



**National Park Service
U.S. Department of the Interior**

NOTICE OF INTENT TO AWARD

This Funding Announcement is not a request for applications. This announcement is to provide public notice of the National Park Service's intention to fund the following project activities without full and open competition.

ABSTRACT	
Funding Announcement	P13AS00108
Project Title	Partnership with the New Mexico Institute of Mining and Technology and the National Cave and Karst Research Institute for Federal Fiscal Year 2013-2014
Recipient	New Mexico Institute of Mining and Technology
Principle Investigator / Program Manager	Richard Cervantes
Total Anticipated Award Amount	\$285,000.00
Cost Share	No
New Award or Continuation?	New Task Agreement against Cooperative Agreement H2360097030
Anticipated Length of Agreement	1.5 years
Anticipated Period of Performance	July 2013 through September 2014
Award Instrument	Cooperative Agreement
Statutory Authority	16 U.S.C. 4310, note 4(c)
CFDA # and Title	CFDA No. 15.944 Natural Resource Stewardship
Single Source Justification Criteria Cited	(3) Legislative intent
NPS Point of Contact	Alicia Broner Contract Specialist (Contractor) National Park Service WASO WCP Contracting and Procurement P.O. Box 25287, Mail Stop WCP

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OVERVIEW

In 1998, Congress created the National Cave and Karst Research Institute (“NCKRI”) via Public Law 105-325, 16 U.S.C. §4310 note (“The Act”). The Act states that the purposes of the NCKRI are: “(1) to further the science of speleology; (2) to centralize and standardize speleological information; (3) to foster interdisciplinary cooperation in cave and karst research programs; (4) to promote public education; (5) to promote national and international cooperation in protecting the environment for the benefit of cave and karst landforms; and (6) to promote and develop environmentally sound and sustainable resource management practices.” Pursuant to the Act, the NCKRI is to be “jointly administered by the National Park Service (NPS) and a public or private agency, organization, or institution, as determined by the Secretary.” 16 U.S.C. note, §4(a).

Via Cooperative Agreement H2360097030 between the NPS and the New Mexico Institute of Mining and Technology (NMT), NMT became the primary academic partner to jointly administer NCKRI with the NPS. Pursuant to § 4(b) of the Act, the NPS “would serve as the primary lead, with ultimate responsibility for the Institute, and would retain indirect control over its activities and responsibilities.” The NPS discharges this responsibility primarily via its position as Chair of the Institute’s Budget Committee, and through its cooperative relationship with NMT

The NPS seeks to continue its work with NMT to support the Institute in carrying out the purposes under the Act, and the Institute’s Articles of Incorporation and By-Laws. Through this Task Agreement, the NPS is fulfilling its statutory duty to support the Institute.

RECIPIENT AND NATIONAL PARK SERVICE INVOLVEMENT

NMT, in cooperation and collaboration with the NPS, including staff in the Geologic Resources Division and cave and karst specialists within the agency, and the NCKRI Board of Directors, will:

1. Improve the Institute’s capabilities at effective public outreach and communication by continuing to:
 - a) Upgrade the Institute's website to include new information about the Institute, its progress and activities, general and advanced information on cave and karst resources and values, and on-line lessons about cave and karst resources;
 - b) Develop a cave and karst educator network in furtherance of the Institute's goals; and
 - c) Develop the Institute's headquarters as a center for educational and outreach programs on caves and karst.
2. Enhance the Institute's image and abilities as a leading cave and karst research center by:

- a) Developing research partnerships and programs locally, nationally, and internationally;
- b) Attending conferences to present the Institute's research results;
- c) Organizing conferences that promote cave and karst science in general and raise professional awareness of the Institute as a leader in the field;
- d) Undertaking at least one nationally significant cave and karst research project; and
- e) Establishing the Institute as a national clearinghouse for cave and karst information.

3. Advance the completion of the Institute's headquarters building by:

- a) Researching and approaching potential sponsors for funds to complete the unfinished parts of the building;
- b) Conducting contract research to develop independent funding to supplement general operating expenses and complete unfinished parts of the building.

SINGLE-SOURCE JUSTIFICATION

DEPARTMENT OF THE INTERIOR SINGLE SOURCE POLICY REQUIREMENTS
Department of the Interior Policy (505 DM 2) requires a written justification which explains why competition is not practicable for each single-source award. The justification must address one or more of the following criteria as well as discussion of the program legislative history, unique capabilities of the proposed recipient, and cost-sharing contribution offered by the proposed recipient, as applicable.
In order for an assistance award to be made without competition, the award must satisfy one or more of the following criteria: (1) Unsolicited Proposal – The proposed award is the result of an unsolicited assistance application which represents a unique or innovative idea, method, or approach which is not the subject of a current or planned contract or assistance award, but which is deemed advantageous to the program objectives; (2) Continuation – The activity to be funded is necessary to the satisfactory completion of, or is a continuation of an activity presently being funded, and for which competition would have a significant adverse effect on the continuity or completion of the activity; (3) Legislative intent – The language in the applicable authorizing legislation or legislative history clearly indicates Congress' intent to restrict the award to a particular recipient of purpose; (4) Unique Qualifications – The applicant is uniquely qualified to perform the activity based upon a variety of demonstrable factors such as location, property ownership, voluntary support capacity, cost-sharing ability if applicable, technical expertise, or

other such unique qualifications;

- (5) Emergencies – Program/award where there is insufficient time available (due to a compelling and unusual urgency, or substantial danger to health or safety) for adequate competitive procedures to be followed.

The National Park Service did not solicit full and open competition for this award based the following criteria:

(3) LEGISLATIVE INTENT

Single Source Justification Description:

In accordance with 16 U.S.C. §4310 note, the National Cave and Karst Research Institute Act of 1998 was passed by the 105th Congress and NPS was mandated to establish the Institute. While NCKRI is a non-profit, government-supported institute, the NPS continues its responsibility to fund NCKRI and expand on its objectives and programs.

STATUTORY AUTHORITY

16 U.S.C.

United States Code, 2011 Edition

Title 16 - CONSERVATION

CHAPTER 63 - FEDERAL CAVE RESOURCES PROTECTION

Sec. 4310 - Establishment of Cave Research Program

§4310. Establishment of Cave Research Program

(a) Establishment

In order to provide for needed research relating to cave resources on certain lands in the United States, the Secretary of the Interior, acting through the Director of the National Park Service shall establish and administer a Cave Research Program (hereinafter in this section referred to as the “Program”). The Program shall include the orderly and scholarly collection, analysis, and dissemination of research material related to caves in lands managed by the National Park Service including, but not limited to, Carlsbad Caverns National Park and the Capitan Reef area.

(b) Functions

The Program shall produce educational and interpretive information and materials vital to public understanding of cave geology, assist students and researchers, and provide for a comprehensive evaluation of cave resources and measures needed for their protection.

(c) Emphasis

The program ¹ shall be directed primarily toward lands managed by the National Park Service, but the Secretary of the Interior may enter into cooperative agreements with other agencies or entities as may be appropriate to carry out the purposes of this section.

(Pub. L. 101–578, title II, §202, Nov. 15, 1990, 104 Stat. 2859.)

REFERENCES IN TEXT

This section, referred to in subsecs. (a) and (c), was in the original “this title” meaning title II of Pub. L. 101–578, Nov. 15, 1990, 104 Stat. 2859, which enacted this section and provisions set out as notes below. For complete classification of title II to the Code, see Tables.

CODIFICATION

Section was not enacted as part of the Federal Cave Resources Protection Act of 1988 which comprises this chapter.

NATIONAL CAVE AND KARST RESEARCH INSTITUTE

Pub. L. 105–325, Oct. 30, 1998, 112 Stat. 3038, as amended by Pub. L. 111–11, title VII, §7305, Mar. 30, 2009, 123 Stat. 1219, provided that:

“SECTION 1. SHORT TITLE.

“This Act may be cited as the ‘National Cave and Karst Research Institute Act of 1998’.

“SEC. 2. PURPOSES.

“The purposes of this Act are—

“(1) to further the science of speleology;

“(2) to centralize and standardize speleological information;

“(3) to foster interdisciplinary cooperation in cave and karst research programs;

“(4) to promote public education;

“(5) to promote national and international cooperation in protecting the environment for the benefit of cave and karst landforms; and

“(6) to promote and develop environmentally sound and sustainable resource management practices.

“SEC. 3. ESTABLISHMENT OF THE INSTITUTE.

“(a) In General.—The Secretary of the Interior (referred to in this Act as the ‘Secretary’), acting through the Director of the National Park Service, shall establish the National Cave and Karst Research Institute (referred to in this Act as the ‘Institute’).

“(b) Purposes.—The Institute shall, to the extent practicable, further the purposes of this Act.

“(c) Location.—The Institute shall be located in the vicinity of Carlsbad Caverns National Park, in the State of New Mexico. The Institute shall not be located inside the boundaries of Carlsbad Caverns National Park.

“SEC. 4. ADMINISTRATION OF THE INSTITUTE.

“(a) Management.—The Institute shall be jointly administered by the National Park Service and a public or private agency, organization, or institution, as determined by the Secretary.

“(b) Guidelines.—The Institute shall be operated and managed in accordance with the study prepared by the National Park Service pursuant to section 203 of the Act entitled ‘An Act to conduct certain studies in the State of New Mexico’, approved November 15, 1990 (Public Law 101–578; 16 U.S.C. 4310 note).

“(c) Contracts and Cooperative Agreements.—The Secretary may enter into a contract or cooperative agreement with a public or private agency, organization, or institution to carry out this Act.

“(d) Facility.—

“(1) Leasing or acquiring a facility.—The Secretary may lease or acquire a facility for the Institute.

“(2) Construction of a facility.—If the Secretary determines that a suitable facility is not available for a lease or acquisition under paragraph (1), the Secretary may construct a facility for the Institute.

“(e) Acceptance of Grants and Transfers.—To carry out this Act, the Secretary may accept—

- “(1) a grant or donation from a private person; or
- “(2) a transfer of funds from another Federal agency.

“SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated such sums as are necessary to carry out this Act.”

CONGRESSIONAL FINDINGS

Section 201 of Pub. L. 101–578 provided that: “The Congress makes the following findings:

“(1) The World's most exposed fossil reef, Capitan Reef, in southern New Mexico that includes Carlsbad Caverns, contains over 300 caves, including 75 identified caves in Carlsbad Caverns National Park and 22 caves in Guadalupe Mountains National Park.

“(2) Recent explorations of Lechuguilla Cave at Carlsbad Caverns National Park have provided much new information about the wonders of this cave including the fact that it is the second deepest cave in the United States and contains outstanding world-class cave features such as gypsum crystal chandeliers and gypsum flowers.

“(3) The Lechuguilla Cave has been described by cave researchers as possibly the finest cave in America.

“(4) The interest and excitement of cave researchers throughout the world have been focused on Carlsbad Caverns National Park.

“(5) Cave researchers could use this research institute as an operational base for study of caves in other regions and as a focal point for storage of data on cave geology and speleology.

“(6) The Congress, with the passage of Public Law 100–691, the Federal Cave Resources Protection Act of 1988 [16 U.S.C. 4301 et seq.], recognized the significance of cave resources on Federal lands and established the policy that Federal lands be managed in a manner which protects and maintains, to the extent practicable, significant cave resources.”

CAVE RESEARCH INSTITUTE STUDY

Section 203 of Pub. L. 101–578 directed Secretary of the Interior, not later than one year after Nov. 15, 1990, to prepare and transmit to Congress a study on the feasibility of establishing a Cave Research Institute.

AUTHORIZATION OF APPROPRIATIONS

Section 204 of title II of Pub. L. 101–578 provided that: “There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this title [enacting this section and provisions set out as notes above].”