

AGREEMENTS NEWS VOL. 1

AUGUST 2020

(Includes Updates Since JANUARY 2020)

If you would like to be added to the distribution list to receive these updates directly, e-mail your request to Jeff Lin (jeffrey.p.lin@usace.army.mil)

MODEL AGREEMENT UPDATES

MODEL PPAs FOR SPECIFICALLY AUTHORIZED PROJECTS

In March 2020, updates were made to the following Model PPAs for Specifically Authorized Projects in order to incorporate editorial revisions and clarifications:

- ***Structural Flood Risk Management***
https://www.usace.army.mil/Missions/Civil-Works/Project-Partnership-Agreements/model_sfrm/
- ***Commercial Navigation Harbors***
https://www.usace.army.mil/Missions/Civil-Works/Project-Partnership-Agreements/model_cnh/
- ***Ecosystem Restoration Projects***
https://www.usace.army.mil/Missions/Civil-Works/Project-Partnership-Agreements/model_er/

CAP MODEL AGREEMENTS

https://www.usace.army.mil/Missions/Civil-Works/Project-Partnership-Agreements/model_cap/

Updates were made to the following CAP model agreements:

- ***Section 205 Structural FRM Projects (Updated January 2020)***
Updated Option 6 (Projects with Nonstructural Flood Risk Management Features) to provide example calculations for Option 6B (rolling reimbursement to NFS of LERRD costs that exceed 35% of the cost of the non-structural features) and clarifications.

- ***Section 205 Non-Structural Only FRM projects (New Model, January 2020)***

ENVIRONMENTAL INFRASTRUCTURE ASSISTANCE AGREEMENTS

https://www.usace.army.mil/Missions/Civil-Works/Project-Partnership-Agreements/model_ra/

Updates are to Design Only and Design and Construction Performed by the Non-Federal Sponsor Agreements. Previous Construction Only Agreements have been removed as Construction Only projects can be implemented via the Design and Construction Agreement. Any proposal involving a grant, rather than reimbursement, or design or construction performed by the Corps must be coordinated with the appropriate HQUSACE RIT.

- ***Section 219 – General (New Models, June 2020)***
- ***Section 552 - New York City Watershed (New Models, July 2020)***
- ***Section 592 – Mississippi (New Models, August 2020)***

OTHER AGREEMENTS AND MOUs

- ***Additional Work in Connection with Construction or Operation and Maintenance of a Federal Project for which there is No Non-Federal Sponsor or the Non-Federal Interest is not the Project Sponsor (Updated Instructions, August 2020)***

https://www.usace.army.mil/Missions/Civil-Works/Project-Partnership-Agreements/addwork_moas/

Updated instructions to recognize that a request and funding for additional work can be provided by a non-Federal interest that is not the Project Sponsor.

- ***Providing Additional Dredged Material Capacity For Specifically Authorized Commercial Navigation Harbor Projects (New Model, April 2020)***

https://www.usace.army.mil/Missions/Civil-Works/Project-Partnership-Agreements/model_cnh/

- ***Contributed Funds for Certain Activities Required Prior to Future Maintenance Dredging (New Model, Feb 2020)***

https://www.usace.army.mil/Missions/Civil-Works/Project-Partnership-Agreements/cf_moa/

- ***Section 1122 – Beneficial Use of Dredged Material Pilot Program (New Models, March 2020)***

https://www.usace.army.mil/Missions/Civil-Works/Project-Partnership-Agreements/model_other/

These model agreements are only to be used in cases where the NFS already owns the real property interests required for the project and will provide such real property interests and perform any required relocations at no cost to the Federal government.

- ***Section 203 - Tribal Partnership Program (New Models, April 2020)***

https://www.usace.army.mil/Missions/Civil-Works/Project-Partnership-Agreements/model_other/

- ***In-Kind MOUs for Non-Federal Design or Construction Work Prior to Execution of a DA or PPA (Updated April 2020)***

<https://www.usace.army.mil/Missions/Civil-Works/Project-Partnership-Agreements/In-Kind-MOUs/>

In-Kind MOUs updated to reflect the requirements of ER 1165-2-208, dated 16 December 2015, regarding In-Kind Contribution Credit Provisions.

PROJECT SPECIFIC AGREEMENTS

Note, project specific agreements are not posted to the HQUSACE PPA website.

HURRICANE SANDY

- ***Metro Washington FCSA Amendment***
- ***Passaic Tidal PPA***

BBA 2018

- ***Johnson County Section 202 PPA Amendment***
- ***Mill Creek (Sevenmile) PPA Amendment***
- ***Santa Ana River Mainstem LCA Amendment***
- ***Prado Dam PCA Amendment***

FY19 SUPPLEMENTAL

- ***Augusta Rocky Creek Georgia Section 205 PPA Amendment***
 - ***Buchanan County Section 202 PCA Amendment***
 - ***Dickenson County Section 202 PCA Amendment***
 - ***Surf City North Topsail Beach PPA***
 - ***Selma Alabama Section 14 PPA***
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UPDATED OR NEW GUIDANCE, FORMS, ETC

- ***Submission Requirements for Agreement Review Packages***

Updated checklist, dated July 2020, of submittal requirements for Agreement or Amendment Packages requiring HQ or ASA(CW) Approval

<https://usace.contentdm.oclc.org/utis/getfile/collection/p16021coll11/id/4654>

- ***Certificate of Authority (CoA) for Environmental Infrastructure Projects***

<https://usace.contentdm.oclc.org/utis/getfile/collection/p16021coll11/id/4620>

- ***Memorandum - Use of Electronic Signatures on Agreements with Non-Federal Entities***

<https://usace.contentdm.oclc.org/utis/getfile/collection/p16021coll11/id/4555>