

**Determination and Findings (D&F) for an Interagency Transaction
Under the Economy Act**

In-House

Title of Effort: Economy Act Agreement between the U.S. Army Corps of Engineers, Libby Dam, and the US Forest Service, Kootenai National Forest for Assistance in Management of Cultural Resources

Requesting Agency: Seattle District, U.S. Army Corps of Engineers

Requirements POC: Alana Mesenbrink/Natural Resources Specialist/
Alana.f.mesenbrink@usace.army.mil/ 406-293-7751x252

Servicing Agency: U.S. Forest Service, Kootenai National Forest. This is a federal activity that complies with 31 U.S.C. 1535.

Description of Effort: Obtain Cultural Resources Management Service Support from the U.S. Forest Service; Kootenai National Forest.

Total Estimated Cost: The task order will cost \$84,262.

FINDINGS


I have reviewed the requirements for use of the Economy Act in order to obtain cultural resource management services from the U.S. Forest Service (Kootenai National Forest). In accordance with the Economy Act, the Department of the Army intends to conduct an interagency transaction with the U.S. Forest Service (Kootenai National Forest, Libby, Montana).

1. The use of an interagency transaction is in the best interest of the Government.
2. The cultural resource management services supplied by the Kootenai National Forest (U.S. Forest Service) cannot be obtained as conveniently or economically by contracting directly with a private source. A cost estimate using hourly rates from existing Indefinite Delivery, Indefinite Quantity (IDIQ) contract (W912DW-16-R-0011) indicates that it would cost the Seattle District \$101,864.60 to contract out the work. If the work was to be conducted by Seattle District employees it would cost the Seattle District \$117,660.00 due to travel costs and overall position rates of Corps employees. Therefore, the cost estimate from the Forest Service (Kootenai National Forest) to conduct the work under this Interagency Transaction is \$_84,262_ (Enclosure 1)
3. An *Interagency Agreement (IA No. 15-IA-11011400-018 – FY 2015-2020)* has been previously prepared and executed by NWD on 28 Apr 2015 in accordance with DoDI 4000.19 and is attached.
4. Funding is available to pay for the support. Work performed under this Transaction is funded jointly by the Corps and Bonneville Power Administration as part of the Federal Columbia River Power System (FCRPS) Cultural Resource Program, as administered and approved by USACE Seattle District Operations Division (CENWS-OPS) for the Libby Dam Operating Project for Fiscal Year 2018. The Funds Certifying Official's written concurrence is provided below, signifying that the funds cited on the Economy Act order are properly

chargeable for the purposes cited in the order. Fiscal Year 2018 funds (\$84,262.00) for this transaction are approved and administered by USACE Seattle District Operations Division (CENWS-OPS) for the Libby Dam Operating Project.

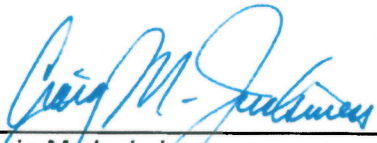
5. The non-DoD servicing agency (US Forest Service/Kootenai National Forest) is able to provide the support. The Forest Service/Kootenai National Forest is the local Federal land manager and retains professionally qualified cultural resources personnel to carry out cultural resource activities with the Federal Columbia River Power System (FCRPS) program that includes Native American participation and consultation. Work under this Task Order will be performed for the purposes of continuing required cultural resource management work in accordance with and specified under the terms and conditions of the *Intertie Development and use Programmatic Agreement, executed in 1991*; the *2009 Federal Columbia River Power System System-Wide Programmatic Agreement for compliance with National Historic Preservation Act regarding FCRPS Operations at Libby Dam*; the *1988 Action Plan "O" between the Seattle District, Corps of Engineers and the Kootenai National Forest Concerning Cultural Resources Management at Libby Dam-Lake Koocanusa, Montana*; and the *GIS Sharing Memorandum of Understanding between the USDA Forest Service, Kootenai National Forest, and the U.S. Army Corps of Engineers*.
6. The transaction does not conflict with any other agency's authority or responsibility.
7. A copy of the approved D&F will be provided to the non-DoD agency along with the Economy Act order.

Concurrence:




R. David Williams
Chief, Contracting Division
U.S. Army Corps of Engineers
Seattle District

7 Dec 2017
Date



Craig M. Juckniess
District Office of Counsel
U.S. Army Corps of Engineers
Seattle District

27 Nov 17
Date

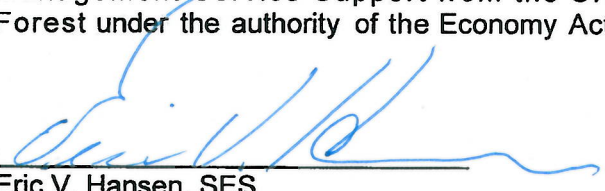


Robert L. Frazier
Chief, Resource Management
U.S. Army Corps of Engineers
Seattle District

22 NOVEMBER 2017
Date

DETERMINATION

Given the findings outlined above, in accordance with 31 U.S.C. 1535, I hereby determine that it is in the best interest of the Government to place an order for Cultural Resources Management Service Support from the U.S. Forest Service; Kootenai National Forest under the authority of the Economy Act.



Eric V. Hansen, SES
Director, Regional Business
U.S. Army Corps of Engineers
Northwestern Division

14 Feb 2018

Date

Forest Service Cost Estimate

Tasks	personnel	Days	\$/day	Total
Management Support	Forest Archaeologist	10	\$380	\$3,800
Quarterly FCRPS (Libby Co-op) Meetings; Spokane, Portland, Libby, Pablo	Forest Archaeologist	10	\$380	\$3,800
Quarterly FCRPS (Libby Co-op) Meeting; note taker	Cindy Hemry	10	\$340	\$3,400
Final 2017 Site Condition Report	Forest Archaeologist	5	\$380	\$1,900
2018 Site Condition Assessment	Forest Archaeologist	10	\$380	\$3,800
2018 Site Condition Assessment	Cindy Hemry	10	\$340	\$3,400
2018 Draft Site Condition Report	Forest Archaeologist	10	\$380	\$3,800
2018 Blackwell Flats Riparian Construction monitoring and report	Cindy Hemry	10	\$340	\$3,400
2018 Data input (Corps contract/IWEB)	Archaeologist	10	\$340	\$3,400
Landform Erosion Measurement	Cindy Hemry	14	\$340	\$4,760
Landform Erosion Measurement	Forest Archaeologist	5	\$380	\$1,900
TCP Inventory Plan assistance	Forest Archaeologist	10	\$380	\$3,800
National Register eligibility (MKRAD) pre-work	Forest Archaeologist	10	\$380	\$3,800
GIS update and transfer	Cindy Hemry	10	\$340	\$3,400
Inventory of Corps Fee Lands & Report	Cindy Hemry	28	\$340	\$9,700
Big Creek Stewardship	volunteer			\$3,400
Travel per diem/hotel	Forest Archaeologist			\$2,200
Travel per diem/hotel	Cindy Hemry			\$2,200
FS Vehicle 7986 Fixed Ownership Rate (FOR)				\$1,500
Supplies				\$5,000
<i>Sub Total</i>				\$78,020
Overhead 8%				\$6,242
Total				\$84,262.00

Private Contractor Cost Estimate using Contract W912DW-16-R-0011 (Bid Schedule Rates)

Tasks	Personnel*	Days	\$/Day	Total
Note Taking and meeting attendance at quarterly FCRPS Meetings (Seattle, Portland, Libby and Pablo)	Experienced Specialist	10	\$603.84	\$6,038.40
Management Support	Recognized Regional Expert	10	\$942.40	\$9,424.00
Blackwell Flats Riparian Construction monitoring and Report	Experienced Specialist	15	\$603.84	\$9,057.60
GIS Transfer/Update	Experienced Specialist	10	\$603.84	\$6,038.40
Data Survey Processing	Technical Aide	10	\$327.20	\$3,272.00
Traditional Cultural Property (TCP) Assistance	Recognized Regional Expert	10	\$942.40	\$9,424.00
2018 Site Conditions Assessments and Draft Report	Recognized Regional Expert	20	\$942.40	\$18,848.00
Landform Erosions Measurements	Experienced Specialist	10	\$603.84	\$9,424.00
Big Creek Stewardship	Technical Aide	5	\$327.20	\$1,636.00
Update on National Register eligibility for MKRAD	Experienced Specialist	10	\$603.84	\$6,038.40
Inventory and report on COE Lands (Right-of-way at Rexford and intersection of road up Fisher)	Experienced Specialist	15	\$603.84	\$9,057.60
Supplies	-	-	-	\$5,500.00
Travel/Per Diem/Airfare (2 people: Spokane/Portland)	Experienced Specialist/Regional Expert	5	\$942.40/ \$603.84= \$1,546.24	\$7,731.20
Car Rental (Spokane/Portland)		5	\$75.00	\$375.00
Total				\$101,864.60

In House Corps Staff Cost Estimate (use of the Budget Estimation Tool)

Tasks	Personnel*	Days	\$/Day	Total**
Note Taking and meeting attendance at quarterly FCRPS Management Support	Archaeologist (GS-12)	10	\$880.00	\$8,800.00
Final 2017 Site Condition Report	Archaeologist (GS-12)	10	\$880.00	\$8,800.00
Blackwell Flats Construction Monitoring & Site (24I N1018) Report	Archaeologist (GS-12)	15	\$880.00	\$13,200.00
GIS Transfer/Update	Archaeologist (GS-12)	5	\$880.00	\$4,400.00
Survey Data Processing	Archaeologist (GS-12)	5	\$880.00	\$4,400.00
Traditional Cultural Property (TCP) Assistance	Archaeologist (GS-12)	10	\$880.00	\$8,800.00
2017 Site Conditions Assessments and Draft Report	Archaeologist (GS-12)	10	\$880.00	\$8,800.00
Landform Erosions Measurements	Archaeologist (GS-12)	20	\$880.00	\$17,600.00
Big Creek Stewardship	Archaeologist (GS-12)	2	\$880.00	\$1,760.00
Conduct Update on National Register eligibility for MKRAD	Archaeologist (GS-12)	5	\$880.00	\$4,400.00
Inventory and report on COE Lands (Right-of-way at Rexford and intersection of road up Fisher)	Archaeologist (GS-12)	15	\$880.00	\$13,200.00
Supplies	Archaeologist (GS-12)	5	\$880.00	\$4,400.00
Travel/Per Diem/Airfare (2 people)	Archaeologist (GS-12)	5	\$880.00	\$8,800.00
Car Rental (for FCRPS Meetings and Field Survey/Monitoring at Libby)		20	\$75.00	\$1,500.00
Total				\$117,660.00

*Corps Personnel includes supervisory oversight and admin cost.

**The total includes the day rate of the archaeologist plus the calculate amount of supervisory/admin cost.

Notes:

1) Travel/Per diem/Airfare costs are higher for Contractor or Corps Staff. Contractor or Corps staff would have to travel to Libby, Montana to conduct the work on the Kootenai National Forest. The Forest Service employees are local and work on the Kootenai National Forest. Travel/per diem/Airfare costs are for Forest service to attend quarterly FCRPS meetings.

U.S. ARMY CORPS OF ENGINEERS INTERAGENCY/SUPPORT AGREEMENT (ER 1140-1-211)		1. AGREEMENT NO. 15-IA-11011400-018	
		2. <input checked="" type="checkbox"/> INITIAL AGREEMENT <input type="checkbox"/> AMENDMENT NO.	
3. PROJECT TITLE Historic Property Management Site Monitoring, Assessment, and Reporting Assistance Libby Dam/Lake Koocanusa Project, Montana FY 2018		4. EFFECTIVE DATE 2017-10-31	
		5. COMPLETION DATE 2018-09-30	
6. NAME AND ADDRESS OF USACE ORGANIZATION US Army Corps of Engineers, Libby Dam 17877 Hwy 37 Libby, MT 59923		7. NAME AND ADDRESS OF OTHER AGENCY US Department of Agriculture, US Forest Service Kootenai National Forest, 3174 US Highway 2 Libby, MT 59923	
8. SCOPE OF WORK <i>(Additional pages may be used as needed)</i> <p>The Kootenai National Forest (Libby District) is being tasked with historic property management tasks at the Libby Dam/Lake Koocanusa (LD) in the interest of efficiently carrying out activities needed to support the current Seattle District, U.S. Army Corps of Engineers (Corps) Action Plan for managing archaeological sites and other historic property types at LD. Archaeological site monitoring is needed especially during current bank stabilization projects and support and assistance for site treatment and condition assessment evaluation on LD project operating lands subject to Section 106 compliance.</p> <p>This SA is being written off of the FY2015-2020 Interagency Agreement between the US Army Corps of Engineers, Seattle District and the USDA Forest Service, Kootenai National Forest, Agreement No. 15-IA-11011400-018. In the event of conflict the IA shall control. This SA may only be amended by mutual agreement of all the parties. Work is to be done in house, and no contracts are anticipated.</p> <p>See Attachment A for Statement of Work.</p>			
9. SPECIAL PROVISIONS <i>(Additional pages may be used as needed)</i> <p>a. All rates expressing the unit cost of services provided in this agreement are based on current rates which may be subject to change for uncontrollable reasons, such as legislation, DoD directives, and commercial utility rate increases. The receiver will be notified immediately of such rate changes that must be passed through to the support receivers.</p> <p>b. This agreement may be cancelled at any time by mutual consent of the parties concerned. This agreement may also be cancelled by either party upon giving at least 180 days written notice to the other party.</p> <p>c. In case of mobilization or other emergency, this agreement will remain in force only within supplier's capabilities.</p>			
10. USACE PROJECT OFFICER Alana Mesenbrink, Nat. Res. Specialist		TELEPHONE 406-293-7751 x 252	11. OTHER AGENCY PROJECT OFFICER Justin Moschelle, Forest Archaeologist
			TELEPHONE 406-293-6211
ADDRESS 17877 Hwy 37 Libby, MT 59923		ADDRESS 3174 US Highway 2 Libby, MT 59923	

12. REPORTS (Requirements and Frequency)

See Attachment A for requirements, deliverables and the frequency of deliverables

Eric V. Hansen 14 Feb 2018

13. FUNDS (Page(s) with cost breakdown may be attached as necessary)

SOURCE	PREVIOUS AMOUNT	AMOUNT THIS ACTION	AMENDED TOTAL
a. USACE AMOUNT		\$84,262.00	\$84,262.00
b. OTHER AGENCY AMOUNT		\$0.00	\$0.00
c. TOTAL PROJECT COST		\$84,262.00	\$84,262.00

14. FUNDING

Funds will be provided by:

- a. Transfer Appropriation (SF 1151, Now-Expenditure Transfer Authorization)
- Reimbursable Order (31 USC 1535 - Economy Act)
- Other (describe) IPAC

b. Appropriation: 96X3123 396

ADDITIONAL DETAILS ARE COVERED IN ATTACHMENT A

15. BILLING

a. Request for payment will be made by: SF 1080 SF 1081 Other (describe)

b. Frequency Monthly Quarterly Upon work completion Other (describe)

c. Request for payment will cite the following accounting information (describe necessary documentation):

96 X 3123.0000 G3 X 08 2433 067352 2530 366LBC 396 96453 00008736

d. Submit to:

USACE FINANCE CENTER (G3), SEATTLE DISTRICT (G3)
5722 INTEGRITY DRIVE, MILLINGTON, TN 38054-5005

16. AUTHORITY

Economy in Government Act, 31 U.S.C. 1535; USACE-USFS 1966 Memorandum of Understanding;

17. APPROVALS

a. NAME AND TITLE OF AUTHORIZING OFFICIAL FOR USACE Eric V. Hansen, SES Director, Regional Business	SIGNATURE <i>Eric V. Hansen</i>	DATE 14 Feb 2018
b. NAME AND TITLE OF AUTHORIZING OFFICIAL FOR OTHER AGENCY Christopher S. Savage Forest Supervisor, Kootenai National Forest	SIGNATURE	DATE