, this law requires legal entities to act correctly in their relationship with public authorities (DI PIETRO; MARRARA, 2017). Also according to Dallagnol (2017, p. 11), "[...] the myth that fighting corruption damages the economy" needs to be brought down once and for all. And yet, it is no use just using the simple "follow the money" trick, because "modern washing techniques simply erase the footprints of financial transactions", thus making it difficult for the competent bodies to inspect and recover diverted resources.

State Capture Theory

State capture refers to a situation in which powerful individuals, institutions, companies or groups, inside or outside a country, use corruption to shape a nation's policies, legal environment and economy, with a view to their own interests; this is one of the most widespread forms of corruption. Public institutions, within the scope of the Executive, Legislative and Judiciary powers, as well as regulatory agencies, both at the federal and local levels, are subject to capture. As such, state capture can be widely understood as the disproportionate influence or interference by people or groups that manage to distort state laws, policies and regulations through practices, such as illicit contributions paid by private interests to political parties for election campaigns, or purchase of parliamentary votes, as well as through interference in presidential decrees or in court decisions, in addition to illegitimate lobbying (MARTINI, 2014). State capture can also arise from the more subtle and narrow alignment of interests between companies and specific political elites, through family ties, friendship and interconnected ownership of economic assets. The main risk of capturing the State is that decisions no longer take into account the public interest, but rather favor a specific group. Laws, policies and regulations are designed to benefit a specific interest group, often to the detriment of companies and smaller groups, and society at large. State capture can seriously affect economic development, regulatory quality, the provision of public services, the quality of education and health services, infrastructure decisions and even the environment and public health (MARTINI, 2014). Therefore, in order to discuss corruption in public works, we must examine the privileges and advantages used by large companies to obtain government contracts in the light of state capture theory. Companies can, for example, develop and use political connections to unduly influence contract decisions. Thus, it is understood that this theory contributes to the analysis of the Odebrecht case and others like it, in which the central actor is the Corporation (DURAND, 2018).

To understand how the theory of State capture applies to the current scenario, we will focus on certain variables, namely: the administrative, political, economic, ethical, legal, financial, technological and environmental. Within this scenario, the Odebrecht group and other Brazilian and Peruvian construction companies are included, as well as all aspects of the manifestation of power and influence (DURAND, 2018).

The capture can occur at different levels of government: municipal, state and federal and within the three branches of Power: Executive, Legislative and Judiciary. Actors of various sorts involved in state capture often form cartels through the establishment of networks of relationships with government officials and others, with whom they make private agreements, thus interfering in and undermining the financial system, the contracting of public works and the decisions regarding where to locate these works, and in the whole apparatus of public administration (SASSEN, 2017). In this sense, the analysis undertaken here is focused on major players from the elite of the economic and political powers, who benefit from corruption. These agents have an enormous concentration of material resources and have multidimensional economic power, experiencing growth at a spectacular pace. The objective for the companies is to dominate the market. The officials receiving the bribes are enriching themselves at the expense of the people (DURAND, 2018).

In a decade of transition, worldwide the fear of a leviathan state is giving way to fear of oligarchs who capture the state. [Or, you could say: In a decade of transition, worldwide the leviathan state is giving way to oligarchs who capture the state.] In the capture economy, the political and legal environments are shaped to the enormous advantage of the capturing company, at the expense of the rest of the business sector. This has important implications for politics (HELLMAN; JONES; KAUFMANN, 2003). This multidimensional power, developed and improved by the most prominent multinational corporations in the business world, has management models followed by emerging groups, which are formed and seek global success. Odebrecht was once considered the model of a large, successful, well-established company, whose business prowess was to be emulated by aspiring organizations, until it was revealed that the success was built on bribery and corruption. They were admired for their ability to establish strategic alliances at all levels from local to global. Their corruption operated at all levels as well, involving local airport administrators, as in this case, to presidents of Brazil and several other countries. In each country, Odebrecht worked with a local contractor, eventually participating in projects in other countries including the United States (DURAND, 2018).

Sassen (2017), one of the authors who also studies the theory of state capture, states that the Modern State, like many fractions of a country, can enter into combat against the original model of the Liberal State. In the United States and Mexico, for example, there is the presence of the State of capture by the elites. In some states, there is a diversity of elites who are experiencing conflict and who are interested in both urban and rural areas. Also according to Sassen (2017), systems have become more complex in the areas of telecommunications, technology, mining and finance, with large corporations capturing everything that was once a local economy, and turning franchises into a series of sectors that, after the Second World War, it looked for an improvement in the societies, allowing the social classes, middle and lower, mainly, a better life, based on the positive elements of liberal capitalism. However, lawmakers have allowed speculators to capture the state and dominate the market. According to Faria (2019), in the Brazilian context, the Attorney General's Office and the Federal Judiciary, in the case of Operation Lava Jato, when trying to stop the capture of the State by large corporations and preserve the democratic regime, had their

discretion restricted by some deputies and senators, who tried to obstruct justice, claiming that box two was routinely used by different political parties, which puts in doubt the credibility of the Brazilian party system.

METHODOLOGICAL PROCEDURE

Documentary research refers to that in which the data obtained are strictly derived from documents, with the objective of extracting information contained in them and, based on this, to understand a phenomenon. The method used to analyze documents is called document analysis. It is observed that documentary research is a procedure that uses methods and techniques for apprehending, understanding and analyzing documents, when this is the only qualitative approach, being used as an autonomous method. However, it is also possible to use documents and document analysis as complementary strategies to other methods (KRIPKA; SCHELLER; BONOTTO, 2015). Based on this consideration, we opted, in this study, for descriptive and documentary research, with analysis of data from public archives, official documents and legal documents, including official TCU reports, considering the various additive contracts requested for the continuation of the work of the Santa Genoveva Airport. In addition, public documents from the MPF/GO were analyzed, as well as documents from the Operation Lava Jato investigation (26th and 35th phases), in charge of the PF, in which evidence of payment of bribes was verified through overpricing of bids. Documentary research is, in the context of this study, the most appropriate to investigate a situation that has already occurred, involving several public bodies and the justice system, as we are seeking to understand a situation regarding public spending on major works. To this end, the construction stages, the interferences, the shutdowns and the alleged irregularities in the projects and in the execution of the work of Santa Genoveva were analyzed. During the course of the project, the Odebrecht and Via Engenharia consortium submitted an order for 9 (nine) additive contracts, generating a considerable increase in the cost for the continuity of the work, which, in theory, could raise suspicion of overbilling and subsequent damage to society (BRASIL, 2016).

The contractual amendment, or contractual amendment term, is the document used by the parties that wish to change the clauses originally provided for in a contract. Therefore, this document was used to modify the original contract, initially established between the parties. It is noteworthy that, in Brazil, the incidence of contractual amendments of different terms and values from those presented in the bidding process has become a common occurrence in the execution of public Works (BRASIL, 2016). In view of this, a detailed analysis of the TCU Inspection Report was carried out, as well as of the action taken by Federal Attorney, Raphael Perissé Rodrigues Barbosa, of the MPF/GO, who is responsible for bringing legal actions, in order to identify the amount of overbilling and the actors involved.

RESULTS AND DISCUSSIONS

Construtura Odebrecht and the State Capture: The story of the Odebrecht company begins with the arrival of the German Emil Odebrecht and his family in 1856. One of his grandchildren, Emelio, an engineer, moved to Bahia in 1920 where he created the company Emelio Odebrecht S.A. which concentrated on projects in Brazil's Northeast. During the

Second World War, with the company facing a financial crisis, Norberto, Emelio's son took charge of the business and succeeding in landing major projects for the Northeast Development Superintendence – SUDENE (DURAND, 2018). According to Durand (2018), in 1954, in the city of Salvador, Norberto created Construtora Norberto Odebrecht (CNO) and signed a partnership with Petrobras. CNO built the first oil pipeline of the Brazilian state-owned company. Since then, he has built numerous public works in the national territory, including in the capital of the country; CNO established a strategic alliance for the construction of hydroelectric plants, consolidating itself as a group of increasing economic power, reinforced by political connections during the Geisel Government. In 1990, Odebrecht formed a cartel with large construction companies (Andrade Gutierrez, Camargo Corrêa and OAS), the so-called VIP Club. At the time, Emilio, Norberto's son, participated in the first succession at Odebrecht, assuming the presidency of the group, and Norberto started to command the Holding until 1998, when he left the company, with Emilio taking over the business. The group also carried out works in the United States (California and Miami), earning it even more prestige (DURAND, 2018).

In 2003, Construtora Norberto Odebrecht formed a consortium with Via Engenharia, in order to participate in the bidding process for the construction of the new airport in Goiânia - Santa Genoveva. The partnership won the tender, which was carried out by the Brazilian Airport Infrastructure Company (Infraero), a public company that manages the airport. Thus, in 2005, work began on the expansion and construction of the airport. According to Durand (2018), in 2007, Odebrecht created the "Structured Operations" department, or bribery department, to manage the payment of bribes in transactions with public authorities. At the time, Marcelo Odebrecht was appointed Vice President of the Holding, and lawyer Pedro Novis, President of the Odebrecht Group. Gomes (2017) calls the contractor the Republic of Odebrecht, which, according to him, is responsible for a corrupt system in Brazil, since it was cited in practically all phases of Operation Lava Jato. It is responsible for the alleged overpricing of works across the country and in several other countries. The creation by Odebrecht of an exclusive department for the practice of money laundering and various fraudulent activities, shows a very effective way to practice corruption, and advance the capture of the State by the construction company. This department is known to have engaged in bribing public officials to pay bribes to politicians, creating box two to finance election campaigns and paying bonuses to executives and militias, employed both in Brazil and abroad (DURAND, 2018).

Goiânia Airport and Fraud: In order to understand the process that involved the construction of the new Goiânia Airport, it is necessary to analyze the bidding process, contract TC 012.EG/2005/0011, supported by Infraero and the consortium formed by the construction companies Odebrecht and Via Engenharia. The contract involved the construction of the new passenger terminal (TPS), the Santa Genoveva Airport road system, the patios, runway systems and vehicle parking. In addition, it is important to analyze the stages of execution, stoppages, complications and interventions, and assess whether the resources were applied in accordance with current legislation (BRASIL, 2016). The Consortium formed by Construtora Norberto Odebrecht SA and Via Engenharia SA won the bidding process in 2003, resulting from Bidding

Notice 003 / DAAG / SBGO / 2003, signing Contract 012-EG / 2005/0011 on 03/03/2005, for the amount of R \$ 257,756,233.50, having as object the construction of the Passenger Terminal (TPS), contemplating the executive projects, engineering services and execution of the other infrastructure works for the implementation in the new airport system of Santa Genoveva (BRASIL, 2016). The construction of the new passenger terminal at Santa Genoveva airport, in Goiânia, started in 2005, with the duration of more than 10 (ten) years of execution of the works, stoppages due to allegations of corruption, due to overbilling, changes in the executive project and amendments by nine additive terms, was delivered and opened in 2016, containing 2 (two) floors, 11 (eleven) elevators, 23 (twenty-three) check-in counters, 7 (seven) inspection channels and radius X, 3 (three) baggage claim conveyors, metal detectors, 4 (four) boarding bridges and expansion of the number of parking spaces, food court and retail stores, to provide more comfort and improvement in the provision of services airport to passengers interested in tourism and agribusiness, with a flow of 6.5 million passengers per year, to promote the economic and regional development of the State of Goiás (G1, 2017). During the execution of the works of the Santa Genoveva airport, there was an inspection by the Federal Audit Court (TCU), which pointed out 13 (thirteen) irregularities, causing paralysis, interruption of the contract, the filing of actions by the Federal Public Ministry (MPF / GO) and also in the investigation by the Federal Police (PF), the Consortium's involvement in the 26th and 35th phases of Operation Lava Jato, due to suspicions of paying bribes for over-billing (BRASIL, 2016).

Inspection of the Federal Court of Auditors: Initially, we created a timeline - to monitor all events that occurred during the bidding process: construction process, stoppages and interventions, according to the information contained in the Compliance Inspection Report No. 186/2016, of TCU, case TC 007.722 / 2006-7, and Judgment 664/2016 - Plenary, on Goiânia Airport, from April 4, 2016 to April 8, 2016, of Infraero, linked to the Ministry of Transport, Ports and Civil Aviation and the Civil Aviation Infrastructure and Communications Inspection Secretariat, under the responsibility of the then President of Infraero Antônio Claret de Oliveira, who held the position from June 2016 to December 2018 (BRASIL, 2016). Based on the TCU Inspection Report, it is observed that document analyzes, Internet searches, on computerized systems, corroboration of documentation with information, comparison of doctrine, jurisprudence and legislation, rigorous checking of calculations and, finally, inspection of the work. At the end, the total amount of R\$ 564,096,065.80 was verified, referring to additives 5, 8 and 9 and to the TC 012.EG/2005/0011 contract. The most relevant inconsistency found in the audit refers to overbilling in the execution of the work resulting from the bidding contract, with the detection of inflated budgets, shown in the table below (BRASIL, 2016).

Investigation by the Federal Public Ministry in Goiás: In view of the non-conformities pointed out in the construction works at Santa Genoveva Airport, the MPF / GO, through the Attorney of the Republic Raphael Perissé Rodrigues Barbosa, filed an Administrative Improbability Action (AIA) against the president of Infraero and those responsible for the construction companies Odebrecht and Via Engenharia. In addition, a Public Civil Action (ACP), with request for the anticipation of protection for the same facts, against the same actors,

emphasizing that the objective was not to harm society with one more delay due to the termination of the contract, and, yes, to reduce the losses of millions of reais in resources of the treasury, resulting from bad management, spent in a wrong way and dissociated from legality was filed (BRASIL, 2018). For the MPF / GO (2018), at least six inconsistencies were found in the AIA, characteristics of acts of administrative improbity on the part of the president of Infraero and the representatives of the contractors contracted for the execution of the works at Goiânia Airport, highlighting: “inexistence of a contractual link between Infraero and the construction companies, changes in the costing of the project, deficiency in the basic project, irregularities in the celebration of additives, overpricing and overpricing” (BRASIL, 2018, n.p.). According to the description of MPF / GO (2018), there was no contractual relationship between the construction companies Odebrecht and Via Engenharia and Infraero, since there was no fulfillment of the initial contract to carry out the work, signed on March 3, 2005, and completed on September 10, 2008, although it was reactivated by means of an amendment, in August 2013, in order to continue the work. The act was considered illegal, as the extension of the contract was untimely. Another aspect of irregularity concerns the change in the costs of the contracted work (Brasil, 2018), as the state of Goiás had committed itself to bear R\$ 51,551,246.70, according to the agreement signed with Infraero. However, it fulfilled only 1% of what was agreed until 2007, and this default caused the interruption of activities. In the verification of the addendum for the reactivation of the construction, the MPF/GO found that Infraero released the state of the financial complement, thus generating a loss of federal resources in the order of R\$ 100 million.

Another problem found refers to the lack of the initial project (Brasil, 2018), and the contracting of the consortium covered the details of the basic project for the executive. Based on the failure found in the basic project, the contract required several additives to correct the deficiencies in the execution phase. The MPF/GO understood that, if it allowed the continuity of the work to correct and complement the basic project and the executive project, there would be duplication of work, which would disorganize the execution of the project. In the celebration of the amendments to the resumption of the construction of the airport (Brasil, 2018), an increase in costs was identified, exceeding the limit provided for in the Bidding Law, which is 25%, arising from contractual changes, even with a discount by part defendants, aiming to adjust the value, which remains within the contractor. Through surveys carried out before the renewal of the contract (Brasil, 2018), an overprice of R\$ 104 million was discovered, equivalent to 56.79% of the total of the original contract. Even with the normalization of the work, new overpricing events were found in the new budget delivered by the construction companies and assumed by Infraero, generating higher costs and causing losses to the treasury. Although the payment for the provision of services was made normally, the forensics showed overbilling from the non-execution of services, in addition to incongruence between the quantities measured and those actually performed. Until February 2009, the overpricing indicated exceeded R\$ 90 million. As much as the celebrated amendment included only services not performed, without justification for those that had been performed, in the agreement signed for the continuation of the construction, the inflated values, already paid for the treasury, were ratified (Ministério Público Federal, 2018).

In view of the irregularities presented, the MPF/GO requested the condemnation of those involved, based on the penalties provided for in art.10, caput and items V, VIII, XI and XII, and in art. 11, caput and items I and II, of Law No. 8,429/92, known as the Administrative Improbity Law (Brasil, 1992), as well as requesting full compensation for the damage, the loss of assets or values unlawfully added to equity, the suspension of political rights from 5 (five) to 8 (eight) years, the loss of civil service, the payment of a civil fine of up to 2 (two) times the amount of the damage and the prohibition to contract with the Public Power or receive tax or credit benefits or incentives, directly or indirectly, even through a legal entity of which you are a majority shareholder, for a period of 5 (five) years (BRASIL, 2018). As for the ACP, the MPF/GO (Brasil, 2018) postulated that Infraero should be prevented from making new disbursements in the execution of the contract without the state of Goiás complying with the part of its competence. In addition, it decided to prevent Infraero from issuing new service orders and / or granting payments until the defects were repaired, according to the basic project and the budget presented by the construction companies responsible for the construction, as well as the verification of the executive projects and the settled value by TCU for the fulfillment of the contract, which was R \$ 179,633,045.09. It also required the condemnation of the construction companies and the reimbursement to public coffers in the total amount of R\$ 122,987,418.47.

Operation Car Wash: 26th and 35th Phases: There are several phases of the Lava Jato Operation. For the present study, two stand out: the 26th, from March 22, 2016, named Xepa, and the 35th, from September 26, 2016, named Omertà. These phases investigated Odebrecht paid bribes as part of the construction of the new Goiânia Airport - Santa Genoveva, in consortium with Via Engenharia. This is according to a spreadsheet used by Odebrecht's Structured Operations Sector and apprehended by the PF, which was released by the newspaper O Estado de São Paulo (BRIDI, 2019). According to the TCU inspection report, since 2006 the budgeted amount for the realization of the Santa Genoveva Airport project was 80% above the actual costs, inflated both in the contract and in the additives. In order to pass on the bribe arising from overbilling on the construction site, Odebrecht's bribery department paid two public Infraero agents, who used the codenames “Americano” and “Americano Velho”, as identified in the contractor's control spreadsheets (BRASIL, 2016). The Inspection Report No. 186/2016, TC No. 012.487 / 2016-3, of TCU, identified an overpricing of R\$ 211,698,252.05, and, adding the contract and the additives, the total cost of the work would have consumed public resources in the amount of R\$ 564,096,065.80, related to the TC 012.EG/2005/0011 contract and its additive terms 5, 8 and 9 (BRASIL, 2016).

Final Considerations

Infraero, in order to meet the growing passenger demand for agribusiness and tourism in Goiás, expanded and built a new passenger terminal in Goiânia, modernizing the landing and takeoff runway at Santa Genoveva Airport, in order to facilitate operations with the aircraft for commercial and domestic flights, with a capacity for more than six million passengers annually. The new Airport was opened on May 9, 2016. In the construction of the new passenger terminal at Santa Genoveva, systemic corruption was found, as evidenced

in two phases of Operation Lava Jato. There was payment of bribes and money laundering by the Odebrecht and Via Engenharia consortium; therefore, white collar crime involving public and private agents, accustomed to impunity, greatly compromising social and economic development, due to the increase in budgetary costs. The theory of the capture of the State allowed to examine the supposed advantages and benefits obtained by the great contractors, obtained by the actors of the elite of the economic and political powers, who contracted with the public power, entering into improper agreements, through simulated relations between politicians and officials, and taking advantage of the network of power and influence at all governmental and territorial levels. In view of the irregularities found during the construction of the new Goiânia Airport, the MPF / GO filed a public civil action and an administrative improbity action, requested full compensation for the damage, loss of assets or unlawfully added values to the assets, suspension of political rights from 5 (five) to 8 (eight) years, the loss of civil service, the payment of civil fines and the prohibition to contract with the government or receive tax or credit benefits or incentives, for a period of 5 (five) years. It also demanded the condemnation of the construction companies and the reimbursement to the public coffers. The investigations carried out by the PF, in the 26th and 35th phases of Operation Lava Jato, corroborated by the MPF / GO and TCU, showed overpricing and payment of fees. In addition, serious irregularities were found in 9 (nine) amendments to the contract signed between Infraero, responsible for the management of the Airport, and the winning consortium for the execution of the work. These irregularities culminated in two lawsuits in the Federal Court against the actors responsible for contracting and executing the work. Given the above, it was concluded that, in the construction work for the new Santa Genoveva Airport, the contract and its additives were overpriced, with the cancellation of part of the original project, which included a more extensive runway for landings and takeoffs. Thus, only a new passenger terminal was built. In addition, there is no provision for accountability of those involved and the return of resources diverted to the public purse.

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