

DEPARTMENT OF INTERIOR
U.S. Bureau of Reclamation
Project-Level Non-Availability Waiver for Plunger Valves for
Eastern New Mexico Rural Water System Completion

1. Summary

Agency: Department of the Interior, Bureau of Reclamation

Proposed Waiver: The Department of the Interior, The Bureau of Reclamation is proposing a nonavailability, 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 plunger valves used in infrastructure projects funded through the Eastern New Mexico Water Utility Authority award R22AC00674. The purpose of this award is to provide a regional water system through construction of pipelines and water supply facilities.

Waiver type: Non-availability of domestic products of satisfactory quantity or quality

Waiver level: Project level waiver

Waiver justification summary: Plunger valves are not produced in the United States in sufficient and reasonable available quantities or of a satisfactory quality for use in the identified project. This waiver would serve as an extension of the previously approved waiver *Buy America Non-availability Project Level Waiver Eastern New Mexico Rural Water System Plunger Valves* which expired on October 31, 2025. Some of the plunger valves could not be contracted for purchase prior to the end of that date.

Length of the waiver: From the effective date of the final waiver until the award's period of performance end date, estimated to be June 30, 2030.

Summary of items covered: Plunger Valves

Summary of Project: The Eastern New Mexico Rural Water System is a regional rural water supply project located in east- central New Mexico. The overall purpose of the project is to provide potable water from the Ute Reservoir in northeastern New Mexico on the Canadian River to the cities of Clovis, Elida, Portales, Texico, unincorporated areas in Roosevelt and Curry Counties, and Cannon Air Force Base for municipal, commercial, and industrial use. This will be accomplished through construction of a number of pipelines and water supply facilities.

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: Eastern New Mexico Rural Water System Completion

Description of Project: The proposed project consists of the following major components:

- About 130 miles of water conveyance pipelines.
- A raw water intake structure and pump station located at the south shore of the Ute Reservoir, with a flow rate of 28 million gallons per day (mgd).
- A 28 mgd raw water booster pump station located at the base of the Caprock and (2) 3-million- gallon storage tanks at the top of the Caprock in Quay County.
- A 28 mgd water treatment plant in Curry County with a finished water booster pump station to service downstream municipalities.
- Finished water booster pump station in Roosevelt County to convey finished water to Elida.
- Pressure reducing stations, where required, to serve Cannon Air Force Base and the communities of Clovis, Elida, Portales, and Texico.

Recipient name: Eastern New Mexico Water Utility Authority (ENMWUA)

Unique Entity Identifier (UEI): JKM8S9ZEA3Z8

Federal Award Identification Number (FAIN): R22AC00674

Federal Financial Assistance Listing: 15.553 – Eastern New Mexico Rural Water System

Federal financial assistance funding amount (if applicable): \$504,274,372.00

Total cost of infrastructure expenditures, including all Federal and non-Federal funds (to the extent known): \$672,365,830.00

Infrastructure project description and location: The proposed project consists of the following major components:

- The Texico reach of finished water pipeline begins at approximately County Road D and State Highway 523 at the southwest corner of the Clovis Municipal Airport.
- The Elida reach of finished water pipeline begins at the tie in point to Finished Water 3B pipeline and extends southwest along United States Highway 70 to Elida where the alignment turns south at State Highway 114 and continues south for approximately 1.3 miles to the Elida storage tank.
- The Raw Water 1 (RW1) reach of the raw water pipeline begins at the Intake Pump Station along the south shore of Ute Reservoir and extends east across US 54 and then south parallel to NM 469 (approximately 2 miles west of NM 469) until it reaches the Caprock Booster Pump Station.
- The Raw Water 2 (RW2) reach of the raw water pipeline begins at the Caprock Booster Pump Station (approximately 2 miles north of the base of the Caprock) and extends south to the base of the Caprock and then southwest up the Caprock to the Caprock Storage Tank.
- The Raw Water 3 (RW3) reach of the raw water pipeline begins at the Caprock Storage Tank and extends south to the Water Treatment Plant.
- The Water Treatment Plant (WTP) is located at approximately NM 288 and Curry Road R.
- The Caprock Booster Pump Station (CBPS) is located approximately 2 miles north of the base of the Caprock, near NM 469.
- The Intake Pump Station (IPS) is located along the south shore of Ute Reservoir at the site where the Intake Screens, Tunnel and Forebay were constructed in 2015.
- The Elida Pump Station (EPS) will be located along the Elida Lateral.
- The Caprock Storage Tank (CST) is located approximately 0.5 miles south of the top of the Caprock.

4. Description of Covered Items

Manufactured products: This waiver seeks an exception to Buy America requirements for the following items: Plunger Valves

Name of Product: Plunger valves covered under this waiver are for one, 4-inch and one, 12-inch plunger valve.

NAICS: 332911 - Valves for water works and municipal water systems manufacturing

PSC: S114 – Utilities-Water

5. Waiver Justification

Anticipated impact if no waiver is issued

The plunger valves are essential products required for completion of the project. These products are not manufactured within the United States, and without approval of a waiver, the project will not be able to be successfully implemented.

Assessment of Cost Advantage of a Foreign-Sourced Product

All products were chosen for functionality and effectiveness. DOI's analysis has concluded that this assessment is not applicable to this waiver as this waiver is not based on the cost of foreign-sourced products.

Description of efforts made to identify domestic products:

Jacobs Engineering, the engineering firm contracted by Eastern New Mexico Water Utility Authority (ENMWUA), is responsible for providing engineering services, project management, and conducting market research for the project. On behalf of ENMWUA, Jacobs performed a good-faith industry outreach effort by contacting vendors and primary suppliers to determine product availability and compliance with Build America, Buy America (BABA) requirements.

Jacobs performed thorough and satisfactory market research for the previous *Buy America Non-availability Project Level Waiver Eastern New Mexico Rural Water System Plunger Valves* waiver, which expired on October 31, 2025. Jacobs has repeated their market research efforts as described below and found there are still no domestic products available.

Jacobs contacted known vendors and suppliers listed in its master specifications to verify BABA compliance. Vendors confirming compliance were documented in the project file, while any non-compliant vendors were removed from the specifications. In cases where no vendors confirmed BABA compliance, Jacobs submitted inquiries to the National Institute of Standards and Technology (NIST) for further guidance on November 20, 2025. Upon receiving feedback from NIST on December 8, 2025, identifying potential suppliers, Jacobs followed up directly with each vendor to confirm whether they could meet the project's technical specifications and requirements. Despite these efforts, no suppliers were able to provide the required products in a raw-to-finished usable form manufactured within the United States.

Plunger valves are used in the water markets for flow control globally including within the United States. There are no known manufacturers of plunger valves with the required specifications in the United States.

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.doig.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.

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