

UNITED STATES DEPARTMENT OF THE INTERIOR
Wildland Fire Agencies
UNITED STATES DEPARTMENT OF AGRICULTURE
United States Forest Service
Washington, D.C.

MEMORANDUM

To: All Headquarters, Regional and Field Officials
Attention: Fuels Management Specialists and Contract and Agreement Specialists

From: Chief, U.S. Forest Service (FS)
Director, Bureau of Land Management (BLM)
Director, National Park Service (NPS)
Director, U.S. Fish and Wildlife Service (FWS)
Deputy Commissioner for Indian Affairs (BIA)

Subject: Joint Implementation of Wildland Fire Fiscal Year (FY) 2001 Department of the Interior (DOI) Appropriations Act through Procurement Contracts, Grants, or Cooperative Agreements

Purpose: This memorandum implements joint contract and Federal assistance agreement policies, strategies, and models among the wildland fire agencies authorized in the FY 2001 DOI and Related Agencies Appropriations Act, Public Law 106-291.

Scope: These joint policies and strategies apply to fuels reduction, rehabilitation, and restoration contracts in the FS, the BLM, the NPS, the FWS, and the BIA. The policies, strategies, and models for community assistance agreements and rural fire assistance agreements apply to the four bureaus in the DOI. The FS will use its authority other than Public Law 106-291 to provide community assistance through the State Foresters. The rural fire assistance authority in Public Law 106-291 is a pilot authority for the DOI wildland fire agencies.

Definitions: Hazardous fuels treatments include application of prescribed fire, mechanical removal, mulching, and application of chemicals.

Burned area rehabilitation is designed to prevent further degradation of resources following wildland fire through (1) short-term stabilization activities to protect life and property, protect municipal watersheds, and prevent unacceptable degradation of critical natural and cultural resources, and (2) longer-term rehabilitation activities to repair and improve lands unlikely to recover naturally from severe fire damage.

Background: Funds increased significantly for the wildland fire agencies in the FY 2001 DOI and Related Agencies Appropriations Act, Public Law 106-291. The Act authorizes the use of contracts, grants, and cooperative agreements to accomplish fuels reduction, rehabilitation, and restoration treatments and for training and monitoring of these activities on Federal land or on adjacent non-Federal land that benefits resources on Federal land. These authorities are provided: “. . . notwithstanding Federal Government procurement and contracting laws.”

This greatly expanded Fuels Treatment Program places primary emphasis on community protection, stabilization, and rehabilitation of burned areas and on community assistance programs that may be used to develop local capability and homeowner education. Costs for community assistance programs may be shared. Enhancement of local small business employment opportunities in rural communities and best value practices may be taken into account in selecting sources for contracts and agreements.

In conducting fuels reduction, stabilization, and rehabilitation treatments, local contract personnel should be used whenever possible. These include:

- local private, nonprofit, or cooperative entities;
- Youth Conservation Corps crews or related partnerships with State, local, and non-profit youth groups;
- small or micro-businesses; or
- other entities that will hire or train a significant percentage of local people to complete the contract work.

Funds are also provided to the DOI for pilot efforts to assist rural fire districts to enhance their fire protection capability. Assistance includes training, equipment purchase, and prevention activities on a cost-share basis.

An Interagency Team of Contract and Agreement Specialists and Fuels Management Specialists met at the BLM National Interagency Fire Centers to develop:

- model fuels reduction, rehabilitation, and restoration contracts;
- model grants and cooperative agreements to assist communities to perform fuels reduction, rehabilitation, and restoration work;
- model grants and cooperative agreements to assist rural fire districts; and
- an action plan to implement these joint policies, strategies, and models.

Many of the contract models are Indefinite Delivery Indefinite Quantity (IDIQ) contracts from which all wildland fire agencies can order. Many of the statements of work are performance-based, such as those for fuels treatment that are priced based on the level of difficulty of the job.

Policy/Strategies:

New Contracts

By January 31, 2001, the Interagency Contract and Agreement Strategy Team will provide electronic fuels reduction, rehabilitation, and restoration contract models, including contracts for monitoring and planning activities, to a new National Fire Plan contract site Web master through his coordinators. The names, phone numbers, and e-mail addresses of the Web master and agency coordinators are:

<u>Name</u>	<u>Agency</u>	<u>Phone Number</u>	<u>E-Mail Address</u>
John Sherman (Web Master)	BLM	(303) 236-0225	John_sherman@blm.gov
Dee McCombie	FS	(208) 387-5611	dmccombie@fs.fed.us
Donna Kalvels	NPS	(303) 969-2114	Donna Kalvels /DENVER/NPS
Robert Ashworth	FWS	(703) 358-1728	robert_ashworth@fws.gov
Tony Recker	BIA	(505) 671-4419	tonyrecker@bia.gov
Andrew Bellcourt	BIA	(612) 713-440, ext. 1132	andrewbellcourt@bia.gov

By January 31, 2001, the BLM National Business Center in collaboration with the Interagency Implementation Steering Group will develop and maintain an interagency Web site to host:

- model contract statements of work;
- model community and rural fire cooperative agreements;
- information for the public and vendors on how to prepare bids or offers;
- contracts available for multi-agency use;
- instructions for ordering services under contracts;
- instructions for completing assistance agreement models;
- a list of names, phone numbers, and e-mail addresses of technical, contracts, and agreement contacts in each agency sorted by:
 - (1) those whose models will be posted;
 - (2) the lead Contracting Officer whose contracts can be used for ordering by all wildland fire agencies and the geographic area covered;
the Contracting Officer whose contract will be modified for ordering by all wildland fire agencies and the geographic area

- covered;
- (3) contacts for community assistance agreements; and
- (4) contacts for rural fire assistance agreements.

By February 9, 2001, the Geographic Area Coordinating Group in collaboration with local procurement personnel and the Interagency Implementation Steering Group will assign a lead agency and lead Contracting Officer for joint contracting efforts in each geographic area. The Groups should use the following criteria to decide the lead agency and lead Contracting Officer:

- the workload (number of contract projects) within the geographic area;
- the size of the area (e.g., State, regional, drainage, etc.);
- the total dollar amount of all contract projects within the area;
- the pool of capable local vendors;
- jurisdiction/Congressional District;
- Contracting Officer availability and supporting resources;
- Contracting Officer's dollar warrant limit must be equal to or higher than the total dollar amount of each contract to be awarded; and
- the lead Contracting Officer is not required to be located within the area.

The lead agency and lead Contracting Officer information should be provided to the DOI bureau procurement chiefs and to the FS Director of Acquisition Management who will ensure contracts are awarded for all agencies to use. The information should also be provided to the National Fire Plan contract site Web master. The attached format should be used to provide the information. By early April 2001, the lead agency Contracting Officer for each geographic area will pursue and/or complete the following tasks:

1. Use non-traditional methods of outreach to find sources for contractors and prospective employees. This includes employment agencies, timber associations, timber companies, range associations, local small and disadvantaged business chambers of commerce, and other community organizations;
2. Coordinate the solicitation prior to issuance with your agency Business Utilization Development Specialist and your local Small Business Administration;
3. Train local community entities how to bid on contracts or develop proposals;
4. Issue the solicitation and award multiple IDIQ contracts for hazardous fuels treatments rehabilitation and restoration within the geographic or subgeographic boundary and authorize ordering by all wildland fire agencies;
5. Obtain maximum competition that is practicable to use local contractor personnel. Use 41 U.S.C. 253(c)(5) "Authorized or Required by Statute" as your authority to contract without providing for full and open competition. Public Law 106-291 authorizes the use of local contractor personnel whenever possible. This authority is provided ". . . notwithstanding Federal Government procurement and contracting laws." This includes taking into account the contractor's ability to enhance local and small business

employment opportunities when awarding contracts or issuing task/delivery orders, i.e., hire local contractors or ensure contractors use the local work force;

6. Include the following language in the contract: “In accordance with DOI and Related Agencies Appropriations Act, 2001, Public Law 106-291, Contracting Officers from BLM, BIA, FWS, NPS and the FS are hereby authorized to issue task/delivery orders against this contract”;
7. Set maximum order limitations considering multiple agency use, contractor capability, and warrant authority;
8. Do not include user fees or percentages in new or modified IDIQ contracts;
9. Upon award, submit the contract for posting on the National Fire Plan Contracts and Assistance Web site so that Contracting Officers from all wildland fire agencies may order from it.

Modification of Current Contracts

By March 2001, each Contracting Officer in the wildland fire agencies will:

1. Modify his/her current IDIQ contracts if he/she answers “yes” to the following questions:
 - Does the current contract involve fuels reduction rehabilitation, or restoration?;
 - Does the current contract have the potential to utilize local vendors within the area of the rehabilitation, restoration, or fuels reduction?;
 - Does the current maximum order limitation allow it to be used by other agencies for additional work?; and
 - Do you have a mechanism in place to track orders by other agencies to ensure you do not exceed your warrant authority, i.e., maximum order limitation?
2. Include the following clause in the contract modification:

“In accordance with DOI and Related Agencies Appropriations Act, 2001, Public Law 106-291, Contracting Officers from BLM, BIA, FWS, NPS, and FS are hereby authorized to issue task orders/delivery orders against this contract.”
3. When the contract is modified, submit the contract for posting on the National Fire Plan Contracts and Assistance Web site so that Contracting Officers from all wildland fire agencies may order from it.
4. Search the National Fire Plan contract Web site prior to initiating new solicitations and contracts to determine if a currently awarded IDIQ contract will meet customer needs.

Community Assistance and Rural Fire Assistance

1. By March 1, 2001, the Interagency Contract and Agreement Strategy Team will provide electronic cooperative agreement models for community assistance and rural fire assistance to the National Fire Plan contract site Web master.
2. All DOI Agreement Officers will use the appropriate model to develop cooperative agreements to:
 - assist communities to accomplish fuels reduction, rehabilitation, and restoration treatments; and
 - assist rural fire districts that includes training, equipment purchase, and prevention activities on a cost-share basis.

We will provide the address of the National Fire Plan contract Web site when it is developed.

Director, Bureau of Land Management

Date

Director, National Park Service

Date

Director, U.S. Fish and Wildlife Service

Date

Deputy Commissioner for Indian Affairs

Date

Chief, U.S. Forest Service

Date

Geographic Interagency Area Contract Lead
For National Fire Plan Contracts/Projects

Geographic Area	Specific Area	Lead C.O. or Contact	Telephone Number	Fax Number	E-Mail

Example:

**Geographic Interagency Area Contract Lead
For National Fire Plan Contracts/Projects**

Geographic Area	Specific Area	Lead C.O. or Contact	Telephone Number	Fax Number	E-Mail
Northern Rockies	Western Half of Montana	FS			
Northern Rockies	Eastern Half of Montana	BLM, Mary Clark, Montana State Office	(406) 896-5205	(406) 896-5020	mclark@mt.blm.gov
Northern Rockies	Northern Idaho	FS, David Hallan, Idaho Panhandle NF	(208) 765-7371	(208) 765-7307	
Northern Rockies	North Dakota & NW South Dakota	NPS, Jane Doe, Theodore Roosevelt NP			