

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	BOR-MP-18-N014
Project Title	Planning, Design, and Construction of the Mowry Bridge Retrofit for the Reach 2B and Mendota Pool Bypass Improvement Project
Recipient	City of Mendota
Principal Investigator / Program Manager	Cristian Gonzalez
Anticipated Federal Amount	\$4,747,097
Anticipated Non-Federal Amount	\$0
New Award or Continuation?	New
Anticipated Period of Performance	Approximately 17 months
Award Instrument	Grant
Statutory Authority	Public Law 111-11, Section 10002, Section 10004 (a)(1)(b)(2)
CFDA # and Title	15.555, San Joaquin River Restoration Program
Single Source Justification Criteria Cited	(4) Unique Qualifications
Reclamation Point of Contact	Elizabeth Vasquez, evasquez@usbr.gov

OVERVIEW

The existing Mowry Bridge is a one-lane structure owned by the City of Mendota that serves to allow private vehicle traffic over the Fresno Slough and Mendota Pool and supports a water pipeline that serves water to the City of Mendota from its primary and only reliable water supply composed of three municipal groundwater wells. The structure is currently non-functional and condemned, due to foundation and structural damage. As a disadvantaged community, the City of Mendota has struggled to fund the retrofit of the bridge to allow for vehicle traffic and to maintain the ability to serve water to its residents. As part of developing projects to meet the terms of the San Joaquin River Restoration Settlement, the Bureau of Reclamation has worked to

implement the Reach 2B and Mendota Pool Bypass Improvements Projects in areas adjacent to Mendota Pool and the Mowry Bridge. Mowry Bridge would provide construction access that would shorten construction haul routes and thereby reduce air emissions and the amount of construction traffic on more frequently traveled public roads. This public private partnership would modernize key infrastructure, support a disadvantaged local community and improve the implementation of Reach 2B and Mendota Pool Bypass Improvements Projects by reducing construction effects on the local community and the environment.

Paragraph 11(a) of the Stipulation of Settlement in NRDC vs. Rodgers requires: (1) Creation of a bypass channel around Mendota Pool to ensure conveyance of at least 4,500 cfs from Reach 2B downstream to Reach 3, and (2) Modifications in channel capacity (incorporating new floodplain and related riparian habitat) to ensure conveyance of at least 4,500 cfs in Reach 2B between Chowchilla Bifurcation Structure and the new Mendota Pool bypass channel. As part of developing projects to meet the terms of the San Joaquin River Restoration Settlement, the Bureau of Reclamation has worked to implement the Reach 2B and Mendota Pool Bypass Improvements Projects in areas adjacent to Mendota Pool and the Mowry Bridge. Mowry Bridge would provide construction access that would shorten construction haul routes and thereby reduce air emissions and the amount of construction traffic on more frequently traveled public roads. Access over the bridge would be utilized to construct the bypass channel around Mendota Pool and to build levees that would increase the channel capacity of at least 4,500 cfs, as well as, long-term access for operation and maintenance of those structures.

RECIPIENT INVOLVEMENT

City of Mendota shall:

1. Adhere to all Federal, State, and local laws and regulations and codes, as applicable, and obtain all required approvals and permits. Coordinate and obtain approvals from site owners and operators.
2. Perform all tasks pursuant to, and utilizing methods specified in, the Proposal.
3. Obtain all additional funds needed City oversight, management and inspection of the Project as put forth in the Proposal.
4. Recognize, through inclusion in planned signage, public ceremonies, public outreach documents, and other appropriate methods, the contribution of Reclamation through the San Joaquin River Restoration Program (SJRRP) toward completion of the project.
5. Submit required semi-annual and final written reports as specified in this agreement.

RECLAMATION INVOLVEMENT

No substantial involvement is anticipated for this award.

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.

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

(4) UNIQUE QUALIFICATIONS

Single Source Justification Description:

The Mowry Bridge Reconstruction project is a partnership with City of Mendota (City) to modernize their infrastructure to allow for vehicle traffic over the bridge and to improve the water reliability for the City's residents. This project will construct a new Mowry Bridge to replace the aging bridge. The Mowry Bridge pipeline is the sole water supply for the 11,000 residents of Mendota. Failure of the bridge and pipeline would leave those residents without water for up to several months.

City of Mendota is uniquely qualified as the infrastructure that is proposed to be modified and modernized has been owned and operated by the City for 20 years. They also will ultimately be operating and maintaining the bridge in the long term. In addition, substantial work on design was completed on the project in 2015 including the Mowry Bridge Feasibility Study. No other entity could achieve a similar level of familiarity and expertise without first engaging in the lengthy process of studying and analyzing the data acquired thus far.

STATUTORY AUTHORITY

Title X, Subtitle A, of the Omnibus Public Lands Bill (P.L. 111-11). Section 10002, 10004

(a)(1)(b)(2) of P.L. 111-11 :

Public Law 111-11, San Joaquin River Restoration Settlement, Title X, Part I: Section 1002, Section 10004 (a)(1)(b)(2); Stipulation of Settlement CIV NO. S-88-1658-LKK/GGH (San Joaquin River Restoration Settlement) - Paragraph 14(a):

SEC. 10002. PURPOSE

The purpose of this part is to authorize implementation of the Settlement.

SEC. 10004. IMPLEMENTATION OF SETTLEMENT.

(a) IN GENERAL.—The Secretary of the Interior is hereby authorized and directed to implement the terms and conditions of the Settlement in cooperation with the State of California, including the following measures as these measures are prescribed in the Settlement:

(1) Design and construct channel and structural improvements as described in paragraph 11 of the Settlement, provided, however, that the Secretary shall not make or fund any such improvements to facilities or property of the State of California without the approval of the State of California and the State's agreement in 1 or more memoranda of understanding to participate where appropriate.

(b) AGREEMENTS—

(2)OTHER AGREEMENTS.—The Secretary is authorized to enter into contracts, memoranda of understanding, financial assistance agreements, cost sharing agreements, cost sharing agreements, and other appropriate agreements with State, tribal, and local governmental agencies, and with private parties, including agreements related to construction, improvement, and operation and maintenance of facilities, subject to any terms and conditions that the Secretary deems necessary to achieve the purposes of the Settlement.

STIPULATION OF SETTLEMENT CIV NO. S-88-1658 – LKK/GGH—PARAGRAPH 14(A)

Paragraph 14: The Parties acknowledge that spring run and fall run Chinook Salmon have been largely extirpated from the San Joaquin River upstream of the confluence with the Merced River. Accordingly, the Restoration Goal of this Settlement shall include the reintroduction of spring run and fall run Chinook salmon to the San Joaquin River between Friant Dam and the confluence with the Merced River by December 31, 2012, consistent with all applicable law. The Parties agree that the following steps shall be taken in furtherance of the goal of reintroducing salmonids to the San Joaquin River.

(1) Paragraph 14(a): The Secretary, through the FWS, and in consultation with the Secretary of Commerce, the DFG, and the Restoration Administrator, shall ensure that spring and fall run Chinook salmon are reintroduced at the earliest practical date after commencement of sufficient flows and the issuance of all necessary permits. In the event that competition, inadequate spatial or temporal segregation or other factors determined to be beyond the control of the Parties make achieving the Restoration Goal for both spring run and fall run Chinook salmon feasible, the priority shall be given to restoring self-sustaining populations of wild spring run Chinook salmon. The FWS shall submit a completed permit application to the NMFS for the reintroduction of spring run Chinook salmon as soon as practical but no later than September 30, 2010. The NMFS shall issue a decision on the permit application for the reintroduction of spring run Chinook salmon as expeditiously as possible but no later than April 30 2012. The Parties anticipate that NMFS will provide exemption for incidental take as appropriate part of a biological opinion or opinions addressing implementation of the Settlement. The Parties anticipate that NMFS will also address incidental take issues as appropriate through the other authorities available under the ESA, including Section 4(d) rules and the public processes required for Section 10 permits.