



FAQ – General – Winter 2026

Frequently Asked Questions *(QA list will be supplemented)*

Secretary's Order 3446, Cutting Red Tape and Reducing Consumer Costs at Bureau of Reclamation Construction Projects

Question: What kind of language and instrument will Reclamation use to transfer the procurement function?

Answer: Reclamation will partner with requesting entities to first review the specific authorization for the project(s) in question. If there is no project-specific authority allowing for the transfer of the procurement function, Reclamation will consider whether a transferred works operating contract, existing or new, could be used. If so, and if additional language is needed in the contract, Reclamation will work with the local partner to amend the contract with agreement of the partner entity. Template language has been provided by the Office of the Solicitor, which is below:

"The [partner entity] shall have exclusive authority over all procurement activities conducted under this Agreement. All acquisitions, contracts, and purchasing decisions will be governed by the procurement laws, regulations, and policies of the State. The Parties agree to comply with all applicable state procurement requirements, including competitive bidding procedures, contract oversight, and ethical standards. Any disputes arising from procurement activities will be resolved according to state law and applicable regulatory provisions."

Question: What is the ideal non-federal entity to implement this SO?

Answer: Consistent with Section 8 of the SO, a reliable, well-capitalized non-federal O&M partner with interest in conducting procurement for a procurement-heavy project on a reserved work. Section 8.d. of the SO specifies that the entity should have, "A documented history of successful contract execution or equivalent experience."



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Question: What bearing do the ongoing revisions to the Federal Acquisition Regulation have on this SO?

Answer: Updates to the Federal Acquisition Regulation (FAR) are underway per Executive Order 14275, "Restoring Common Sense to Federal Procurement". Reclamation will adaptively manage to FAR updates. Reclamation will document where FAR changes warrant adapting the approach with customers. To date, the interim FAR updates adopted pursuant to the EO are consistent with Reclamation's SO 3446 approach.

Question: How do we modify contracts?

Answer: New standard article contract term will be available for use with entities which express interest in assuming the federal procurement function. Reclamation expects that these parties will typically have a pre-existing contractual relationship with Reclamation, ideally transferred works operating entities or parties which demonstrate ability to meet the SO's Risk Management and Partner Qualifications requirements. Contract modifications will be made per [PEC 05-02](#).
