

Reclamation will partner with requesting entities to first review the specific authorization for the project(s) where non-federal entities seek to conduct procurement activities. 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."