

DEPARTMENT OF THE INTERIOR
U.S. Bureau of Reclamation
Non-Availability, Project-Level Waiver for Centrifugal Raw Water Pumps for Middle Rio Grande Conservancy District Feeder No. 3 Irrigation Efficiency and Strategic Outfall Pump Station

1. Summary

Agency: Department of the Interior, Bureau of Reclamation

Proposed waiver: The Department of the Interior (DOI) Bureau of Reclamation (BOR) is proposing a non-availability, project-level waiver of the requirements of section 70914 of the Build America, Buy America Act included in the Infrastructure Investment and Jobs Act (Pub. L. No. 117-58) for Feeder No. 3 - Irrigation Efficiency and Strategic Outfall Pump Station used in infrastructure projects funded through award R24AP00575 for the Middle Rio Grande Conservancy District. This waiver is in effect from the effective date of this waiver until the end of the project, estimated to be March 31, 2027. This waiver action permits the use of non-domestic submersible style, centrifugal raw water pumps through R24AP00575, titled Feeder No. 3 - Irrigation Efficiency and Strategic Outfall Pump Station.

Waiver type: Non-availability of a domestic product

Waiver level: Project-Level Waiver

Is it a general applicability waiver?: No

Waiver justification summary: This waiver request is based on the non-availability of submersible style raw waters pumps in the United States or of a satisfactory quality for use as required by project specifications.

Length of the waiver: Effective date of this waiver until the end of the project, estimated to be March 31, 2027.

Summary of items covered in the waiver: Four (4) submersible style, centrifugal raw water pumps

Summary of project: The recipient will construct a pump station at the Feeder No. 3 canal to promote irrigation efficiency in the west-side Belen Division of the Middle Rio Grande Conservancy District in New Mexico. Water is currently diverted at Isleta Dam and routed 25 miles to reach Feeder No. 3., and upstream operating constraints and drought are impacting the recipient's ability to convey water to the bottom portions of the Belen Division. The Feeder No. 3 pump station will take advantage of drain return flows and river accretion in the Upper Sabinal Riverside Drain to augment irrigation supply from flows as low as 5 cubic feet per second (cfs) to 60 cfs. This will create flexibility and resiliency in low-water supply years, and emergency events of high-water supply. This will provide the ability to meet operational irrigation demand, and water delivery needs to the approximate 2,370 irrigable acres south of the Feeder No. 3 Canal during high-water and low-water,

drought conditions. These improvements will result in more efficient water scheduling and generate a system conservation benefit of approximately 6,500 acre-feet annually. The pump station will also support river habitat by increasing the discharge of water to the river via the Feeder No. 3 wasteway. This wasteway will serve as a strategic outfall in the area, supporting multiple listed species, including the Rio Grande Silvery Minnow and the Southwest Willow Flycatcher.

2. Background

The Buy America Preference set forth in section 70914 of the Build America, Buy America Act included in the Infrastructure Investment and Jobs Act (Pub. L. No. 117-58), requires all iron, steel, manufactured products, and construction materials used for infrastructure projects under Federal financial assistance awards be produced in the United States.

Under section 70914(b), the Department of the Interior may waive the application of the Buy America Preference, in any case in which it finds that: applying the domestic content procurement preference would be inconsistent with the public interest; types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent. All waivers must have a written explanation for the proposed determination; provide a period of not less than 15 calendar days for public comment on the proposed waiver; and submit the proposed waiver to the Office of Management and Budget Made in America Office for review to determine if the waiver is consistent with policy.

For more information on the Build America, Buy America Preference, please reference www.doi.gov/grants/buyamerica or MadeinAmerica.gov.

3. Description of Award

Title of project: Middle Rio Grande Conservancy District (MRGCD) Feeder No. 3 - Irrigation Efficiency and Strategic Outfall Pump Station

Description of project: Installation of submersible raw water pumps and construction of a pump station which will provide redundant irrigation water supply. Additionally, associated irrigation ditch modifications, electrical service installation, and site work will be conducted.

Recipient name: Middle Rio Grande Conservancy District

Unique Entity Identifier (UEI): JHDMM3QFH215

Federal Award Identification Number (FAIN): R24AP00575

Federal Financial Assistance Listing: 15.514 - Reclamation States Emergency Drought Relief

Federal financial assistance funding amount (if applicable): \$2,500,000.00

Total cost of infrastructure expenditures, including all Federal and non-Federal funds (to the extent known): \$8,500,000.00

Infrastructure project description and location (to the extent known): The project is located in Valencia County, Albuquerque, New Mexico. The proposed project consists of irrigation (raw) water pumping station and utility pipeline construction, approximately 400 feet west of New Mexico Highway 109 at the MRGCD owned irrigation ditches named “Upper Sabinal Riverside Drain” and “Feeder 3 Canal.”

4. Description of Covered Items

Manufactured products: This waiver seeks an exemption from Buy America requirements for the following items: Centrifugal Pumps

Product: Pumps covered under this waiver are for four submersible-style, centrifugal raw water pumps.

PSC: 4330 – Centrifugals, separators, and pressure and vacuum filters

NAICS: 423830 – Industrial machinery and equipment merchant wholesalers

5. Waiver Justification

Anticipated impact if no waiver is issued:

If this waiver is not issued, the recipient will be unable to source a submersible, sewage-rated irrigation water pump necessary to meet the irrigation demands developed in both low-water and high-water conditions. This would essentially make the established pipeline that has been previously constructed inoperable.

Assessment of cost advantage of a foreign-sourced product:

Cost advantage of foreign-sourced products was not considered as this is a product non-availability waiver.

Description of efforts made (e.g., market research, industry outreach), by the Federal awarding agency and award recipient in an attempt to avoid the need for a waiver:

The recipient is requesting this waiver on the basis that a submersible, non-clog pump of this motor size is not available domestically for the intended application. To verify this, the recipient’s engineering consultant repeatedly explored multiple pump technologies, manufacturers, configurations, and sourcing options between 2023 and 2026.

These efforts included outreach to three (3) US-based pump manufacturers, and two distributors to determine whether a U.S.-manufactured product could meet the project’s hydraulic and operational requirements. The hydraulic constraints for the project are suited for submersible motor-style pumps that can provide 74 feet of head input. Through years of

outreach, the recipient and its consultants were unable to locate a domestic manufacturer with a product line capable of meeting this requirement.

Correspondence documents the consultant's efforts on exploring different product types and different mechanical principles, such as end-suction skid mounted pumps, vertical turbine pumps, and self-priming pumps to increase the opportunities to utilize domestically manufactured equipment. The domestic manufacturers contacted were unable to identify a solution due to the large motors and pumps required to meet the engineered constraints for the project as designed.

Additional investigation of smaller pumps and different multi-pump configurations (i.e. 3+1, 2+1, and 4+0 systems) were explored to identify a pump system curve that would match a domestically made pump hydraulic envelope. This was an effort to break the design duty point into smaller chunks that domestic pump manufacturers could potentially meet.

The market research conducted by the consultant along with the two distributors' additional outreach found that while domestic manufacturers can produce a range of submersible motor pumps, none of the available products can sufficiently provide the hydraulic input required to make the project operational. Additionally, many domestic products are incapable of meeting the mechanical performance requirements of passing large spherical solids, which is a key constraint with pumping raw surface water that contains silts, rock, and other riverine materials.

As part of the good faith effort to comply with BABA requirements, the recipient is seeking to source the remainder of the construction components with domestically available and BABA-compliant products and materials.

6. Solicitation of Public Comments

Proposed waiver: This notice will be posted for public comments for fifteen (15) days, which satisfies the requirement to publish any proposed Buy America waiver and provide the public with a reasonable period for notice and comment. The Department of the Interior seeks public and industry comments from all interested parties. Relevant information and comments will help to understand completely the facts surrounding the waiver requests and the agency's proposal. Comments can be sent to DOI_Grants_BuyAmerica_Waiver@ios.doi.gov. Please reference the associated project title in the subject line of the email. Comments received prior to the public comment closing date will be reviewed and considered by DOI.

Technical Specifications for R24AP00575

- Stainless-steel (or completely isolated from the pumped media through a stainless-steel shaft sleeve), submersible, non-clog, single stage, with a centerline discharge volute casing that can pass a minimum of a 5-inch spherical solid
- Internal moisture and thermal protections
- Operate in auto, while communicating with pressure instruments and flowmeters to determine number of pumps on, and ramp speed.
- Designed as “back pull-out” such that the entire rotating assembly can be removed from the casing for maintenance purposes
- Include a double-guide system to permit easy removal and reinstallation without personnel entering the intake structure
- Operate with individual variable frequency drives of 200 horsepower
- All power and control cables shall be suitable for the flexible connection of pumps and shall be ozone-, UV-, weather-, oil-, and water-resistant
- Cable entry seals shall be rated for a submerged depth to 50 feet
- The system needs to pump in 5 cubic feet per second increments up to 60 cubic feet per second (2,000 gallons per minute at 37-foot head to 27,000 gallons per minute at 74-foot head) of raw irrigation water from the Sabinal Drain (open channel) to the Feeder 3 transmission line currently constructed for discharge into the Feeder 3 canal at a TDH of 78 feet over a four (4) pump system
- A maximum of 19 feet net positive suction head required on the suction side of the pump