

Reclamation Manual

Directives and Standards

Subject: Reclamation Standard Water-Related Contract Articles, Article 10: Confirmation of Contract (All Irrigation Programs Except D&MC and All Non-irrigation Programs)

Purpose: To commit Reclamation’s Standard Contract Article 10 to the Reclamation Manual, introduced by a brief description and direction regarding its use, for the benefit of making it easily accessible and promoting Reclamation-wide consistency in its use and content.

Authority: The Reclamation Act of 1902 (ch. 1093, 32 Stat. 388), and acts amendatory and supplementary thereto; especially section 1 of the Irrigation District and Farm Loans Act of 1922 (Pub. L. 67-219; 43 U.S.C. § 511); section 46 of the Omnibus Adjustment Act of 1926 (Pub. L. 69-284, as amended and supplemented; 43 U.S.C. § 423e); and subsection 2(g) of the Reclamation Project Act of 1939 (Pub. L. 76-260, as amended and supplemented; 43 U.S.C. § 485a(g)).

Approving Official: Director, Office of Program and Policy Services

Contact: Office of Program and Policy Services; Contract Services Office, 84-56000

1. **Confirmation of Contract (All Irrigation Programs Except D&MC and All Non-irrigation Programs).** This article requires the contractor to provide evidence that, pursuant to the laws of its State, it is a legally recognized entity, and states that, until the contractor has obtained a court decree confirming the contract, it will not bind the United States. The charts included in Reclamation Manual Policy PEC P10 specify which contract types require standard article 10. See Reclamation Manual Policy [WTR P07](#), *Court Confirmation of Contract*, for more information, including exceptions to and exemptions from the requirement of obtaining court confirmation.

2. **Reclamation Standard Contract Article 10¹.**

A. **All Irrigation Programs Except D&MC.**

CONFIRMATION OF CONTRACT

The Contractor, after the execution of this contract, shall promptly seek to secure a decree of a court of competent jurisdiction of the State of _____, confirming the execution of this contract. The Contractor shall furnish the United States a certified copy of the final decree, the validation proceedings, and all pertinent supporting records of the court approving and

¹ Approved 2/22/71; Revised 11/84; 01/02.

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confirming this contract and decreeing and adjudging it to be lawful, valid, and binding on the Contractor. This contract shall not be binding on the United States until such final decree has been secured.

- B. All Non-irrigation Programs.** The following article may be used at regional discretion. Otherwise, documentation shall be provided to the region from the non-irrigation entity supporting that it is eligible to enter a contract under state law and that such contract will be legal and binding on the contractor.

CONFIRMATION OF CONTRACT

The Contractor, after the execution of this contract, shall furnish to the Contracting Officer evidence that pursuant to the laws of the State of _____, the Contractor is a legally constituted entity and the contract is lawful, valid, and binding on the Contractor. This contract shall not be binding on the United States until such evidence has been provided to the Contracting Officer's satisfaction.