



**ROLES AND RESPONSIBILITIES FOR ENGINEERING  
TECHNICAL ASSISTANCE TO USDA PROGRAM  
PARTICIPANTS (SOURCE 3)  
PRIVATE PROFESSIONAL ENGINEER HIRED BY  
PARTICIPANT**

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Note: In situations where a registered TSP is providing technical services, but not being reimbursed via a program contract, these procedures apply.

**USDA PROGRAM PARTICIPANT – ROLES AND RESPONSIBILITIES**

1. Notify the NRCS of your desire to utilize a private Professional Engineer (PPE) for design and/or construction inspection work on your project. Note that private engineers may provide conceptual design alternatives to NRCS for consideration during the planning process, however final needs and feasibility determinations must be completed by NRCS.
2. Acknowledge that all financial obligations to the private engineer are your responsibility, no fees are reimbursable by NRCS.
3. Participate in a pre-design meeting with the NRCS and the PPE. These meetings should typically take place onsite. NRCS will outline expected deliverables, applicable design criteria/references, CPA-52 evaluations and cultural resource concerns regarding the proposed practices. Timing and process for program payments for completed items as work progressed will also be discussed and agreed to. These items will be clearly identified at the pre-design conference, and the program participant will agree to adhere to requirements.
4. In all cases NRCS must complete a functional review of the design, ensure ND NRCS cultural resource guidance requirement have been met, and verify that the CPA-52 document prepared during planning is accurate for the final design, prior to construction.
5. Assist in any subsurface investigations as needed during design work. Request utility locates from the ND One Call Center when requested by the PPE.
6. Participate fully in the design process, it is your responsibility to ensure the PPE involves you appropriately during the design process to make key decisions.
7. Provide paper and electronic copies of the final design to the NRCS for review, confirmation of contract practices and quantities, ensure ND NRCS cultural resource guidance requirements have been met, final CPA-52 review, and functional review of TSP work if required. Wait for notification from NRCS prior to proceeding with construction.
8. Obtain and comply with all applicable regulatory agency permits.
9. Hire a construction contractor to install the practice(s) in accordance with the approved construction drawings and specifications. Alternatively, make plans to install practices with your own labor and equipment.

10. Attend a pre-construction meeting to go over details of the plans and specifications, with the PPE and the individuals who will be completing the construction work (for example your contractor, or your employees).
11. Provide anticipated construction dates to the PPE, and ensure they are aware when construction activities are taking place. Request that the PPE come out to complete construction staking and/or inspections as agreed to at the pre-construction meeting.
12. Ensure corrective measures are taken if deficiencies are identified via construction inspection conducted by the PPE. Understand that practices will not be certified that are not installed in accordance with the design drawings and specifications, without prior approval by the PPE. If substantial changes are made during construction, keep the NRCS informed.
13. Concur with certified quantities of installed practices, and sign Section 2 "Participant Certification and Signature" on the NRCS-CPA-1245, Practice Approval and Payment Application form.
14. Follow the operation and maintenance (O&M) plan for the practice(s) included in the construction drawings. Contact NRCS as needed for operation and maintenance follow up questions during the practice lifespan. If a management practice is included, complete identified activities, record keeping, and communication with NRCS as outlined in the design.

## **NRCS – ROLES AND RESPONSIBILITIES**

Upon request of a program participant, contact the Area Engineer to notify them that a PPE will be utilized for the project.

1. Maintain Conservation Assistance Notes (NRCS-CPA-6) through planning, design, and/or construction phases of the project. The PPE engineer should provide formal documentation, as outlined in the practice statements work, however any informal communications between the NRCS and program participant or TSP should be recorded in the notes.
2. Schedule a pre-design meeting with the program participant and PPE. These meetings should typically take place onsite and NRCS should be represented by an individual with appropriate design JAA for the planned practices. Outline expected deliverables, applicable design criteria/references, CPA-52 evaluations and cultural resource concerns regarding the proposed practices. Ensure the program participant and PPE understand that NRCS must complete a functional review of the design, ensure ND NRCS cultural resource guidance requirements have been met, and verify that the CPA-52 document prepared during planning is accurate for the final design, prior to construction. Timing and process for program payments for completed items as work progressed will also be discussed and agreed to. These items will be clearly identified at the pre-design conference, and the program participant will agree to adhere to requirements.
3. In all cases NRCS must complete a functional review of the design, ensure the ND NRCS cultural resources guidance requirement have been met, and verify that the CPA-52 document prepared during planning is accurate for the final design, prior to construction.
4. Upon receiving a completed design, forward to an individual with adequate design JAA (typically the Area or State Engineer) for a functional review. A formal, written design review document should be provided to the PPE for the project and filed in the contract folder.

5. As needed, complete a contract modification based on final design practices and quantities. Contact Area Engineer for assistance if needed. If the final design project modifications result in areas or effect not considered in the initial screening or survey, contact the State Cultural Resources Specialist (SCRS) for additional recommendations. Additional cultural resource review may be recommended. Confirm CPA-52 completed at the planning stage is valid. Revise and/or work with program participant to address issues as needed. Contact the program participant when these steps are completed, to notify them that they may move forward with construction.
6. As practices, or groups of practices, are installed (as agreed to at the pre-design meeting) review the construction/checkout documentation provided by the PPE for the deliverables as discussed at the pre-design meeting and as identified in the Statement of Work for the individual practices, as listed in Section IV of the eFOTG. For assistance, contact the NRCS Area Engineer.
7. Contact program assistant to generate the NRCS-CPA-1245, Practice Approval and Payment Application form(s) and work with the program participant for signature.
8. Report progress in the Performance Results System (PRS).
9. Provide follow up assistance to the program participant as needed, for practice operation and maintenance. Complete conservation planning step 9, to evaluate the effectiveness of practices to address resource concerns over time.

## **PPE ROLES AND RESPONSIBILITIES**

1. Accept full responsibility to negotiate and reach agreement on costs and terms of engineering services with the program participant. Understand that all engineering costs must be borne by the program participant.
2. Participate in a pre-design meeting with the program participant and NRCS. These meetings should typically take place onsite. NRCS will outline expected deliverables, applicable design criteria/references, CPA-52 evaluations and any cultural resource concerns regarding the proposed practices. In all cases NRCS must ensure ND NRCS cultural resources guidance requirements have been met. Timing and process for program payments for completed items as work progressed will also be discussed and agreed to. These items will be clearly identified at the pre-design conference, and the program participant will agree to adhere to requirements.
3. Complete final design work, as outlined in the National Engineering Manual, National Engineering Handbook, and as required by individual practice standards. A typical design package will include: design drawings, construction specifications, materials list, supporting computations, and an operation and maintenance plan.
4. Submit paper and electronic copies of the final design and deliverables per the Statement of Work(s) to NRCS for a functional review of the design.
5. Keep the FO and program participant involved and aware of issues that arise during the final design process, particularly if substantial changes are made that will impact the program contract.
6. Provide technical assistance to the program participant in acquiring project permits.

7. Conduct a pre-construction meeting with the program participant and installer to go over critical details of the design and key elements of construction inspection.
8. Provide oversight to construction inspection activities throughout the project, and schedule time onsite as needed.
9. Conduct final inspection of installed practices and compute quantities. As needed, provide formal written communication to the program participant of deficiencies. Provide paper and electronic copies of inspection documentation, construction surveys, materials submittals, asbuilt drawings, and other items as listed in the SOW to the NRCS for certification.

***I have read and understand the responsibilities indicated above.***

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Program Participant

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Date

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Private Professional Engineer

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Date

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NRCS Planner

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Date