

RECLAMATION

Managing Water in the West

U.S. Department of the Interior
Bureau of Reclamation

NOTICE OF INTENT TO AWARD

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

ABSTRACT	
Funding Announcement	R15SS00005
Project Title	Basin States Program
Recipient	Wyoming Water Development Commission
Principal Investigator / Program Manager	Keenan Hendon Wyoming Water Development Commission
Anticipated Federal Amount	\$2,800,000.00
Cost Share	100% Reclamation
Total Anticipated Award Amount	\$2,800,000.00
New Award or Continuation?	New Award
Anticipated Period of Performance	5 years
Award Instrument	Cooperative Agreement
Statutory Authority	Public Law 93-320 as amended by Public Law 110-246, Colorado River Basin Salinity Control Act
CFDA # and Title	15.509 -- Colorado River Basin Salinity Control Program
Single Source Justification Criteria Cited	(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;
Reclamation Point of Contact	Kib Jacobson

OVERVIEW

Reclamation intends to work with the Wyoming Water Development Commission (WWDC) to expend Basin States Program Salinity Funds for cost effective measures and associated works to reduce salinity from saline springs, leaking wells, irrigation sources, industrial sources, erosion

of public and private land, or other sources; studies, planning, and administration of salinity control activities.

RECIPIENT INVOLVEMENT

The WWDC responsibilities are the following:

1. Development of a yearly Work Plan to be provided to Reclamation to include:
 - Identification of and rationale for studies to be selected.
 - Identification of and rationale for areas and type of salinity control measures and associated works that will be solicited in a competitive selection process.
 - Identification of and rationale for habitat replacement measures that will be solicited in a competitive process.
 - An accounting of funds to be used by studies, salinity control measures, and habitat replacement measures selected.
2. The Work Plan may be modified during the year as opportunities arise and conditions change. However, modifications to the Work Plan are not final until approved by Reclamation.
3. Implementation and utilization of a competitive process open to the public approved by Reclamation to solicit, rank, and select studies as identified in the Work Plan.
4. The competitive process shall include measures and associated work which meet technical standards and specifications and cost schedules, approved by Reclamation and reduce salinity at a cost effectiveness of less than \$150.00 per ton.

RECLAMATION INVOLVEMENT

Substantial involvement on the part of Reclamation is anticipated for the successful completion of the objectives to be funded by this award. In particular, Reclamation will be responsible for the following:

- Reclamation shall review the yearly Work Plan and any modifications provided by the Recipient, and when satisfied, approving the Work Plan and modifications within fifteen (15) calendar days after the final Work Plan and modifications are received.
- Reclamation shall review the competitive process plans proposed by the Recipient identified in the Work Plan, and when satisfied, approving the competitive process plan within fifteen (15) calendar days after the final competitive process is received.
- Reclamation shall provide salt load reduction figures for salinity control measures identified in a competitive selection process in accordance with the timeline outlined in the competitive process plan. Reviewing agreement formats prepared

by the Recipient and when satisfied, approving the agreement format within fifteen (15) calendar days after the final agreement format is received.

SINGLE-SOURCE JUSTIFICATION

DEPARTMENT OF THE INTERIOR SINGLE SOURCE POLICY REQUIREMENTS
<p>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.</p>
<p>In order for an assistance award to be made without competition, the award must satisfy one or more of the following criteria:</p> <ul style="list-style-type: none">(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.

Reclamation did not solicit full and open competition for this award based the following criteria:

- (4) Unique Qualifications

Single Source Justification Description:

Reclamation and the seven basin states, which include the State of Wyoming, have been working as partners since 1974 to manage the Colorado River's salinity content. The State of Wyoming created the WWDC to contract with Reclamation and utilizes federal funding for salinity projects. See W.S. 41-2-117. The WWDC is the administering agency for the State's Conservation Districts and is directed through this Cooperative Agreement to use these Districts for agricultural non-point source pollution control. This Cooperative Agreement directs the WWDC to assist in controlling non-point source pollution on agricultural and rangeland (both public and private) in the State of Wyoming which will reduce the salinity of the Colorado River downstream. See W.S. 41-2-118.

WWDC, in exercising this authority, can enter into agreements with other agencies, individuals, or work with its Conservation Districts to fund and implement pollution control efforts in agricultural and rangeland areas of the State of Wyoming. The WWDC is able to secure agreements with grantees that bridge the normal contract life of project installation and oversee the operation and maintenance through the life of the project. This unique role is required to ensure that public funds are properly used and accounted for in the Colorado River Basin Salinity Control Program.

STATUTORY AUTHORITY

Section 205 of the Act directs Reclamation to utilize funds from the Upper Colorado River Basin Fund and the Lower Colorado River Basin Development Fund (Basin Funds) to provide the authorized cost share amounts in a manner that is consistent with the Act.

Public Law 110-246 amended the Act creating the Basin States Program (BSP), amending Section 205(f) of the Act to provide that cost share obligations be met through an up-front cost share from the Basin Funds, and authorizes Reclamation to expend the required cost share funds through the BSP for salinity control activities established under Section 202(a)(7) of the Act.

The BSP falls under the Reclamation's Financial Assistance Program, and is defined as a Discretionary Grant; therefore, is governed by the rules and regulations for the Financial Assistance Program and Discretionary Grants. Reclamation has determined the WWDC to be an appropriate partner and has authorized the WWDC for a single-source award based on demonstrable criteria such as unique expertise and capacity.

Section 202 of the Act includes salinity control measures implemented by the U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS) under their Environmental Quality Incentives Program (EQIP). Reclamation is authorized to utilize Basin Funds to cost share salinity measures implemented by the NRCS under EQIP.