

ECONOMY ACT DETERMINATION AND FINDINGS

1. I have reviewed the requirements for the repainting of the intake service bridge at Sardis Dam and the repainting of the spillway bridge at Enid Dam, which is to be placed with the Tennessee Valley Authority (TVA) as an interagency order under the Economy Act.

2. Findings. My review of the proposed acquisition resulted in the following findings:

a. The proposed acquisition is authorized in The Economy in Government Act, 31 U.S.C. 1535, and FAR Subpart 17.5 - Interagency Acquisitions under Economy Act, and DoDI 4000.19, Interservice and Intragovernmental Support. The services are entirely interagency reimbursable work to be performed solely by Federal employees as described in FAR 17.500(c) and therefore are specifically excluded from the procedural requirements of FAR Subpart 17.5.

b. The Army is legally authorized to acquire the supplies or services.

c. Adequate funding is currently available for repainting the intake and spillway bridges and any additional minor repairs the inspections may uncover. Budgetary constraints require that all work, associated with both projects, be completed in FY 2014. TVA has assured that all work can be completed in this FY.

d. The proposed services will be acquired through a Support Agreement issued under the terms and conditions of the 20 September 2005 Memorandum of Agreement between TVA and the Corps.

e. The supplies or services cannot be provided at the time required and more economically by contractors under an Army contract. The work shall be accomplished during the period of May – September to achieve ambient temperature requirements established by coating manufacturer.

f. The servicing agency has unique expertise or ability not available within the DoD. Because of their extensive knowledge and expertise in the area of hydraulic steel structures, gatehouses, bridges, and other flood control features, TVA was contacted to assist the Corps of Engineers in this work. TVA has a vast number of similar facilities that they routinely maintain for themselves, the Vicksburg District, and numerous other US Army Corps of Engineers Districts.

g. The servicing agency regularly performs the type of work required, and will accept the order, and can satisfy the requirement. TVA has informed the Vicksburg District that it has the capability and capacity to provide these services. TVA painted the intake service bridges for Arkabutla and Enid in 1996 and 1997. The TVA's involvement originated after it was analytically determined the structures were originally coated with

lead based paint. TVA has determined through coating tests that there are multiple layers of lead based paint on Sardis's intake service bridge. Since both jobs involve significant environmental challenges and difficulty involving specification preparation, plans are to utilize TVA to mitigate these risks that could otherwise be time consuming, costly, and potential to have modification. Their expertise in blasting and containment of environmentally hazardous waste is exceptional.

The Grenada spillway bridge was painted by TVA in 2010. The design of Grenada's spillway bridge along with its components is very similar to the spillway bridge to be painted at Enid Dam. The methods, materials, and familiarity with the size and type of bridge optimize TVA as the source of labor for prompt completion.

The work area at Sardis is a restricted area pursuant to the provisions of Section 21 of the Internal Security Act of 1950 in which TVA has previously been approved to work in and any contractor in the private sector will have to go through extensive background and security checks in order for its personnel to perform the job.

h. This action does not conflict with any other agency's authority or responsibility, and legal authority for the acquisition exists. This acquisition will not place the Government agencies in direct competition with commercial sources nor can private contractors perform these specialized services as timely, conveniently, or more economically. TVA has been asked to assist the Vicksburg District with work involving hydraulic steel structures, gatehouses, bridges, and other flood control features since the early 1990's because of their expertise and extensive knowledge of our Dam Safety Program.

i. The TVA's in-house forces will perform the required services; therefore, there will be no contract action as a result of this MIPR. There are no requirements under this agreement to provide plans or specifications prior to the commencement of work. Not having to develop detailed plans and specifications will be an additional cost savings. The required documentation for maintenances, repairs, or fabrications to be performed under the aforementioned tasks may be generally outlined in a Scope of Work (SOW), as prepared by the Corps of Engineers. All work will be performed by TVA per the Memorandum of Agreement between the TVA and the Corps of Engineers.

j. The contract administration procedures related to TVA are adequate for Army requirements.

k. TVA estimates are considered fair and reasonable when compared to identical work performed at other facilities. The following prices and time frames are considered fair and reasonable in accordance with Government Control Estimates as well as compared to work completed at the other lakes in previous years. All work will be

accomplished in close coordination between TVA and Government technical representatives such that funding may be fixed and obligated in FY 2014. TVA has a maintenance team that possesses all the necessary technical expertise to complete this work. All work on site will be at the direction of the Government.

A) Sardis - Service Bridge (\$377,136.00 estimated 6.5 weeks in June – July 2014)

B) Enid – Spillway Bridge (\$201,665.00 estimated 5 weeks in June – July 2014)

l. All approvals and authorizations required by Army and/or DoD policies for acquiring the supplies or services have been obtained.

m. This work does not conflict with any other authority or responsibility of any other agency as listed in FAR Part 8 or DFARS Part 208. In addition, the work is not work that TVA is required by law to provide and for which, as part of its mission, it receives appropriations.

n. The requirement is a bona-fide need of the Army.

3. Determination. Based on the above findings, I hereby determine it is in the best interest of the Government to place the order to have structures repaired and painted by the TVA under the authority of the Economy Act.

Concur/Nonconcur

21 May 2014

Date



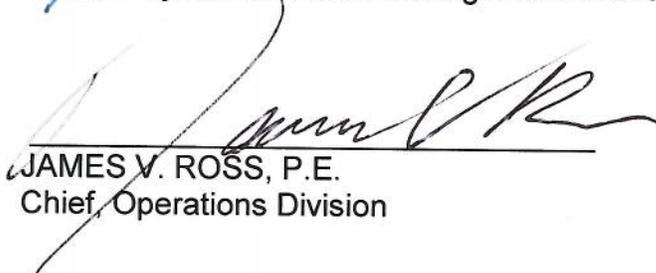
JOHNNY R. KISER

Chief, Project Resources Management Branch

Concur/Nonconcur

21 May 2014

Date



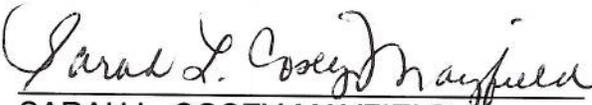
JAMES V. ROSS, P.E.

Chief, Operations Division

Concur/Nonconcur

21 May 2014

Date



SARAH L. COSEY-MAYFIELD

Chief, Vicksburg Consolidated Contracting Office

Concur/Nonconcur

21 May 2014

Date



RYMN J. PARSONS

Chief, Office of Counsel

Concur/Nonconcur

22 MAY 2014

Date



JOHN W. CROSS

Colonel, Corps of Engineers
Commanding

Approve/Disapprove

10 JUN 14

Date



PETER A. DELUCA

Brigadier General, USA
Commanding

STAFF ACTION SUMMARY

TO: COL Cross, MVK Commander

DATE: 5 May 2014

SUSPENSE: 13 May 2014

FROM: Johnny Kiser

SUBJECT: Economy Act Determination and Findings for Services to be Performed by TVA at Enid and Sardis Dams

Summary of Action Requiring Coordination:

Issue: Determination and Findings regarding the Economy Act.

Discussion:

The Vicksburg District, Operations Division, requires that the following maintenance activity be conducted: repainting of the intake service bridge at Sardis Dam and the repainting of the spillway bridge at Enid Dam, which is to be placed with the Tennessee Valley Authority (TVA) as an interagency order under the Economy Act.

The proposed acquisition is authorized in The Economy in Government Act, 31 U.S.C. 1535, and FAR Subpart 17.5 - Interagency Acquisitions under Economy Act, and DoDI 4000.19, Interservice and Intragovernmental Support. The services are entirely interagency reimbursable work to be performed solely by Federal employees as described in FAR 17.500(c) and therefore are specifically excluded from the procedural requirements of FAR Subpart 17.5.

The servicing agency has unique expertise or ability not available within the DoD. Because of their extensive knowledge and expertise in the area of hydraulic steel structures, gatehouses, bridges, and other flood control features, TVA was contacted to assist the Corps of Engineers in this work. TVA has a vast number of similar facilities that they routinely maintain for themselves, the Vicksburg District, and numerous other US Army Corps of Engineers Districts.

Recommendation:

Approval by signature.

Action Officer: Johnny Kiser

Action Office Symbol: CEMVK-OD-M

Telephone Number: 1-5283

Directorate/Office Chief: Johnny Kiser

ROUTING SLIP (AR 25-50)		NEVER USE FOR APPROVALS, DISAPPROVALS, CONCURRENCES, OR SIMILAR ACTIONS	
TO	INITIALS	DATE	
7 6	DE - Commander	JA	10/20/14
	DD - Deputy Commander	JCD	9 Jun 14
	RCO - Readiness & Contingency Ops		
5	EX - Executive Assistant		
	PA - Public Affairs		
3	RB - Regional Business Directorate	SW	5/27/14
	RB-T - Business Technical Division		
	RB-M - Business Management Division		
	RB-R - Business Resource Division		
	RB-W - Watershed Division		
2	PD - Programs Directorate	SW	
	PD-C - CW Integration Division		
	PD-N - MVN		
	PD-KM - MVK, MVM		
	PD-SP - MVS, MVR, MVP		
	PD-ST - MS River Science & Tech Ofc		
4	OC - Office of Counsel	DBL	6/9/14
	HR - Human Resources		
	EEO		
	Small Business		
1	Contracting	SW	5-25
	Security & Law Enforcement		
	Internal Review		
	ACE-IT		
CHECK ACTION DESIRED			
	INFORMATION	SIGNATURE	NOTE AND RETURN
	CIRCULATE	NECESSARY ACTION	SEE ME
FROM	CEMVD-DE/DD		TELEPHONE 634-5750
			DATE 22 May 14
ORGANIZATION MISSISSIPPI VALLEY DIVISION / MISSISSIPPI RIVER COMMISSION			
DA FORM 1222-R, SEP 88		USAPPC V1.00	
PREVIOUS EDITIONS MAY BE USED			