

CIVIL WORKS PROGRAMS INTEGRATION DIVISION

National Waterways Conference

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Programs Integration Division

19 September 2024



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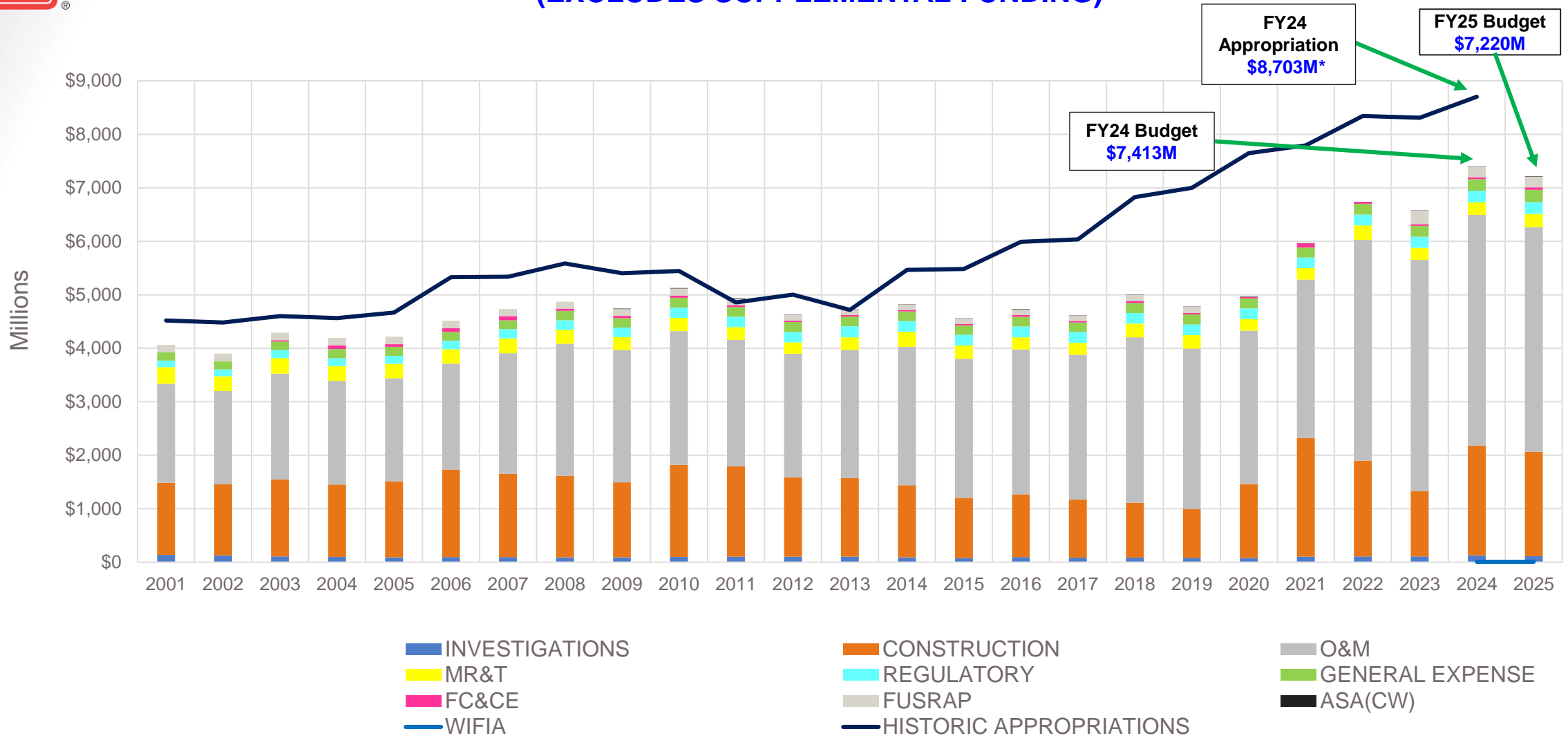


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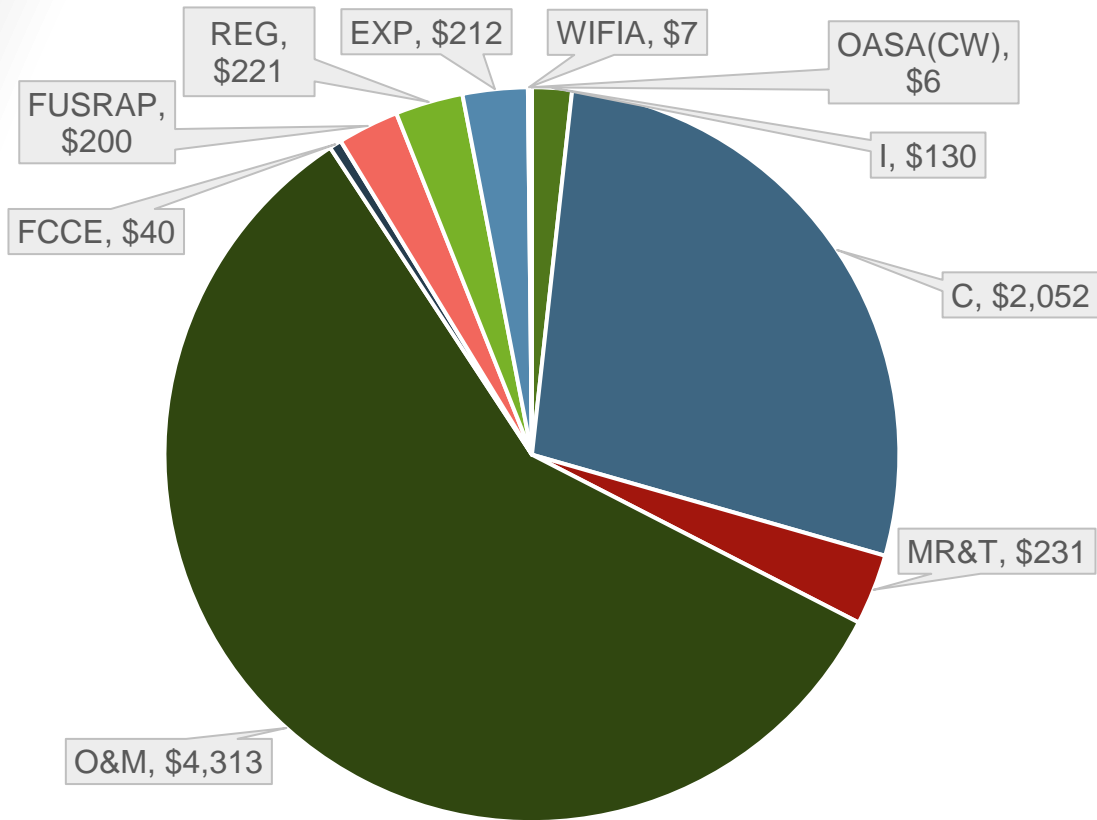
CIVIL WORKS INVESTMENT TRENDS (EXCLUDES SUPPLEMENTAL FUNDING)



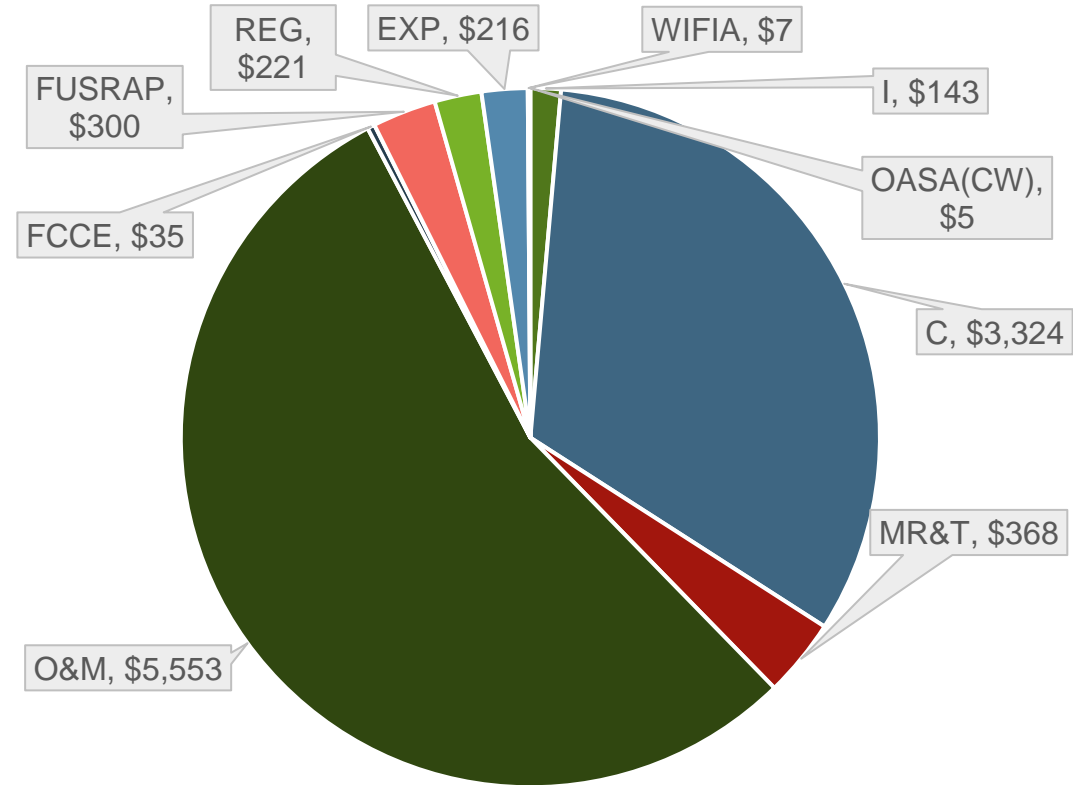
FY25 Budget is ~3% decrease below FY24 Budget
***Note: Total before applying the applicable recissions**



FY24 CIVIL WORKS PROGRAM SUMMARY



**FY2024 Budget
By Account
(\$7,413M)**

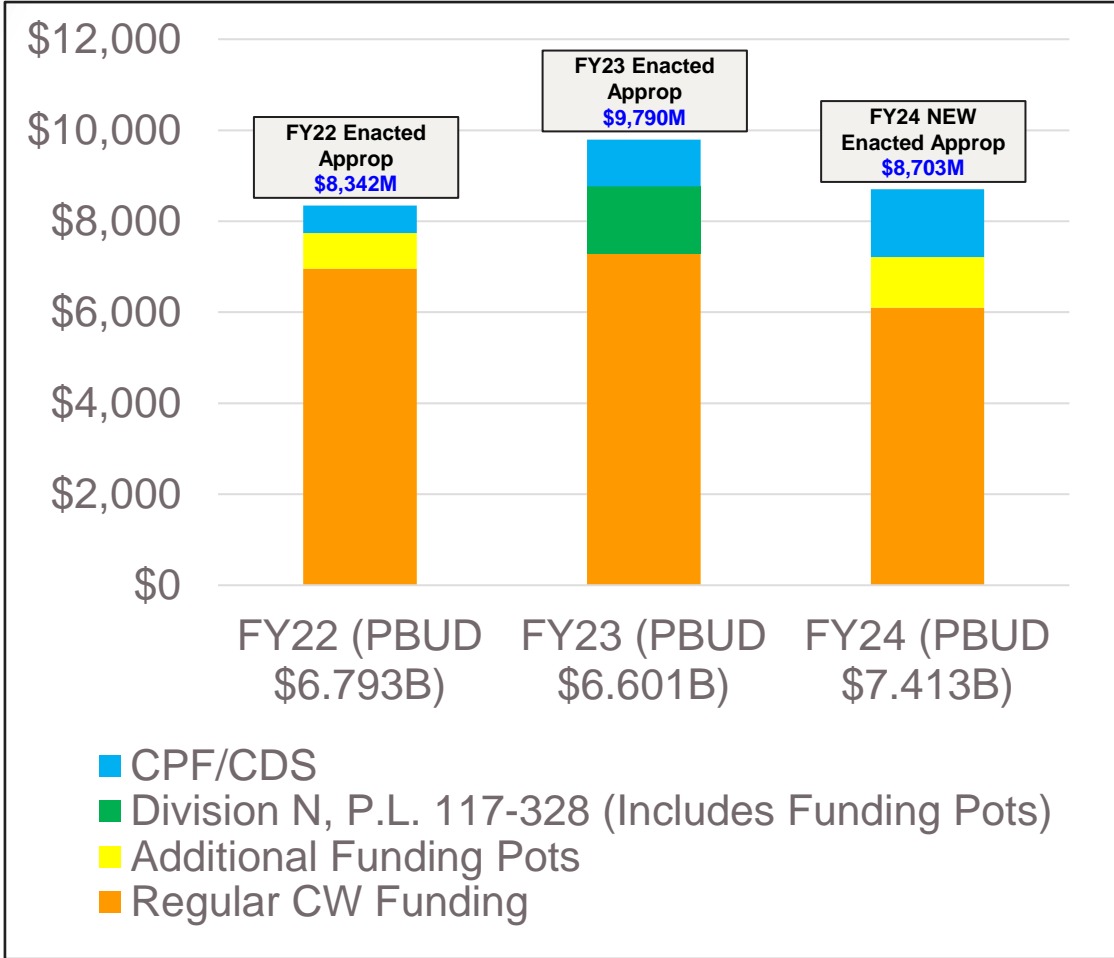


**FY2024 Appropriation
By Account
(\$8,703M)**

- The FY24 Enacted E&W Appropriation provides a total of \$8.7B of new appropriation (total before applying the applicable rescissions), an increase of \$1.29B above the FY24 PBUD & \$42.732M above the FY23 Enacted Amount
- While the bill only identifies \$8.7B of new spending, Appropriators utilized repurposed IJJA/BIL funds unallocated in spend plans (\$1.434B), rescissions from the regular program (\$22M), & repurposing from the Continuing Authorities Program (\$35M) to reach a total appropriated amount closer to \$10.17B (over \$3.3B in the Construction Account).

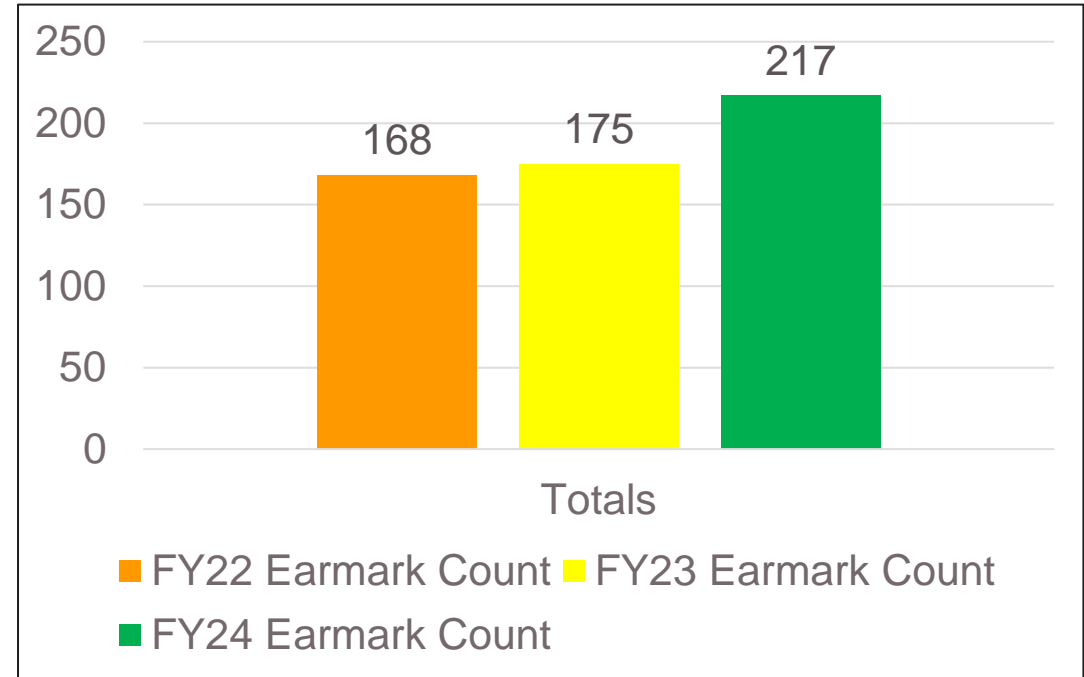


COMMUNITY PROJECT FUNDING (CPF)/ CONGRESSIONALLY DIRECTED SPENDING (CDS)



Earmarks

FY24 - \$1,488 Million for 217 projects
 FY23 - \$1,021 Million for 175 projects
 FY22 - \$602.2 Million for 168 projects



- The Enacted FY24 E&W Appropriations totals \$8.703B of NEW appropriation (total before applying the applicable recissions) and \$1.49B in repurposed BIL/IJA supplemental funds unallocated in spend plans. Total Appropriations for FY24 = \$10.17B.
- For FY25: A draft House bill totals \$9.957B, incl 95 CPF projects for \$890.274M and a draft Senate bill totals \$10.345B, incl CDS projects for \$1.034B

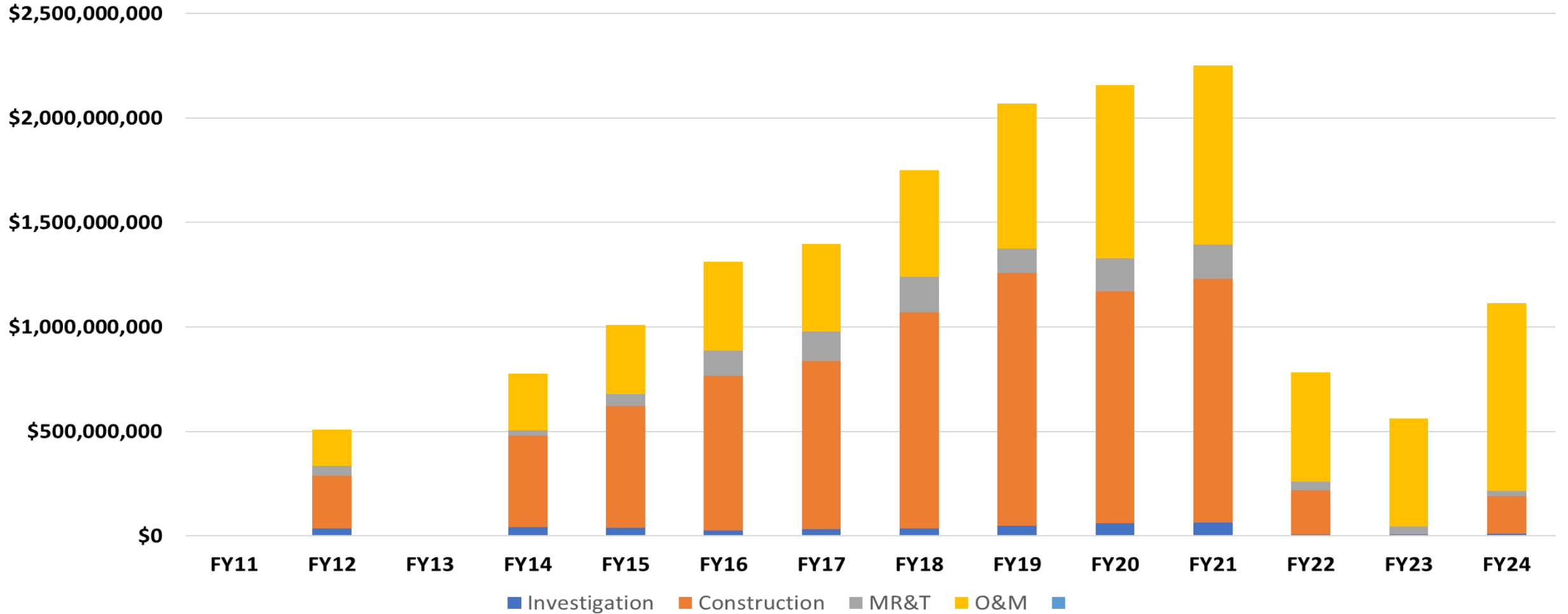


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Funding Trends - CW Program, Enacted Appn, Total Funding Pots by Account



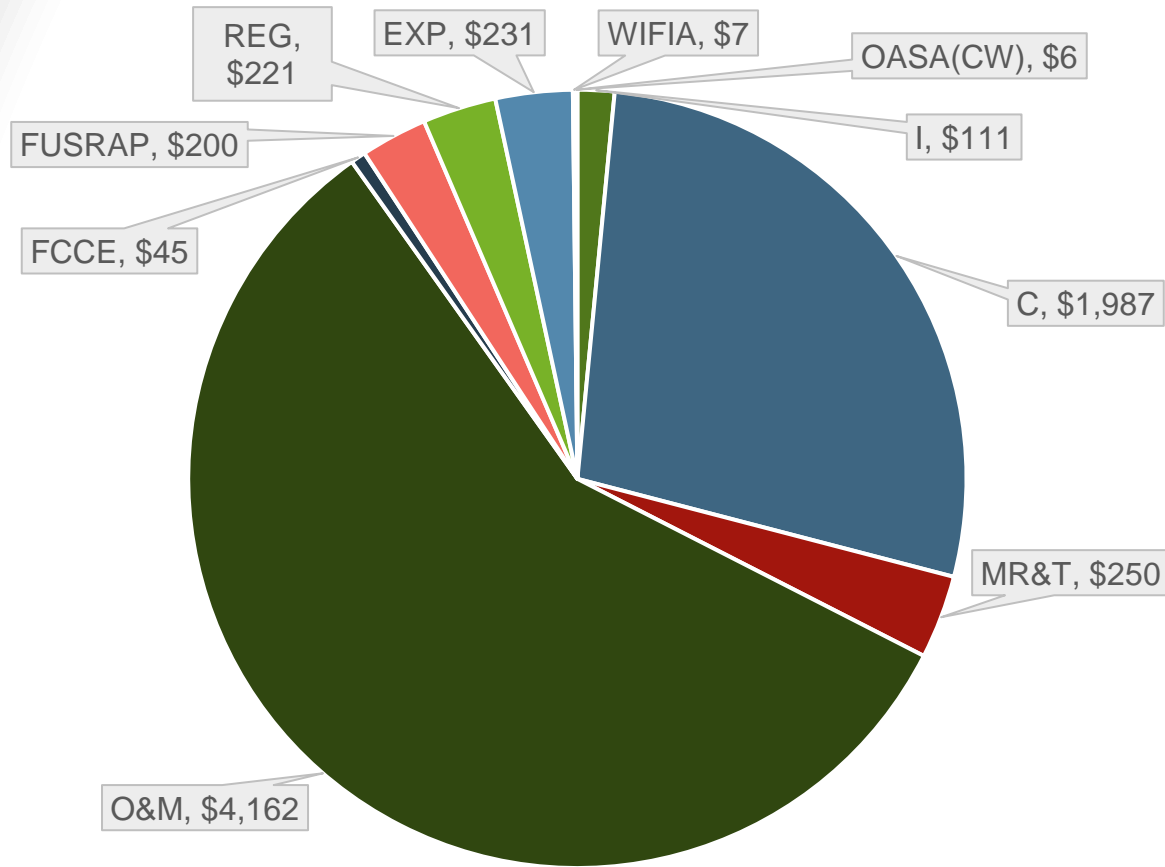


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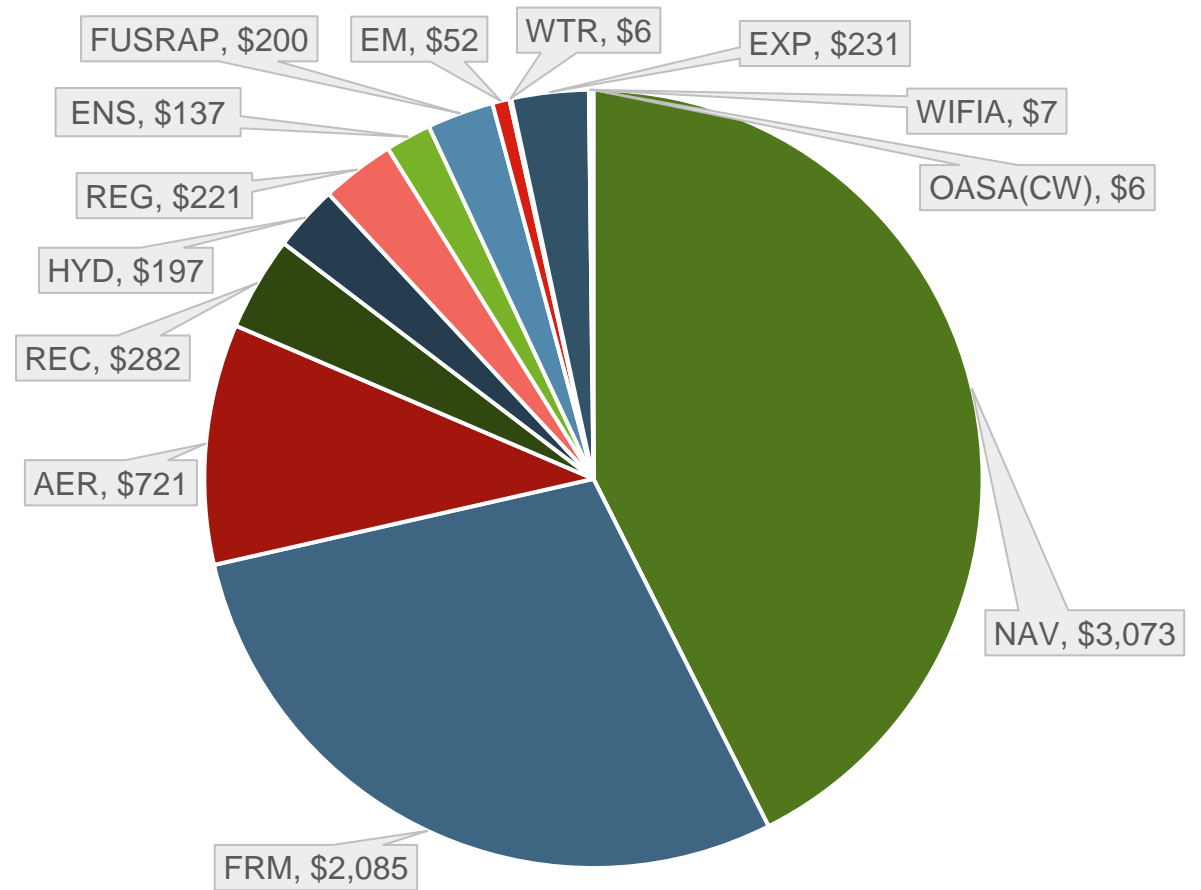


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FY25 CIVIL WORKS PROGRAM SUMMARY



FY2025 Budget By Account (\$7,220M)



FY2025 Budget By Business Line/Funding Category (\$7,220M)

SUPPLEMENTAL PROGRAM OVERVIEW

Katrina (aka HSDRRS) – \$14.5B
(multiple laws starting in 2005); Managed by MVD

Disaster Relief Appropriations Act, 2013 (Sandy) – \$5.1B
(signed into law 29 Jan 2013); Managed by NAD

Bipartisan Budget Act of 2018 – \$17.4B
(signed into law 9 Feb 2018)

Disaster Relief Act of 2019 – \$3.25B
(signed into law 6 Jun 2019)

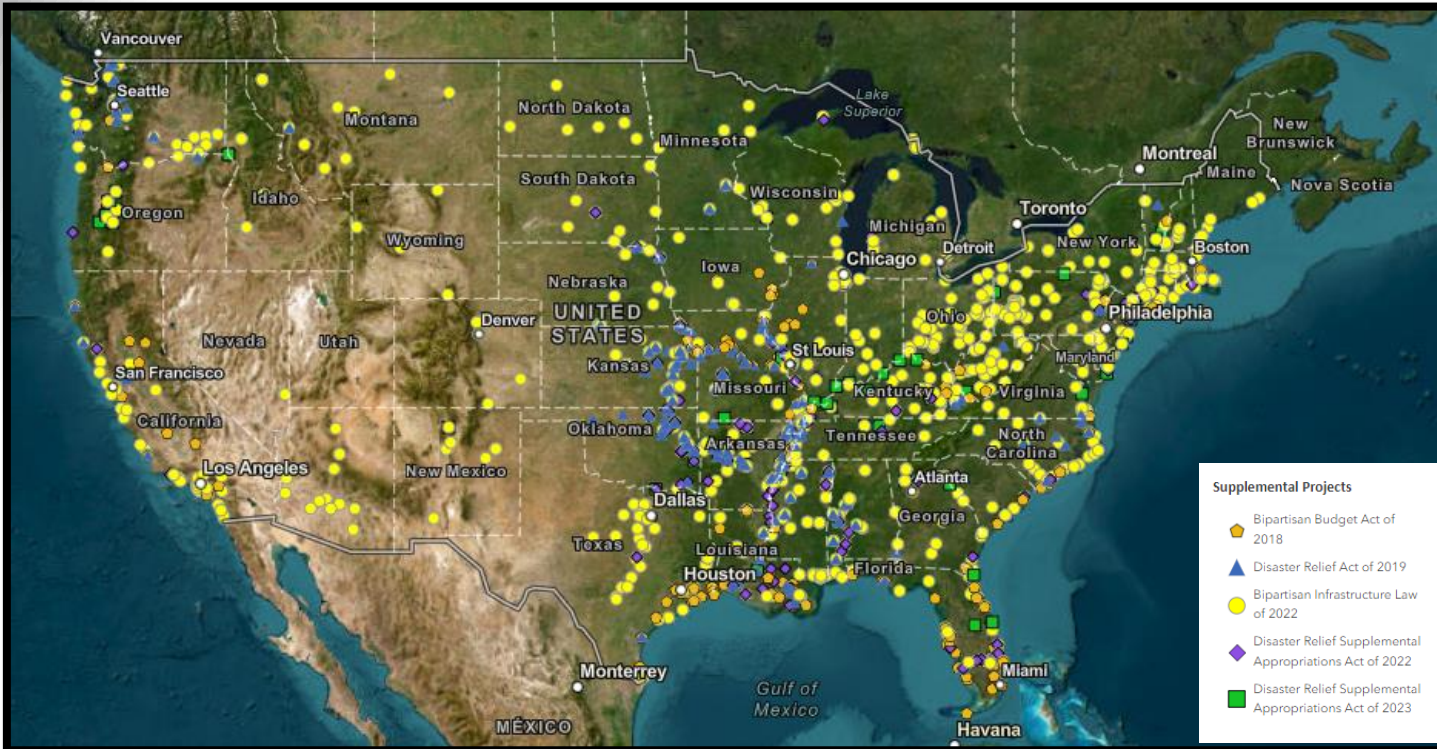
Disaster Relief Supplemental Approps Act, 2022 – \$5.7B
(signed into law 30 Sep 2021)

Bipartisan Infrastructure Law (BIL), 2022 – \$17.1B
(signed into law 15 Nov 2021)

Disaster Relief Supplemental Approps Act, 2023 – \$1.48B
(signed into law 29 Dec 2022)

NEW Consolidated Appropriations Act, 2024 –
Repurposed BIL CG \$s assigned by Work Plan

Total Supplemental Program - ~\$44.93 Billion



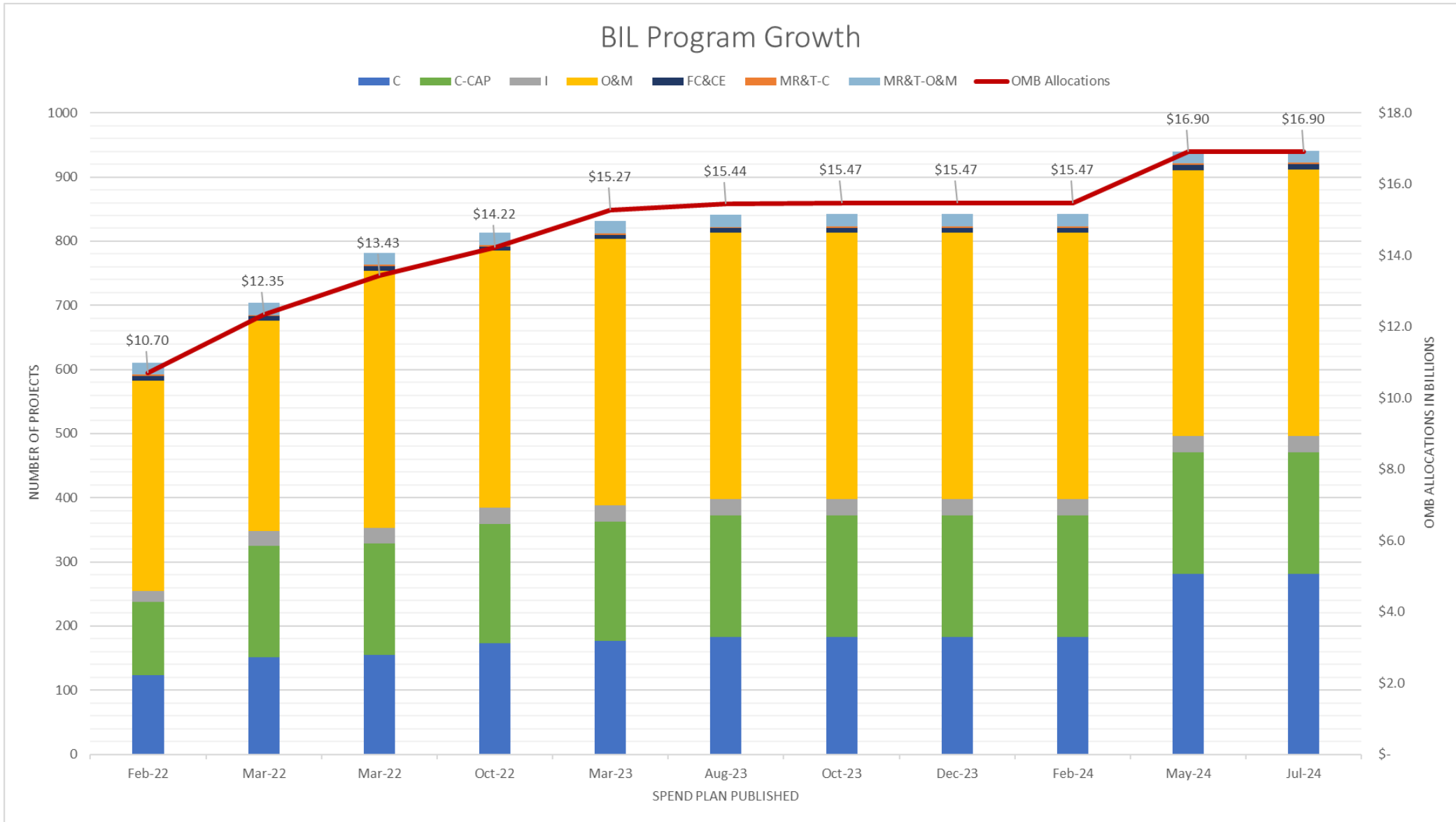


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BIL PROGRAM GROWTH





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BIL CONSTRUCTION PORTFOLIO GROWTH





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SUPPLEMENTAL PROGRAM

11

OPPORTUNITIES

- **Organizational Structure; Management; Control**
- **Workload / Workforce**
- **Cost Estimates**
- **'New' Investments (DRA 2019)**
- **Adjudicate Cost Growth**
- **Availability of Expenses to support Programmatic Management/Oversight**

CHALLENGES

- **\$44.9B above/beyond Regular Program**
- **Realistically Scoping Feasibility Studies; Completing within 3x3x3; Exemptions**
- **Significant Construction Cost Growth**
- **Fiscal/Financial Constraints**
- **Low Water Challenges**
- **Real Estate Acquisition**



WATER RESOURCES DEVELOPMENT ACT

KEY UPDATES

WRDA 2020 – IG STATUS

Updated ER being published

- ✓ **S. 105.** Construction of WRDA projects by non-Federal Interests.

Comment Period; Rulemaking Underway

- **Section S. 110.** Implementation of water resources principles and requirements.

Under OMB/DOD Review

- **S. 118b-c .** Pilot programs on the formulation of USACE projects in rural communities and economically disadvantaged communities. (Study)
- **S. 134.** Non-Federal Project Implementation Pilot Program.
- **S. 161.** Studies of water resources development projects by non-Federal interests.

WRDA 2022- IG STATUS

Signed

- ✓ **S. 8102.** Emergency response to natural disasters.
- ✓ **S. 8106a-b.** Scope of feasibility studies.
- ✓ **S. 8114.** Cost sharing provisions for the territories and Indian Tribes
- ✓ **S. 8154.** Temp. relocation assistance pilot program.
- ✓ **S. 8155.** Continuation of construction.
- ✓ **S. 8160.** Civil works research and development.

Under review at ASA (CW)

- **S. 8103.** Shoreline and riverbank protection and restoration mission.
- **S. 8148.** Advance payment in lieu of reimbursement for certain Federal costs
- **S. 8149.** Use of other Federal funds.
- **S. 8151.** Materials, services, and funds for repair, restoration, or rehab for certain public rec facilities.
- **S. 8156.** Federal interest determination. Align and update guidance with WRDA 20 Sec 117 Federal Interest Determination

WRDA 2024

- **Senate Environment and Public Works** released draft bill on 17 MAY
 - *Markup on 22 MAY*
 - *Passed Senate on 01 AUG*
- **House Transportation and Infrastructure** released draft bill 25 JUN
 - *Markup on 26 JUN*
 - *Passed House on 22 JUL*
- House and Senate will need to conference and pass final legislation.
 - Conference - Summer 2024
 - Corps does not comment on pending legislation
 - Technical Assistance

As of 11 SEP



The current situation - Industry Overview

- The most common North American Industry Classification System (NAICS) codes for Civil Works horizontal construction.
 - 237990 Other Heavy and Civil Engineering Construction
 - 237310 Highway, Street, and Bridge Construction
 - 237110 Utility System Construction
 - Contractors registered in the System for Award Management (SAM) under these NAICS exceeds 13K

- Bonds- Construction projects exceeding \$150K require performance and payment bonds. As the construction costs increase, less contractors can bond the construction projects. The graphic below shows how many contractors Travelers Insurance could potentially bond for projects from \$50M to \$500M+.

- USACE's contracting base
 - USACE has awarded Civil Work construction contracts to 267 contractors in the past 4 years.
 - 35 Multiple Award Task Order Contract(s) with an average pool size of 4 and 52 unique vendors.
 - 48 Single Award Task Order Contract(s) with 46 unique vendors.
 - We have competition with our awards but with 13K contractors in the SAM database we are not maximizing industries interest.



■ \$50M-\$100M
 ■ \$100M-\$500M
 ■ \$500M+
 ■ SAM
 125 Contractors 60 Contractors 25 Contractors 13K Contractors



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DISCUSSION

