

## 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	
<b>Funding Announcement</b>	R11AS20022
<b>Project Title</b>	North Bay Water Reuse Program – Phase 2 Scoping Studies
<b>Recipient</b>	Sonoma County Water Agency
<b>Principal Investigator / Program Manager</b>	Kevin Booker, P.E.
<b>Anticipated Federal Amount</b>	\$131,300.00
<b>Cost Share</b>	50%
<b>Total Anticipated Award Amount</b>	\$131,300.00
<b>New Award or Continuation?</b>	Continuation
<b>Anticipated Period of Performance</b>	Date of Execution through September 30, 2012
<b>Award Instrument</b>	Cooperative Agreement
<b>Statutory Authority</b>	P.L. 102-575, Title XVI, Reclamation Wastewater and Groundwater Study and Facilities Act of 1992, Section 1604, as amended
<b>CFDA # and Title</b>	15.504 – Water Reclamation and Reuse Program
<b>Single Source Justification Criteria Cited</b>	(2) Continuation (4) Unique Qualifications
<b>Reclamation Point of Contact</b>	Maria E. Castaneda/Grants Officer at <a href="mailto:mcastaneda@usbr.gov">mcastaneda@usbr.gov</a>

## OVERVIEW

As directed in Section 1651 (3)(B), this Project will enable the Secretary to assist the Recipient in preparing planning documents that may eventually lead to a future feasibility study and report, preliminary and final designs, and construction of Phase 2. This Project will be a Scoping Study of limited scope and time that will assist the Recipient in exploring options for additional recycled water use and new member agencies. Potential benefits of using recycled water include

environmental benefits from habitat restoration and the reduction of water demands on natural regional water supplies (*i.e.*, groundwater and surface waters). The Scoping Study and Scoping Report should not be considered a feasibility study and feasibility report. Any work necessary to perform a feasibility study and produce a feasibility report will be handled separately, if the Recipient determines it wishes to proceed with such a study and report.

The North Bay Water Reuse Program (NBWRP) is a regional water reuse program designed to address urban, agricultural, and environmental needs in portions of California's Marin, Sonoma, and Napa Counties. The North Bay Water Reuse Authority (NBWRA) was established to study and implement the NBWRP under a Memorandum of Understanding in August 2005. The NBWRA is comprised of multiple local water and sanitation districts. Current members include Las Gallinas Valley Sanitary District, Novato Sanitary District, Sonoma Valley County Sanitation District, Napa Sanitation District, Sonoma County Water Agency, Napa County, and the North Marin Water District. The Recipient is the administrative agency for NBWRA and as such is the applicant for this scope of work. Additional information is available at the NBWRA webpage: <http://nbwra.org/>.

The objective of this cooperative agreement will be to reimburse the Recipient for the appropriate Federal cost share associated with the Project. Even though Phase 2 is authorized for construction, the Recipient is not obligated to construct Phase 2 and cannot construct Phase 2 until it completes all applicable Federal pre-construction determinations. The Scoping Study that the Recipient will prepare under this cooperative agreement is the first of many steps necessary to satisfy such determinations. If, after completing the Scoping Study and Report, the Recipient decides to proceed with Phase 2, the Recipient will conduct a feasibility study and submit for Reclamation's review and evaluation, a feasibility report conforming to the requirements of Reclamation Manual Directive and Standard WTR 11-01.

The Scoping Study and Scoping Report will address multiple objectives including, but not limited to, the following:

- Identify potential new NBWRA members to construct Phase 2,
- Identify at a conceptual level the potential for additional water recycling in the four county authorized service area
- Provide the NBWRA with information necessary to make more informed decisions as to Phase 2, including whether or not to proceed with a feasibility study.

### **RECIPIENT INVOLVEMENT**

The Recipient shall carry out the Scope of Work in accordance with the terms and conditions stated herein. The Recipient shall adhere to Federal, state, and local laws, regulations, and codes, as applicable, and shall obtain all required approvals and permits. If the Scope of Work contains construction activities, the Recipient is responsible for construction inspection, oversight, and acceptance. If applicable, the Recipient shall also coordinate and obtain approvals from site owners and operators.

The following are the tasks to be accomplished:

Task 1: Identify and assess planning concepts: The Recipient will investigate and assess at a conceptual level planning concepts necessary to provide a reasonable basis for determining whether to proceed with a feasibility study. Such concepts include, but are not limited to: demand for recycled water in volume and duration; new recycled water customers; options for sourcing, using, and securing recycled water; and project benefits.

Task 2: Conduct public outreach efforts: The Recipient will work closely with other recycled water generators, and agricultural interests to develop and participate in public outreach efforts. As part of the scoping study process, the Recipient will conduct several public workshops.

Task 3: Agency Administration and Document Production: As the administrative agency of the NBWRA, the Recipient will function as the non-Federal point of contact and will submit to Reclamation a Scoping Report that summarizes the results of the Scoping Study.

### RECLAMATION INVOLVEMENT

Substantial involvement on the part 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:

- Working with the Recipient to conduct a cost-effective Scoping Study
- Coordinating appropriate internal and external communication, and
- Reviewing and commenting upon all draft and final documents submitted for approval.

### 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) <b>Continuation</b> – 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:

#### **Single Source Justification Description:**

Conducting this Scoping Study will enable the Recipient to further develop and refine the North Bay Water Reuse Program, which is being partially funded using both ARRA and non-ARRA Federal funds.

Based upon prior planning studies and construction activities, the Recipient is uniquely qualified to perform these activities because the Recipient has cost-sharing ability to perform all necessary activities, has the technical expertise to perform the activity, and serves as the administrative agency for the North Bay Water Reuse Authority, which is responsible for coordinating member support throughout the four-county North Bay area.

#### **STATUTORY AUTHORITY**

Section 1604 (Feasibility Studies) - (a) (Authorization) - The Secretary is authorized to participate with appropriate Federal, State, regional, and local authorities in studies to determine the feasibility of water reclamation and reuse projects recommended for such study pursuant to section 1603 of this title. The Federal share of the costs of such feasibility studies shall not exceed 50 per centum of the total, except that the Secretary may increase the Federal share of the costs of such feasibility study if the Secretary determines, based upon a demonstration of financial hardship on the part of the non-Federal participant, that the non-Federal participant is unable to contribute at least 50 per centum of the costs of such study. The Secretary may accept as part of the non-Federal cost share the contribution of such in-kind services by the non-Federal participant that the Secretary determines will contribute substantially toward the conduct and completion of the study.