

## ROLES AND RESPONSIBILITIES FOR ENGINEERING TECHNICAL ASSISTANCE TO USDA PROGRAM PARTICIPANTS

### **SITUATION 3: Producer/Landowner Receiving Technical Assistance (TA) Funds in USDA Program Contract.**

USDA Program Participant (Producer/Landowner) hires a certified TSP engineer and pays the engineering using Technical Assistance (TA) funds (TA Rates) in their USDA program contract (also known as Participant Selection Process).

#### **USDA Farm Bill Program Participant (Producer/Landowner) – Roles and Responsibilities**

1. Refrain from contracting or paying for any services or products prior to signing a contract. Notify the local NRCS office (District Conservationist) to discuss technical service options and program rules.
2. Identify and interview TSPs certified for the practice(s) you wish to complete. A list of certified TSPs is found at: <http://techreg.usda.gov/CustLocateTSP.aspx>
3. Participate in the pre-planning meeting with the TSP engineer, NRCS, and any other TSP(s) involved with the project.
4. Accept full responsibility to negotiate and reach agreement on cost and terms of assistance with TSP engineer.
5. Submit a signed *TSP Notification and Agreement on Release of Information Form* to NRCS authorizing the TSP engineer access to case file information for designing or implementing the conservation practice(s). Forms are located online at the Iowa TSP website at <http://www.ia.nrcs.usda.gov/technical/TSP.html>.
6. Provide a copy of the TSP roles and responsibilities to the selected TSP.
7. Allow access to the site where proposed practices are to be designed and implemented by NRCS and TSP staff.
8. Provide any necessary information to the TSP to perform the contracted services to NRCS standards and specifications. Information concerning standards and specifications are available at: [http://efotg.nrcs.usda.gov/efotg\\_locator.aspx?map=IA](http://efotg.nrcs.usda.gov/efotg_locator.aspx?map=IA).
9. Assist in any subsurface investigations as needed to complete the design. Examples of assistance include making sure that access is available to the site or provide equipment, such as a backhoe, to assist staff professionals with subsurface investigations.
10. **Recognize that only one final design will be provided.** That design will be based on the size and location information for the practice included in the conservation plan, comprehensive nutrient management plan (CNMP), or other document upon which the USDA program contract was based. These plans reflect decisions made by the USDA program participant. A preliminary design review(s) will be made prior to completion of the final design. **Design changes will not made** unless unforeseen factors are discovered during design investigations or construction.
11. Accept full responsibility for payment to the TSP engineer. Accept full responsibility for any TSP engineer costs that exceed the TSP rate in the USDA program contract.
12. Agree that construction will not begin until the TSP engineer approves final design/construction drawings.
13. Obtain and comply with all permits prior to any construction.
14. Hire a construction contractor to install the practice(s) in accordance with the approved construction drawings and specifications. It is imperative that the producer ensures that the TSP engineer makes onsite inspections during construction and following completion of the practice.
15. Provide anticipated construction dates to the TSP engineer.
16. Participate in the pre-construction meeting with the TSP engineer, construction contractor, and NRCS.
17. Provide to the servicing NRCS office the "As-Built" drawings, a copy of the applicable documentation required in the Statement of Work(s) (SOW), a copy of the construction documentation required in the inspection (quality assurance – QA) plan, and the TechReg Authorization Number. Provide the TSP with a copy of the Quality Assurance Certification of Service Form and make sure that it is signed and returned to the field office.
18. Make timely payments to the construction contractor for practice installation.
19. Ensure corrective measures are taken if deficiencies are noted during QA reviews performed by NRCS.
20. Sign block 27 "Certification by Participant" on the NRCS-CPA-1245, Practice Approval and Payment Application form.
21. Follow the operation and maintenance plan (O&M) for the practice(s) included in the construction drawings.

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#### ***TSP Engineer (must be a certified TSP through TechReg) – Roles and Responsibilities***

##### DESIGN

1. Attends pre-planning meeting with District Conservationist, Producer, and any other involved parties to discuss roles and responsibilities. Reviews a copy of the TSP Roles and Responsibilities provided by the landowner.
2. Conduct surveys and investigations necessary to develop the design and construction drawings.
3. Prepare the design in accordance with NRCS standards and specifications and provides deliverables as outlined in the statement of work.
4. Submit preliminary design/construction drawings to the program participant (producer/landowner) for review prior to final design.
5. Include Professional Engineer (PE) signature and seal on the cover sheet of the construction drawings and certify all sheets within set.
6. Include the following statement on the cover sheet of construction drawings along with a list of applicable NRCS standards:

*To the best of my professional knowledge, judgment, and belief, this design, construction drawings, and specifications meet applicable NRCS standards and specifications.*

\_\_\_\_\_  
*JDoe Engineer, P.E*

\_\_\_\_\_  
*Date*

7. Develop and sign an engineer's cost estimate based on best available information.
8. Develop an operation and maintenance plan for the practice(s) included in the construction drawings.
9. Prepare an inspection (quality assurance) plan describing the inspection items, documentation requirements, and the qualifications required of those doing the inspection.
10. Provide technical information needed by the USDA Program Participant to acquire practice-related permits.

##### CONSTRUCTION and CHECKOUT

1. Conduct preconstruction meeting with USDA Program Participant, NRCS, and construction contractor.
2. Perform construction inspection (quality assurance) duties including layout survey, maintenance of construction documentation, approval of changes during construction, and checkout survey. Work with contractor and USDA program participant to correct deficiencies.
3. Prepare and submit to the USDA program participant "As-Built" drawings, a copy of the applicable documentation required in the practice Statement of Work(s), a copy of the construction documentation required in the inspection (quality assurance) plan, and the TechReg Authorization Number. Include the following warranty on the cover sheet of the "As-Built" drawings:

*To the best of my professional knowledge, judgment, and belief, this practice is installed in accordance with the plans and specifications and meets NRCS standards.*

\_\_\_\_\_  
*JDoe Engineer, P.E*

\_\_\_\_\_  
*Date*

4. Complete the TSP PRS Data Entry worksheet, downloadable from the IA NRCS website, and return it to the field office.
5. Work with the USDA Program Participant to ensure corrective measures are taken if deficiencies are noted during quality reviews performed by NRCS. Provide Producer with a copy of the Quality Assurance Certification Service Form.

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#### ***NRCS – Roles and Responsibilities***

##### FIELD OFFICE

1. Review this fact sheet with the USDA Program Participant (Producer/Landowner) along with the TSP Assistance – Information for Producers, IA TSP, CNMP factsheets and any necessary forms. These materials are available on the IA NRCS web page.
2. Provide planning assistance including environmental compliance unless the TSP has been hired for planning assistance. If the TSP is providing planning assistance they will complete the Environmental Evaluation (IA-CPA-52) and sign the form as the designated conservationist. An NRCS certified planner must review the form, concur with the effects evaluation, and sign the form as the lead agency/responsible federal official. In all cases, the IA-CPA-52 must be completed prior to the design phase.
3. Provide fact sheet(s) noted in point #1 above to Program Participant to give to TSP and have appropriate copies placed in USDA Program Participant's file. Record in conservation assistance notes the factsheets and forms provided to participant(s).
4. Maintain Assistance Notes or CONS-6 notes through design, construction, and checkout.
5. Maintain a case file copy of the technical service documentation provided by the TSP. Include the TSP file with the cooperator's file following practice implementation.
6. Provide to the USDA Program Participant copies of any existing case file records relevant to the engineering technical assistance being provided by the TSP engineer.
7. **Refrain from any interference or involvement with the TSP engineer. NRCS will NOT review or participate in the surveys, investigations, design, construction drawings, layout, construction inspection, checkout, or certification except as defined in National or Iowa TSP policy.**
8. **Recognize the NRCS only has a contractual relationship with the USDA Program Participant (Producer/Landowner). Therefore, NRCS will NOT in any way, direct the work of the TSP engineer. NRCS staff will not pass judgment on information the producer receives from the TSP nor will NRCS staff conduct reviews of TSP work unless directed to do so by National or IA NRCS policy.**
9. Provide to the USDA Program Participant (Producer/Landowner) interpretative information related to the Conservation Plan, Comprehensive Nutrient Management Plan, Wetlands Reserve Plan of Operations, or other document upon which the USDA Program contract was based as requested.
10. Input and certify installation for USDA Farm Bill program cost share after TSP engineer certifies in tracking system. Sign block 25 "Payment Approved" on the NRCS-CPA-1245, Practice Approval and Payment Application form **after** TSP engineer signs block 16 "Technician's Signature" after the Quality Assurance Certification form has been returned to the Field Office.

##### FIELD OFFICE and/or AREA/STATE OFFICE

1. Provide the USDA Program Participant (Producer/Landowner) and/or TSP engineer access to copies of NRCS standards, specifications, standard drawings, software, and other design aids used by NRCS. Costs for reproduction of these materials are the responsibility of the person making the request.
2. Conduct quality reviews, as defined by National and Iowa policy, of the technical services provided by the TSP engineer **after** the services are reported and all documentation is received from the USDA Program Participant (Producer/Landowner).