



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

CECW-P

MAY 02 2019

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Revised Implementation Guidance for Section 1112 of the Water Resources Development Act (WRDA) of 2018, Hurricane and Storm Damage Reduction

1. The Assistant Secretary of the Army, Civil Works approved on 18 April 2019 Section 1112 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, Willem Helms, Program Manager, Homeland Security, at (202) 761-5909 or willem.h.helms@usace.army.mil.

A handwritten signature in blue ink, appearing to read "J. Dalton".

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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APR 26 2019

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

SUBJECT: Implementation Guidance for Section 1112 of the Water Resources Development Act of 2018, Hurricane and Storm Damage Protection Program

1. Section 1112 of the Water Resources Development Act of 2018 (WRDA 2018) authorizes the Secretary to carry out a pilot program to award single contracts for multiple authorized hurricane and storm damage reduction projects in a geographical region, if the Secretary determines that a single contract provides cost savings compared to the awarding of such work on a project-by-project basis. Section 1112 authorizes \$75,000,000 to be appropriated for this pilot program. Section 1112 of WRDA 2018 is enclosed.
2. For purposes of Section 1112, "authorized hurricane and storm damage risk reduction projects" (HSDRR) include the initial construction, periodic nourishment, and post-storm restoration of projects involving the placement of dredged material on shorelines or beaches as specifically authorized by Congress or implemented under the Continuing Authorities Program.
3. The U.S. Army Corps of Engineers (Corps) has authority independent of Section 1112 to consider contracting tools such as fixed-price, cost reimbursement, base plus, and incentive contracts to consolidate dredging and placement requirements for multiple HSDRR projects. 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 (f) of Section 1112. Each Major Subordinate Command (MSC) Commander is encouraged to identify at least one contracting effort in his/her area of responsibility in which contracts can be consolidated in Fiscal Years 2019, 2020, and 2021.
4. The Assistant Secretary of the Army for Civil Works (ASA(CW)) shall fulfill Section 1112(d) by reporting annually in Fiscal Years 2019, 2020, and 2021 on the

SUBJECT: Implementation Guidance for Section 1112 of the Water Resources Development Act of 2018, Hurricane and Storm Damage Protection Program

consolidation of dredging and placement requirements for multiple HSDRR projects into single contracts. Within 30 days of the end of each fiscal year starting with 2019, appropriate MSC Commanders shall provide the Director of Civil Works through Corps Headquarters' Chief of the Homeland Security Office with the determination and findings documentation supporting each decision to consolidate requirements for multiple projects into a single contract. The documentation shall also evaluate the extent to which each consolidation of requirements fostered Federal, State, and local collaboration. The Chief of the Homeland Security Office shall consolidate the documentation provided by the MSCs into a draft annual report for the Director of Civil Works (DCW) within 30 days of receipt of the information from the MSC's. The DCW will submit the draft annual report to the ASA(CW) for review and action by 15 December annually.

5. 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.

6. 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 1112 - Hurricane and Storm Damage Protection Program.

(a) **IN GENERAL.** The Secretary is authorized to carry out a pilot program to award single contracts for more than one authorized hurricane and storm damage reduction project in a geographical region, including projects across more than one Corps of Engineers district, if the Secretary determines that the contract provides cost savings compared to the awarding of such work on a project-by-project basis.

(b) **PROJECT SELECTION.** In carrying out the pilot program under subsection (a), the Secretary shall consult with relevant State agencies in selecting projects.

(c) **CRITERIA.** In carrying out the pilot program under subsection (a), the Secretary shall establish criteria and other considerations that

- (1) foster Federal, State, and local collaboration;
- (2) evaluate the performance of projects being carried out under a single contract with respect to whether such projects yield any regional or multi-district benefits; and
- (3) include other criteria and considerations that the Secretary determines to be appropriate.

(d) **REPORT.** Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes findings and recommendations of the Secretary with respect to the projects completed under the pilot program carried out under subsection (a).

(e) **AUTHORIZATION OF APPROPRIATIONS.** There is authorized to be appropriated to carry out this section \$75,000,000.

(f) **TERMINATION.** 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 enactment of this Act.