

NOTICE OF INTENT (NOI) TO AWARD

THIS FUNDING ANNOUNCEMENT IS NOT A REQUEST FOR APPLICATIONS. THIS ANNOUNCEMENT IS TO PROVIDE PUBLIC NOTICE OF RECLAMATION'S INTENTION TO FUND THE FOLLOWING PROJECT ACTIVITIES WITHOUT FULL AND OPEN COMPETITION.

ABSTRACT	
Funding Announcement	NOI R10AS20008
Project Title	American Basin Fish Screen and Habitat Improvement Project, Sankey Diversion Fish Screen Construction and Landside Improvements - Phase IV
Recipient	Natomas Central Mutual Water Company 2601 W. Elkhorn Boulevard Rio Linda, CA 95673
Principle Investigator (if applicable)	N/A
Total Anticipated Award Amount	\$22,987,500.00 (estimated)
Cost Share	50 percent
New Award or Continuation?	Continuation – to previous Grant Agreement 08FG200067
Anticipated Length of Agreement	Approximately 4.5 Years
Anticipated Period of Performance	Date of execution through September 30, 2014
Award Instrument	Grant Agreement
Statutory Authority	Public Law 102-575, Title 34 Central Valley Project Improvement Act of 1992, Section 3406(b)(21) and Section 3407(e)
CFDA Number & Title	15.512 - Central Valley Project Improvement Act, Title XXXIV
Single Source Justification Criteria Cited	Department of Interior Policy (505 DM 2) (2) Continuation and (4) Unique Qualifications
Reclamation Point of Contact	Judy A. Hudson, Contract Specialist Email: jhudson@usbr.gov

OVERVIEW

This first phase of construction for the project will include construction of the Sankey Diversion and associated landside improvements, and the demolition and site restoration associated with decommissioning the Bennett Pumping Plant, Northern Pumping Plant and the Verona Dam.

A design review of the 2006 project configuration was completed in September 2007. The design review identified several options for reconfiguring the facilities that would result in lower the construction cost for the project. These conceptual design changes were developed and presented to Reclamation and Fish and Wildlife Service (FWS) representatives on October 22, 2007.

Support was provided for continuing to develop the design options. The design changes were further developed and presented to the Anadromous Fish Screen Program (AFSP) Technical Team on November 1, 2007. The AFSP Technical Team agreed to the conceptual changes to the project configuration for potential cost savings. The consultant team completed the conceptual design changes and revised the cost estimates. Final design drawings and specifications were completed, submitted and approved by Reclamation and the California Department of Fish and Game (CDFG).

RECIPIENT INVOLVEMENT

Under this grant agreement Natomas Mutual Water Company shall complete the following tasks:

The Recipient shall initiate completion of proposed tasks in accordance with the schedules as outlined in Sankey Diversion and Associated Landside Improvements, Phase IV, Scope of Work, dated October 23, 2009. The Recipient will own the fish screen facilities and shall provide overall project management and operation and maintenance during the life of the fish screen facilities.

1. The Recipient shall keep the AFSP Project Manager updated on the status and funding situation on a quarterly basis during the AFSP Technical Team meeting. The AFSP Project Manager and Grants Officer Technical Representative (GOTR) contact names, phone numbers, and addresses are indicated below. Written reports and financial reports shall be required on a quarterly basis.
2. The Recipient shall submit an original of all reports to the AFSP Project Manager, and a copy to the AFSP Technical Team and GOTR.
3. After completion of construction, the Recipient shall perform a post-construction evaluation and assessment plan and long term operation and maintenance plan.
4. The Recipient shall permit the agencies represented on the AFSP Technical Team ingress and egress to the Project area with a 24-hour prior notice to conduct construction inspections.
5. The Recipient shall maintain a log of operations and maintenance activities, which shall be made available upon request for review by the AFSP Team.
6. All evaluation and assessment plans shall be forwarded to the AFSP Project Manager and the Interagency Monitoring Program at the following address:

Interagency Ecological Program
c/o California Department of Fish & Game
Attn: Program Manager
4001 N. Wilson Way
Stockton, CA 95205-2486

7. The Recipient shall manage the entire fish screen project.
8. The Recipient shall attend AFSP Technical Team meetings to provide project updates, and provide answers to questions by the AFSP Technical Team members pertaining to the project.
9. The Recipient shall construct a fish screen intake structure in accordance with the AFSP, State of California and Federal guideline. The Recipient shall abide by all construction safety regulations in accordance with federal, state and local codes.
10. Any upgrades regarding materials or equipment will not be funded by the AFSP. AFSP will not cost share for offsite remote controlled equipment.
11. The Recipient shall invite the AFSP Program Manager and AFSP Technical Team to all construction meetings. Meeting notes from the construction meeting shall be forwarded to the AFSP Program Manager and Grants Officer Technical Representative (GOTR). All contract modifications, and change orders shall be forwarded to the AFSP Program Manager for review and final approval. Modifications and change orders shall have costs included in the request. If costs are not included in the change in contract, the request will not be approved.

RECLAMATION INVOLVEMENT:

Reclamation, in coordination with the Fish and Wildlife Service, agrees to administer the financial assistance agreement to the Recipient for Tasks 1-4 of this agreement. Task 1 will include Project Management and Administration, Task 2 - Construction, Task 3 - Construction Inspection, Environmental Compliance, Facility Design, Task 4 - Land Acquisition.

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:

(2) Continuation –

The work described in this project is a follow-on to current Grant Agreement Number 08FG200067 to complete the following tasks 1 through 4: (1) Project Management and Administration, (2) Construction, (3) Construction Inspection, Environmental Compliance, Facility Design and (4) Land Acquisition.

(4) Unique Qualifications –

The Recipient has completed all final design and permitting work under Phase III of this project. They have the technical expertise and own the property in which the fish screen will be constructed; as well as operate the facilities once they are completed.

Montgomery Watson Harza (MWH) has prepared a Technical Memorandum (TM) titled “Davis-Woodland Water Supply Project (DWWSP) Pumping Station Integration” (December 2007). This TM was Phase 1 of developing a design for an RD 2035 – DWWSP joint-use facility. As the next phase (Phase 2), MWH has prepared a report titled “RD 2035 Fish Screen Design Update Phase 2 (Draft, September 2008).

This report evaluated a modified facility arrangement that eliminates the previous design’s landside pump station and relocates all pumps and associated equipment to the intake structure in the river. The report also included several construction phasing alternatives and associated cost estimates.

The current scope will develop the modified facility arrangement established in the Phase 2 report to the 30-percent design level. In addition, coordination with appropriate permitting agencies to confirm Project compliance with key permits identified in the previous phase of work will be provided under the current scope.

PROGRAM AUTHORITY

Public Law 102-575, Central Valley Project Improvement Act of 1962, Title 34 Section 3406(b)(21)

Pursuant to Public Law 102-575, Title 34, Section 3406(b)(21) of the Central Valley Project Improvement Act (CVPIA) the Secretary of the Department of the Interior (DOI) is authorized and directed to assist the State of California in efforts to develop and implement measures to avoid losses of juvenile anadromous fish resulting from unscreened and inadequately screened diversions on the Sacramento and San Joaquin rivers, their tributaries, the Sacramento-San Joaquin Delta, and the Suisun Marsh. Such measures shall include, but shall not be limited to, construction of screens on unscreened diversions, rehabilitation of existing screens, replacement of existing non-functioning screens and

relocation of diversions to less fishery-sensitive areas. The share of costs associated with activities authorized under this Section of the Act shall not exceed 50 percent of the total cost of any such activity.

Public Law 102-575, Central Valley Project Improvement Act of 1962, Title 34 Section 3407(e)

(e) Funding to Non-Federal Entities.--If the Secretary determines that the State of California or an agency or subdivision thereof, an Indian tribe, or a non-profit entity concerned with restoration, protection, or enhancement of fish, wildlife, habitat, or environmental values is able to assist in implementing any action authorized by this title in an efficient, timely, and cost effective manner, the Secretary is authorized to provide funding to such entity on such terms and conditions as he deems necessary to assist in implementing the identified action.