



Finding a Unicorn!

Small Wastewater System Funding Series

Session 8: Federal Award Procurement

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Today's Presenters:



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Series Overview:

Designed to address the needs of small wastewater systems serving < 10,000, which typically have limited capability to pursue funding without assistance.

12-part series

- learn where to look for nationally available funding,
- how to craft a high-quality proposal, and
- comply with federal requirements through project completion

Every other Tuesday Jan 13 through May 5, 2026

all sessions will be recorded and available for download

Series Overview:



Following the project process from pre-development to closeout

Session 1: The Funding Landscape

Session 2: Compelling Applications Pt 1

Session 3: Compelling Applications Pt 2

Session 4: SRF Pt 1 - Basics

Session 5: SRF Pt 2 - CWSRF Options

Session 6: Grants & SRF Office Hours

Session 7: Federal Award Management

Session 8: Federal Procurement Standards

Session 9: Awards & Procurement Office Hours

Session 10: Negotiating Indirect Rates

Session 11: Award Closeout & Single Audits

Session 12: Indirect Rates & Closeout Office Hrs

Session Purpose:

Session 8: Procurement

- Federal standards for acquiring goods and services with public funds
- Rules governing contracting public infrastructure projects
- Competitive bid process



Session 8 Agenda



- OMB Procurement Guidelines
- Procurement Thresholds
- Competitive Bid Process
- Contract terms for vendors
- Equipment
- Build American, Buy America and Davis Bacon Act
- Procurement documentation

Types of Federal Funds

- Competitive Federal Grants & Loans
 - Subawards
 - Pass-through
 - Congressionally Directed Spending - “Earmarks”
-
- Contracts for Goods or Services
 - Federal Contractor

Federal Guidelines

2 CFR Part 200, Subpart D, Procurement Standards

- Fair, open and competitive
- Avoid duplication and waste
- Sustainable or recovered materials
- Compare purchase vs lease
- Oversight of subs and adherence to guidelines
- Purchase American made
- Distribute purchasing
- Follow appropriate procurement methods
- Contracts shall be made only with responsible contractors
- Procurement document retention

Procurement Methods

Micro-Purchase Up to \$10k

- No competitive bidding
- Distributed equally among suppliers
- Lowest Cost
- DBE considerations

Simplified Acquisition Up to \$250k

- Adequate # of quotes
- DBE considerations
- Higher price possible if offers best value

Formal Acquisition Above \$250k

- Formal competitive requirements:
 - Sealed bids (cost)
 - Competitive proposals (qualifications + cost)

Sealed Bids

Used when:

- Able to get an “adequate” number of bidders
- Clear & specific technical requirements
- Award to the lowest “responsible” bid
- Fixed price contract
- Encourage full and open competition
- Cannot create “unreasonable” requirements
- Remove conflict of interest in the bid process



Competitive Bids

Used when:

- Qualifications or technical approaches may be more important than price considerations
- Cost reimbursement or fixed price, cost flexibility
- Objective process

Sole Source

- Only one source that can provide the goods or services
- Emergency

Pre-Approval

- Over a simplified acquisition (\$250,000) threshold

Preparing RFPs

GSA's Federal Acquisition Regulation RFP Guidance

- Technical Requirements
- Evaluation Factors
- Place of Performance
- Schedule of Performance & Completion
- Capacity & Past Performance
- Utilization of DBEs
- Cost Justifications
- Contract Clauses
- Submission Instructions



Contracts

Contract Provisions for Non-Federal Entity Contracts Under Federal Awards

- Treatment of pre-existing contracts
- Sole source is rare
- Flow down provisions:
 - Termination
 - Equal Opportunity Clause
 - Whistleblower Protections
 - Labor Requirements
 - BABA/AIS
 - Environmental Regulations
 - Debarment and Suspension
 - Anti-Lobbying
 - Bonding

Contract Types:

- 1. Fixed Price**
- 2. Cost Reimbursement**
- 3. Time & Materials**
- 4. “Cost Plus”**

Equipment

Tangible property with a useful life > year + per unit cost > \$10,000

Inventory Control:

- Description
- Aquisition Date
- Cost
- Source of Funding
- Serial Number
- Title Holder
- Location
- Condition
- Disposition



Public Infrastructure Projects

Build America, Buy America (BABA)

Requires iron, steel, manufactured products, and construction materials used in the project are produced in US

Including:

- Non-ferrous metals
- Plastic and polymer-based products
- Glass
- Lumber
- Drywall

American Iron & Steel (AIS)

Use iron and steel products produced in the US for the construction, alteration, maintenance, or repair of public water supply systems or treatment works

Davis Bacon & Related Acts (DBRA)

Prevailing wages must be paid by all contractors and sub-contractors on all federally funded and assisted public works projects in excess of \$2,000

Procurement Documentation

- **Cost Analysis**
- **Procurement Method**
 - RFP & Public Announcements
 - Bidders List
 - Selection Criteria
- **Labor Requirements**
 - Prevailing Wage
 - DBA Utilization
- **Contracts**
- **Conflict of Interest**
- **BABA/AIS Certification**

TA for Procurement



- U.S. EPA's Water Technical Assistance (WaterTA) program
- EPA Tools, Training, and TA for Small Systems Directory
- Environmental Finance Center (EFC) Network



Thank You!



The Capacity Collaborative

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