ROLES AND RESPONSIBILITIES FOR ENGINEERING TECHNICAL ASSISTANCE TO USDA PROGRAM PARTICIPANTS (SOURCE 3)

TECHNICAL SERVICE PROVIDER (TSP) USING TECHNICAL ASSISTANCE FUNDS IN USDA PROGRAM CONTRACT

§SD610.80 Roles and Responsibilities for Engineering Technical Assistance (TA)

The United States Department of Agriculture (USDA) program participant hires a certified TSP engineer and pays the engineer using TA funds (Technical Service Payment Rate (TSPR)) in their USDA program contract [also known as Participant Selection Process].

Rule: Final Rule, Technical Service Provider (TSP) Assistance, 7 CFR, Part 652, November 29, 2004

USDA FARM BILL PROGRAM PARTICIPANT – ROLES AND RESPONSIBILITIES

1. Notify the local NRCS office that a TSP will be used prior to employing their services.
2. Select a TSP from the certified list found at the following Web site: http://techreg.usda.gov/.
3. Sign the "Authorization for Release of Information to TSP" form authorizing the TSP engineer access to case file information for designing or implementing the conservation practice.
4. Provide a copy of the TSP roles and responsibilities to the selected TSP.
5. Allow access to the site by the Natural Resources Conservation Service (NRCS) and the TSP staff.
6. Provide necessary information to the TSP to perform the contracted services to NRCS standards and specifications.
7. Assist in any subsurface investigations as needed to complete the design.
8. The design will be based on the size and location information for the practice included in the conservation plan, Comprehensive Nutrient Management Plan (CNMP), Wetlands Reserve Program (WRP) Plan of Operations (PO), or other document upon which the USDA program contract was based.
9. Accept full responsibility to negotiate and reach agreement on cost and terms of assistance with the TSP engineer.
10. Accept full responsibility for timely payment to the TSP engineer. Accept full responsibility for any TSP engineer costs, including costs for any design revisions, which exceed the TSPR in the USDA program contract.
11. Agree that construction will not begin until the TSP engineer approves final design/construction drawings.
12. Obtain and comply with all permits.
13. Hire a construction contractor to install the practice(s) in accordance with the approved construction drawings and specifications.
14. Provide anticipated construction dates to the TSP engineer.
15. Participate in the pre-design and preconstruction meeting with the TSP engineer, NRCS representative, and construction contractor.
16. Provide, or have the TSP provide, 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) plan, and the TechReg Authorization Number, along with copies of invoices received from TSP for their services to the servicing NRCS office.
17. Make timely payments to the construction contractor for practice installation.
18. Ensure corrective measures are taken if deficiencies are noted during quality reviews performed by NRCS.
19. Sign Section 2 "Participant Certification and Signature" on the NRCS-CPA-1245, Practice Approval and Payment Application form.
20. Follow the operation and maintenance (O&M) plan 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. Participate in the pre-design meeting with the program participant and the NRCS representative.
2. Conduct surveys and investigations necessary to develop the design and construction drawings.
3. Prepare the design in accordance with NRCS standards and specifications.
4. Develop design/construction drawings in consultation with the program participant. The program participant should review, understand, and approve the final design of the project.
5. Include the Professional Engineer (PE) signature and seal on the cover sheet of the construction drawings.
6. Include the following statement on the cover sheet of construction drawings along with a list of the applicable NRCS standards:
   To the best of my professional knowledge, judgment, and belief, the design, construction drawings, and specifications meet applicable NRCS standards and specifications.

   _____ _____
   Iman Engineer, P.E. Date
7. Develop and sign an engineer's cost estimate based on project quantities.
8. Develop a list of practices for the project that defines the practice unit and extent.
9. Develop an O&M plan for the practice(s) included in the construction drawings.
10. Prepare an inspection (quality assurance) plan describing the inspection items, documentation requirements, and the qualifications required of those doing the inspection.
11. Provide technical information needed by the USDA program participant to acquire practice-related permits.
12. Provide copies of approved project design documentation including but not limited to, the construction drawings, specifications, inspection, and O&M plan(s) to the program participant and servicing NRCS office.

CONSTRUCTION AND CHECKOUT

1. Conduct pre-construction meeting with the USDA program participant, the NRCS, and the 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 the contractor and USDA program participant to correct deficiencies.
3. Prepare and submit to the USDA program participant and the NRCS field office As-Built drawings, a copy of the applicable documentation required in the practice SOW(s), a copy of the construction documentation required in the inspection (quality assurance) plan, and the TechReg Authorization Number. Include the completed and signed “Warranty of Technical Services Provided” form.
4. Co-sign with the NRCS personnel in Section 1 to certify performance on the NRCS-CPA-1245, Practice Approval and Payment Application form.
5. Work with the USDA program participant to ensure corrective measures are taken if deficiencies are noted during quality reviews performed by the NRCS.

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NRCS – ROLES AND RESPONSIBILITIES

FIELD OFFICE

1. Monitor the process of the project with the TSP Process Guide Sheet.
2. Participate in the pre-design and preconstruction meeting with the TSP engineer, program participant, and the construction contractor.
3. 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 (SD-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 SD-CPA-52 must be completed prior to the design phase.
4. Provide and review the fact sheet to program participant to give to TSP and keep one copy for file.
5. Maintain the Conservation Assistance Notes (NRCS-CPA-6) through design, construction, and checkout.
6. Maintain a case file copy of the technical service documentation provide by the TSP. Include the TSP file with the cooperators file following practice implementation.
7. 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.
8. The NRCS will not participate in the surveys, investigations, design, construction drawings, layout, construction inspection, checkout, or certification. The NRCS will bring any concerns about the project to the attention of the TSP and the program participant.
9. **Recognize that the NRCS only has a contractual relationship with the USDA program participant. Therefore, the NRCS will not direct the work of the TSP engineer.**
10. Provide to the USDA program participant interpretative information related to the conservation plan, CNMP, WRP PO, or other document upon which the USDA program contract was based only in the situations where the NRCS developed the plan.
11. Certify installation for USDA Farm Bill program payments after the TSP engineer certifies in the tracking system. Sign Section 3 "NRCS Approving Official Certification," on the NRCS-CPA-1245, Practice Approval and Payment Application form, **after** the TSP engineer co-signs Section 1 to certify performance.
12. Report progress in the Performance Results System and indicate TSP assistance was utilized.

FIELD OFFICE OR FIELD SUPPORT OFFICE

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