



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
441 G STREET, NW
WASHINGTON, DC 20314-1000

CECW-P

OCT 18 2018

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Model Project Partnership Agreements - Changes Identified by the Assistant Secretary of the Army (Civil Works (ASA(CW)))

1. Reference is made to Assistant Secretary of the Army for Civil Works (ASA(CW)) memorandum to the Deputy Commanding General for Civil and Emergency Operations, dated 31 August 2018, subject: Model Project Partnership Agreement (PPA) for Emergency Streambank Erosion or Shoreline Protection, Section 14 Continuing Authorities Program (enclosure 1).
2. As part of the approval of the new Section 14 model, reference 1, the ASA(CW) directed that all new PPAs incorporate the following changes:
 - a. The non-federal sponsor shall notify the government within 30 days of completing in-kind contribution work and provide copies of as-built drawings.
 - b. The non-federal sponsor shall provide its cost-share for the then-current fiscal year no later than 60 calendar days (instead of 30) after receiving notification from the government. Additionally, the non-federal sponsor shall provide the amount of funds to cover the costs for the government to provide real property interests, placement area improvements, relocations or betterments on its behalf no later than 60 calendar days (instead of 30) after receiving notification from the government.
 - c. The government will seek a waiver from the 1 percent data recovery limitation under the National Historical Preservation Act, when applicable, and upon receiving a waiver, will proceed with data recovery at full federal expense while still allowing the non-federal sponsor to voluntarily contribute to costs associated with data recovery that exceed the 1 percent limitation.
 - d. The District Commander shall notify the non-federal sponsor in writing within 30 days of making a determination that construction of the project, or a functional portion thereof, is complete.
 - e. The government and the non-federal sponsor shall consult on any subsequent updates or amendments to the Operation, Maintenance, Repair, Rehabilitation and Replacement Manual.

CECW-P

SUBJECT: Model Project Partnership Agreements - Changes Identified by the Assistant Secretary of the Army (Civil Works)

f. The non-federal sponsor and the government shall initiate consultation with each other within 15 days of the discovery of hazardous substances regulated under the Comprehensive Environmental Response, Compensation, and Liability Act.

g. The non-federal sponsor shall, to the maximum extent practicable, provide the government with documents sufficient to determine the amount of credit to be provided for real property interests no later than 3 months (instead of 6 months) after it provides the government with authorization for entry onto a real property interest or pays compensation to the owner, whichever occurs later.

h. The non-federal sponsor shall, to the maximum extent practicable, provide the government with documentation sufficient for the government to determine the amount of credit to be provided for other creditable items, no less frequently than on a quarterly (instead of semi-annual) basis.

i. The government shall, to the maximum extent practicable, provide the non-federal sponsor with monthly reports (instead of quarterly) setting forth the estimated construction costs and the government's and non-federal sponsor's estimated shares of such costs.

j. The government shall notify the non-federal sponsor within 30 days of determining that federal funds made available for construction of the Project are not sufficient to complete such work.

3. Pending revision of all model PPAs by Headquarters, U.S. Army Corps of Engineers (HQUSACE), to incorporate the ASA(CW) changes, the Major Subordinate Command (MSC) Commanders must ensure that new PPAs include these changes. Authority to approve revisions in new PPAs to incorporate these changes is delegated to the MSC Commanders. Division Counsel concurrence in the revisions is required prior to approval by the MSC Commander. Enclosed as a guide is the recently approved Section 14 Continuing Authorities Program Model PPA, with the changes directed by ASA(CW) highlighted (enclosure 2). HQUSACE is available for consultation if there are questions concerning a revision.

4. Questions should be directed to John Lucyshyn, Program Manager, MVD RIT, at (202) 761-4515.

Encls



JAMES C. DALTON, P.E.
Director of Civil Works

DISTRIBUTION:
(see next page)

CECW-P

SUBJECT: Model Project Partnership Agreements - Changes Identified by the
Assistant Secretary of the Army (Civil Works)

DISTRIBUTION:

COMMANDERS,

GREAT LAKES AND OHIO RIVER DIVISION, CELRD

MISSISSIPPI VALLEY DIVISION, CEMVD

NORTH ATLANTIC DIVISION, CENAD

NORTHWESTERN DIVISION, CENWD

PACIFIC OCEAN DIVISION, CEPOD

SOUTH ATLANTIC DIVISION, CESAD

SOUTH PACIFIC DIVISION, CESP

SOUTHWESTERN DIVISION, CESWD