



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
441 G STREET, NW
WASHINGTON, DC 20314-1000

MAY 02 2019

CECW-P

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Revised Implementation Guidance for Section 1111 of the Water Resources Development Act (WRDA) of 2018, Dredge Pilot Program

1. The Assistant Secretary of the Army, Civil Works approved on 18 April 2019 Section 1111 of WRDA 2018. The attached implementation guidance is posted for internal and external use on the U.S. Army Corps of Engineers official WRDA website: <http://www.usace.army.mil/Missions/Civil-Works/Project-Planning/Legislative-Links/>.
2. Please ensure wide dissemination of this guidance. Questions regarding this implementation guidance should be directed to the Headquarters POC, Sheryl Carrubba, Acting Chief, Navigation Branch, Operations and Regulatory Division, at (202) 761-8648 or sheryl.a.carrubba@usace.army.mil.

A handwritten signature in blue ink, appearing to read "J. Dalton", written over a horizontal line.

JAMES C. DALTON, P.E.
Director of Civil Works

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DEPARTMENT OF THE ARMY
ASSISTANT SECRETARY OF THE ARMY
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108 ARMY PENTAGON
WASHINGTON DC 20310-0108

APR 26 2019

MEMORANDUM FOR THE COMMANDING GENERAL, U.S. ARMY CORPS OF ENGINEERS

SUBJECT: Implementation Guidance for Section 1111 of the Water Resources Development Act of 2018, Dredge Pilot Program

1. Section 1111 of the Water Resources Development Act of 2018 (WRDA 2018) authorizes the Secretary to carry out a pilot program to award contracts with a duration of up to 5 years for Operations and Maintenance of inland and coastal harbors. The authority in Section 1111 terminates 10 years after the date of enactment of WRDA 2018. Section 1111 of WRDA 2018 is enclosed.
2. This Section is applicable to all harbors and inland harbors eligible for Harbor Maintenance Trust Fund appropriations except the sections of the Saint Lawrence Seaway that are maintained by the Saint Lawrence Seaway Development Corporation.
3. The U.S. Army Corps of Engineers (Corps) has authority independent of Section 1111 to consider contracting tools such as multiple year base plus options contracts and multi-year continuing contracts to consolidate annual dredging requirements for inland and coastal harbors. The Corps shall continue to consider use of these tools during acquisition planning for such projects when compatible with project schedules and other requirements, consistent with procurement best practices, and compliant with the substantive and procedural requirements for consolidation and bundling contained in the Federal Acquisition Regulation (FAR), Defense Federal Acquisition Regulation Supplement (DFARS), and the U.S. Army Corps of Engineers Acquisition Instruction. The Corps' authority to utilize these tools for such projects is not affected by subsection (d) of Section 1111.
4. The Assistant Secretary of the Army for Civil Works (ASA(CW)) shall fulfill Section 1111(c) by evaluating each contract awarded during Fiscal Year 2019 that consolidates annual dredging requirements for an inland or coastal harbor for a period of up to 5 years based on the criteria identified in subsection (c) of Section 1111. Within 30 days of the end of Fiscal Year in 2019, the Navigation Business Line Managers at the Major Subordinate Commands (MSC) with concurrence of the MSC Commander shall provide the Chief of Navigation, Headquarters with the consolidation determination and findings documentation for each multiple year or multi-year contract awarded in the MSC's area of responsibility that consolidates annual dredging requirements for an inland or coastal

SUBJECT: Implementation Guidance for Section 1111 of the Water Resources Development Act of 2018, Dredge Pilot Program

harbor. The Chief of Navigation shall consolidate the documentation provided by the MSC Commanders into a draft annual report for the Director of Civil Works within 30 days of receipt of the information from the MSC Commanders. The Director of Civil Works will submit the draft annual report and any recommendations to the ASA(CW) for review and action within 15 days of receiving the report from the Chief of Navigation.

5. MSC Commanders shall include in their annual reports an evaluation and documentation of reliability, performance, and responsiveness as a result of the consolidation of annual dredging requirements in the identified contracts.

6. This guidance shall be transmitted to the appropriate Corps Division and District Commanders and posted to the Corps' WRDA website within five business days of receipt (written or electronic) from this office. Guidance shall be transmitted and posted as is and without additional guidance attached.

7. Questions regarding this implementation guidance should be directed to Gib Owen, Office of the Assistant Secretary of the Army for Civil Works, at gib.a.owen.civ@mail.mil or 703-695-4641.



R. D. JAMES
Assistant Secretary of the Army
(Civil Works)

Enclosure

cf: MG Scott Spellmon, Deputy Commanding General, Civil and Emergency Operations
James Dalton, Director of Civil Works

Water Resources Development Act of 2018, Section 1111 - Dredge Pilot Program

(a) **IN GENERAL.** The secretary is authorized to carry out a pilot program to award contracts with a duration of up to 5 years for the operation and maintenance of harbors and inland harbors referred to in section 210(a)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 2238 (a)(2)).

(b) **SCOPE.** In carrying out the pilot program under subsection (a), the Secretary may award a contract described in such sub-section, which may address one or more harbors or inland harbors in a geographical region, if the Secretary determines that the contract provides cost savings compared to the awarding of such work on an annual basis or on a project-by-project basis.

(c) **REPORT TO CONGRESS.** Not later than 1 year after the date on which the first contract is awarded pursuant to the pilot program carried out under subsection (a), the Secretary shall submit to Congress a report evaluating, with respect to the pilot program and any contracts awarded under the pilot program

- (1) cost effectiveness;
 - (2) reliability and performance;
 - (3) cost savings attributed to mobilization and demobilization or dredge equipment;
- and
- (4) response times to address navigational impediments.

(d) **SUNSET.** The authority of the Secretary to enter into contracts pursuant to the pilot program carried out under subsection (a), shall expire on the date that is 10 years after the date of the enactment of this Act.