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AFGHANISTAN

MEMORANDUM

January 15, 2014

TO: John F. Sopko
Special Inspector General for
Afghanistan Reconstruction (SIGAR)

FROM: William Hammink, Mission Director 

SUBJECT: Draft SIGAR Report entitled "Balkh Education Facility:
Building Remains Unfinished and Unsafe to Occupy after
Nearly 5 Years" (SIGAR Inspection 14-XX-IP)

REF: SIGAR Transmittal email dated 01/01/2014

Thank you for providing USAID with the opportunity to review the SIGAR draft Inspection Report titled, "Balkh Education Facility: Building Remains Unfinished and Unsafe to Occupy after Nearly 5 Years." USAID expresses appreciation to SIGAR for working collaboratively and cooperatively with USAID personnel. The technical meetings and exchange of information were helpful in increasing understanding of the repairs needed for the unfinished Balkh facility. Discussed below are our comments on the findings and recommendations in the report.

COMMENTS ON SIGAR's FINDINGS

USAID agrees with the Introduction and Background sections and appreciates that SIGAR was thorough in the description of the history of the facility involving project implementation by the United States Army Corps of Engineers (USACE) and USAID plans for completion of the three unfinished facilities. USAID also appreciates the acknowledgement that it was able to recoup a substantial amount of funding as a result of its actions, as identified in footnote 8 in the SIGAR's draft report.

As SIGAR stated in the Draft Report, the Balkh Education Facility is unfinished. USAID will address the deficiencies identified in the report in the contract for final repair work, which is expected to be awarded within

two months. SIGAR's Draft Report also identified additional items that may point to other deficiencies. USAID will review the noted items and address them in the final repair work, as appropriate.

USAID disagrees with SIGAR's comments that the building is structurally unsafe based on the absence of final approved structural design calculations. USACE provided USAID with the final approved structural design calculations. The construction of the project was supervised by USACE, which has rigorous procedures and requirements for the design and construction of its building projects. USACE verified that it is standard practice to ensure adequate designs and calculations are prepared for all its projects. USAID requests that any reference to health and safety concerns related to the lack of approved structural design calculations be removed from the final SIGAR report, as this statement is inaccurate.

USAID also acknowledges that, although the facility was incomplete and, therefore, had not been turned over to Afghan authorities, the university has been using the facility to conduct classes. Once USAID became aware of this situation, USAID issued a notice to the Ministry of Higher Education on November 16, 2013, to vacate the facility, pending final repairs and the official transfer of the building to Afghan authorities. USAID verified that the building was vacated and ready for construction on December 24, 2013.

COMMENTS ON SIGAR'S RECOMMENDATIONS

1. Expand the scope of work for the pending procurement action to address the deficiencies identified by SIGAR.

USAID Comments: USAID concurs with this recommendation and will address the items in the contract for final repair, which is expected to be awarded shortly.

2. Develop roof and septic tank structural calculations based on the construction documents, progress photos, and quality assurance reports, to determine whether these building components comply with the required 2003 International Building Code and whether they adequately protect life and property. Report back to SIGAR within 90 days with the results of this analysis and any planned corrective actions.

USAID Comments: USAID does not concur with this recommendation. USAID officially requested 100% approved design drawings from USACE. USACE provided approved supporting structural calculations. USACE provided the latest set of information to USAID on January 9, 2014, indicating final structural calculations were included in the 35% design submittal and were approved by USACE at that time. A USAID licensed Professional Engineer¹ reviewed these structural calculations and the 100% design submittal drawings produced by Mercury Development. The engineer determined that, although the plans and calculations appear to contain some conflicts and discrepancies, he could find no compelling reason to conclude a new structural analysis and design should be performed or that the existing structure was deficient. Subsequent inspections have not yielded reports of structural distress at the existing facility.

Please note that the Sheberghan (Jawzjan) Education Facility building used the same design and contractor as for the Balkh Education Facility building. Based on SIGAR Inspection 13-9 of the Jawzjan building, there were no signs of structural distress, indicating satisfactory structural performance.

Based on: 1) the USAID review of the USACE approved structural calculations and design drawings, 2) the current adequate structural performance of the facility, 3) the absence of any signs of structural distress, and 4) SIGAR has not adequately demonstrated any structural integrity issues in the existing facilities, USAID believes that development of “after-the-fact” structural calculations for the existing Balkh facility would be very time-consuming, very costly and unnecessary.

¹ Licensed in New York, Texas, Florida and Georgia