



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Southern Nevada District Office

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Las Vegas, NV 89130

<http://www.blm.gov/nv/st/en/fo/lvfo.1.html>

In Reply Refer To:

2710 (NVS0055)

DECISION MEMORANDUM

To: Southern Nevada Public Land Management Act (SNPLMA) Executive Committee (EC)

Through: SNPLMA Partners Working Group (PWG)

From: Karla Norris Assistant District Manager, SNPLMA Division
/s/ February 7, 2012

Subject: Request Revision to the SNPLMA Implementation Agreement (IA) to Allow for Conditional Approval of Project Modification Requests

Background:

In June 2011, the EC asked the SNPLMA Division to identify projects that have only minimally demonstrated progress towards completion, reported expenditures in excess of the level of accomplishment reported, or may require a scope change or additional funds in order to continue work on the project. The SNPLMA report focused primarily on projects that were from Round 6 or earlier.

Many of the projects on the list were projects that were granted time extensions under the "New Day" time extension Decision Memorandum (dated September 3, 2010) that had made no significant progress towards completion. However, it is not just projects that were on this list that are of concern. Other projects have received multiple time extensions, scope changes, or other project modifications that often result in a protracted time period for project completion. In addition, many older projects have vaguely defined workplans, making it difficult to track project progress.

Typically when a project modification request is submitted by an entity, the standard option is to approve or deny the request. The SNPLMA Division formulated an alternative recommendation to place conditions on a request for the approval of a project modification. As part of the conditional approval, the entity was required to submit a much more detailed workplan with specific milestones, which would allow the Project Manager (PM) to better track progress towards project completion.

Request:

The SNPLMA Division requests that the IA be revised to indicate the following recommended changes:

1. The SNPLMA Division recommends the use of conditional approvals on a limited, as needed, basis. Conditional approval is only recommended for projects that have not shown satisfactory progress towards completion of primary deliverables or if the agency has not shown due diligence towards completing the project.
2. Recommending a conditional approval would be based upon the judgment of the PM. It would only occur after discussion with the agency project manager and review of the project schedule, milestones, and deliverables.
3. Agencies would be required to submit a clearly defined project work plan detailing the deliverable completion dates and clearly defined milestones as to how (and when) the project will be completed.
4. Agencies must meet deadlines and milestones before approval is given to move to the next phase of the project. If an agency cannot meet a milestone or major deliverable, and the project will experience a significant delay, it must provide the PM documentation of extenuating circumstances beyond its control, or the project could be subject to termination.

Significant delay would be defined as: Any action or inaction that has or is likely to have, influence or affect that would delay completion of the project and would impact the target completion date in the approved workplan.

Examples of extenuating circumstances beyond an agency's control include, but are not limited to: Weather-related delays, contracting appeals, claims, or stop work orders that delay the award, mobilization and close-out of contracts and release of claims/liens, vandalism, or unanticipated site conditions requiring additional engineering or project redesign.

Analysis:

The SNPLMA Division suggests use of the conditional approval option to minimize the number of multiple project modifications, identify projects that cannot meet milestones and major deliverables within the approved performance period, and ensure that project completion expectations are met. Development of conditional approval options by the SNPLMA Division will reduce the need for the PWG and EC to formulate alternative recommendations and should expedite the Decision Memo review process. All decision memorandum that contain conditional approval requirements, would be sent through the PWG to the EC for approval.

Recommendation:

The SNPLMA Division recommends that the EC approve the above requested changes to the IA and allow revision of those changes to the IA.

Action Needed:

Partners Working Group Decision: The signature below indicates the decision made by majority vote on the above SNPLMA Division recommendation.

BY: Raul Morales, SNPLMA Partners Working Group Chair

Raul Morales 2/7/12
Approve SNPLMA Division Recommendation Date

Approve Alternate Recommendation Date
(Refer to rationale provided below)

Disapprove Date
(Refer to rationale provided below.)

If the PWG disagrees with the SNPLMA Division recommendation and/or approves an alternate action, please explain below:

Executive Committee Decision: By signature below, indicate the decision made by majority vote on the above recommendation of the PWG.

BY: Amy Lueders, SNPLMA Executive Committee Chair

Amy Lueders Feb. 27/2012
Approve PWG Recommendation Date

Approve Alternate Recommendation Date
(Refer to rationale provided below)

Disapprove PWG Recommendation Date
(Refer to rationale provided below.)

If the Executive Committee disagrees with the PWG recommendation and/or approves an alternate action, please explain below:

The Executive Committee will notify the PWG of its decision and return the original signed document to the SNPLMA Division to be maintained in the administrative record.

