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United States Government Accountability Office  
Washington, DC 20548

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January 30, 2008

Maria E. Garzino  
Civil Engineer  
U.S. Army Corps of Engineers  
Los Angeles District

Dear Ms. Garzino:

Thank you for your email and attached memorandum, both dated January 8, 2008, concerning our report, *Army Corps of Engineers: Known Performance Issues with New Orleans Drainage Canal Pumps Have Been Addressed, but Guidance on Future Contracts Is Needed*, GAO-08-288, Dec. 31, 2007. The primary issue you have raised is how we characterized the testing requirements in the contract for the pumping systems. You also seek to clarify the role you played in overseeing performance of the contract.

With respect to the issue of testing, the original contract for the pumping systems, dated January 30, 2006, required a number of tests, some to be conducted at the factory of the manufacturer, with others to be conducted at various installation sites. The tests you refer to in your correspondence were factory tests. Specifically, the original contract required that tests to determine the predicted discharge capacity of the pumps, which our report refers to as “flow and head testing,” were to be conducted in an open sump at the manufacturer’s facility. Unlike for other tests required at the factory, however, the contract did not state whether flow and head testing was required for each and every pump. According to Corps of Engineers managers, some Corps staff, including those who conducted a review of this procurement and produced the Independent Team Report, interpreted the contract as requiring such tests on each pump even though this was never the agency’s intention.

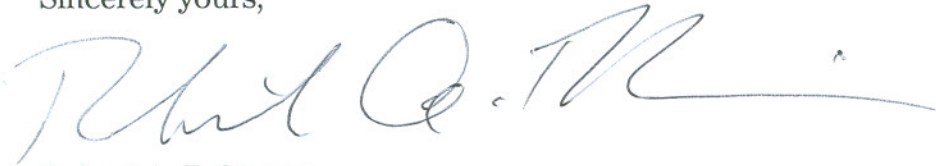
After reviewing the contract in detail, we concluded that the original contract was ambiguous. The differing views discussed above on what the contract actually required support our conclusion. We have reviewed all of the materials you submitted with your correspondence and we continue to believe that the testing requirements of the original contract were ambiguous. In May 2006, the Corps modified the contract to replace the original factory testing requirements with new ones developed to focus on mechanical issues that had been identified.

We have no basis to comment on how you or others carried out contract oversight responsibilities since the performance of specific individuals involved with this procurement was not within the scope of our review. We do not believe our report

calls into question, directly or otherwise, the professionalism or dedication of any government or contractor personnel. In all of our reviews, we strive to adhere to the highest standards of quality, and we conduct our work in accordance with generally accepted government auditing standards. We fully complied with these standards during our review of the Corps of Engineers contract for the New Orleans pumping systems.

We appreciate you bringing your concerns to our attention, and believe that this letter adequately addresses those concerns.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Robert A. Robinson", with a long horizontal flourish extending to the right.

Robert A. Robinson  
Managing Director  
Natural Resources and Environment

cc: Senator Landrieu  
Chief of Engineers