

NOTICE OF INTENT TO AWARD

This notice is not a request for applications. This provides public notice of the Bureau of Reclamation's intention to fund the following project activities without full and open competition.

OPPORTUNITY NUMBER	BOR-MP-19-N018
PROJECT TITLE	Suisun Marsh Preservation Agreement
RECIPIENT	California Department of Water Resources
ANTICIPATED FEDERAL AMOUNT	\$15,448,962
STATUTORY AUTHORITY	Public Law 99-546, Title II—Suisun Marsh Preservation Agreement. SEC. 201. [Authority to Enter Agreement] The Secretary of the Interior is authorized to execute and implement the agreement between the Department of the Interior, the State of California and the Suisun Resources Conservation District (SRCD) (dated November 1, 1985). SEC. 202. [Cost-Sharing Provisions] The costs of implementing the agreement provided in section 201 of this title shall be shared by the Bureau of Reclamation and the California Department of Water Resources in strict accordance with article 12¹ of that agreement: <i>Provided, That—</i> (a) payments made by the Secretary of the Interior shall not exceed 40 percent of the construction costs incurred under articles 6, 7, and 8 of the agreement, or \$50,000,000, whichever is less, plus or minus such amounts as are justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indices applicable to the types of construction involved therein; (b) the Federal share of continuing annual operation and maintenance costs, including monitoring, shall not exceed 40 percent of the actual operation and maintenance costs; and, (c) the costs incurred by the United States for construction and for annual operation and maintenance in connection with the implementation of said agreement shall constitute an integral part of the cost of the Central Valley project. The Secretary shall allocate such costs to the reimbursable and non-reimbursable purposes served by the project. Sec. 203. [Costs incurred.]— Costs incurred both before and after the date of execution of the agreement herein authorized are to be included in the total for determining the Federal share of construction, operation, and maintenance costs. Sec. 204. [Authorization of appropriations.]— There are authorized to be appropriated for the implementation of the agreement referred to in Section 201 of this title \$50,000,000 plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indices applicable to the types of construction involved therein and, in addition thereto, in accordance with subsection 201(b) of this title, such sums as may be required for operation and maintenance: <i>Provided, That</i> no Federal funds may be expended pursuant to this title in advance of appropriations therefor: <i>Provided further, That</i> appropriations pursuant to this title shall remain available until expended without any fiscal year limitation. (100 Stat. 353)

¹ Article 10 in current SMPA

	The activities identified in the statement of work are detailed in the 2015 Suisun Marsh Preservation Agreement, for which Congress has allocated funds for appropriation in accordance with Public Law 99-546, cited above.
CFDA NUMBER	15.563
RECLAMATION POINT OF CONTACT	Armin Halston/Christina A. Muñoz
SUMMARY OF PROJECT ACTIVITIES	The objectives of the project are to: (1) fulfill commitments in the 2015 Suisun Marsh Preservation Agreement; (2) to maintain water quality and quantity and improve wetland habitat in Suisun Marsh to mitigate the adverse effects on the Marsh of the Central Valley Project (CVP) and a portion of the adverse effects of the upstream diversions; and (3) to improve Marsh wildlife habitat to the extent that such improvement is compatible with other CVP and State Water Project purposes.
SELECTION JUSTIFICATION	<i>Reclamation did not solicit full and open competition for this award based on the following criteria:</i> <i>(3) LEGISLATIVE INTENT and (4) UNIQUE QUALIFICATIONS.</i> The 99th Congress authorized (Public Law 99-546), in 1986, the Bureau of Reclamation and the State to coordinate operations of the Central Valley Project and State Water Project (Projects) to store, convey and deliver water under past and current State Water Resources Control Board (SWRCB) water rights decisions. Under these water right decisions, the Bureau of Reclamation and the State must ensure water quality standards are met within Suisun Marsh to mitigate past and present salinity impacts from water operations. To achieve these water standards, the Bureau of Reclamation and State cooperatively constructed and continuingly operate water control structures. Congress also authorized (Public Law 99-546), the Secretary of the Interior (represented by the Bureau of Reclamation) to enter into a contractual cooperative agreement with the State of California and other parties, concerning cost-share of operations and maintenance of those salinity facilities, known as the Suisun Marsh Preservation Agreement, as amended in 2015. The State owns and staffs the water control facilities. DWR has a unique and detailed understanding of salinity management in Suisun Marsh and the state agency fulfills daily operations and maintenance requirements, site specific issues, security and safety knowledge, and access areas. DWR provides technical expertise on the water operations and facility maintenance and collects and provides the data necessary to determine future operations. DWR's field experience operating the facility, including prior design and construction activities, is critical to providing for changes that would improve future operation and maintenance. No other entity could achieve a similar level of familiarity and technical expertise, or own the required water control structures, or provide the level of habitat management required by the 2015 SMPA.