

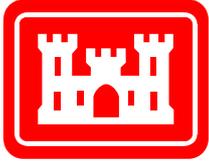
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USACE and AAPA Webinar Series – Fall 2013



**Contributed Funds
Webinar 1
by Jan Rasgus, USACE**

**23 August 2013
2-3pm EDT**

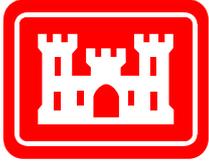


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Agenda



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- **Introduction: Jim Walker, AAPA**
 - **Housekeeping & Webinar Guidelines: Marie Burns, Moderator**
 - **Presentation: Contributed Funds by Jan Rasgus, USACE**
 - **Summary: Marie Burns, Moderator**
 - **Close: Jim Walker**

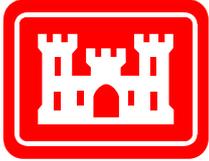


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Housekeeping



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- **If you have comments you can write your questions/comments in the chat room portion of the webinar.**
 - **Eliminate all possible distractions, which may occur in your office during the webinar. It is important to keep smart phones turned off and away from the handset.**
 - **Place your microphone on mute if you are not speaking.**
 - **If you accidentally get disconnected from the website or the telephone, just reconnect as quickly as possible.**



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Discussion Topics

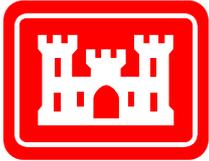
Accelerated Funds

Advanced Funds

Contributed Funds

Committee Notification Process

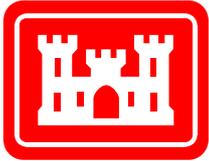
Model Agreements



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Accelerated Funds

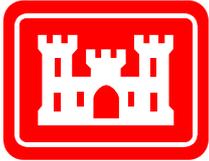
- Sponsor may offer to accelerate provision of their required cash contribution AND the Government use such accelerated funds without having the matching Federal share available.
- Can be used for any cost shared study, design, or project that requires funds from the sponsor but it cannot be used to initiate work if no Federal funds available. Applies to all project purposes.
- Committee notification is usually not required for accelerated funds for a Planning agreement but it is for design and construction agreements prior to initiation of negotiations of the agreement.
- No repayment or credit afforded for accelerated funds obligated by the Government if matching Federal funds are not provided.



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Advanced Funds

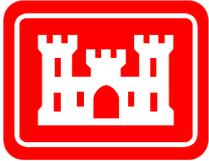
- **Advanced Funds are funds provided by a sponsor to pay the Federal share of work to be performed, with the potential of repayment or credit.**
- **No repayment is made until Congress specifically provides funds for the repayment.**
- **May only be accepted for specifically authorized projects for navigation or flood damage risk reduction.**
- **May not be accepted for other project purposes, such as, ecosystem restoration or coastal storm damage reduction (formerly know as hurricane and storm damage reduction); environmental infrastructure projects; studies; or for CAP projects.**



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Advanced Funds

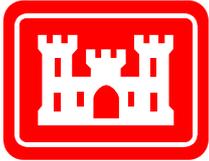
- **Successful completion of Committee notification is required before initiating negotiations for agreement.**
- **Advanced Funds offers require coordination within the Corps and with the Administration before any commitment is made, because they raise expectations that the Administration will budget for, and the Congress will appropriate funds for reimbursement.**
- **Will require Advanced Funds text in a new PPA or an amendment to an existing PPA and be approved by ASA(CW).**



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Contributed Funds

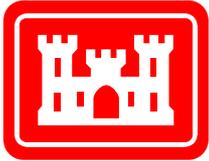
- **Section 111 of the FY 2012 Energy and Water Appropriation Acts amended 33 USC 701(h).**
- **Guidance issued in April 12, 2012 memo.**
- **Contributed Funds are those funds above any statutorily required non-Federal share voluntarily provided by a State (including territories and commonwealths) or political subdivision thereof and Federally recognized Indian tribes for all phases of a water resources development project “in connection with funds appropriated by the United States”.**
- **No repayment or credit afforded for any contributed funds obligated by the Government. Will refund contributed funds that have not been obligated.**
- **Contributed Funds can be accepted for planning, design, construction and O&M for a water resources development project, including CAP.**



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Contributed Funds

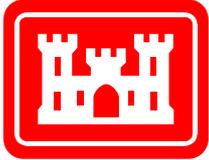
- **Funds must have been appropriated for a study (recon) or for construction before contributed funds can be accepted.**
- **If Federal funds provided for a study, contributed funds can be accepted for study and design; if Federal funds provided for construction, contributed funds can be accepted for construction and O&M.**
- **For CAP projects, once Federal funds are provided to initiate a study, contributed funds may be accepted for study, design, construction and O&M.**
- **Requires an amendment to an existing Feasibility Cost Sharing Agreement or PPA or a new agreement for cost shared work.**
- **An MOA will be used for the acceptance of contributed funds for maintenance dredging for which there is no non-Federal cost share or for a cycle of periodic renourishment.**



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Committee Notification Process

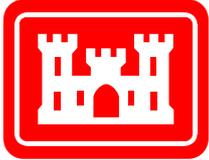
- **Must notify Congress prior to negotiations and acceptance of such funds.**
- **To initiate Committee notification process, field offices must submit the following information to HQs:**
 - **Draft Committee notification letters**
 - **Written letter from the sponsor specifying amount of contribution**
 - **Information on the study/project and information on the work to be accomplished with the contributed funds and why accomplishment of such work is in the public interest**
- **No notification is required for the dredging of non-Federal berthing areas, channels and slips undertaken on behalf of a sponsor during Corps construction or maintenance. This is considered “additional work”, not contributed funds as defined in the guidance.**



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Committee Notification Process

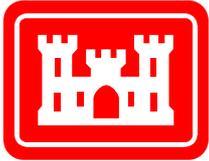
- **HQs-RIT drafts memos to Chairmen of House and Senate Appropriations, Subcommittees on Energy and Water Development**
- **HQ RIT coordinates draft memos within HQ, including Counsel and Policy, and then forwards memos and supporting information to OASA(CW)**
- **OASA(CW) coordinates draft memos and supporting information with OMB for clearance**
- **Upon OMB clearance, ASA(CW) signs memos and they are sent to the Committees**



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Committee Notification Process

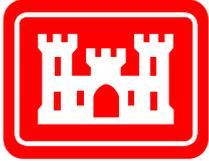
- **Congressional staff notifies OASA(CW) or HQ of acknowledgement that Corps intends to accept such funds**
- **After HQs receives positive response from both Committees (Senate and House Appropriations) HQ-RIT notifies the MSC and District, in writing or e-mail, that it is OK to proceed with negotiations of agreement.**
- **Successful completion of Committee notification is required before initiating negotiations for agreement to address Contributed Funds.**



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Model Agreements

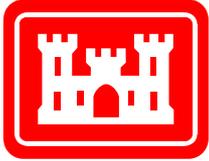
- **HQs has developed 2 MOA models that are currently available:**
 - **Contributed Funds MOA - O&M Dredging is a Federal expense; no Federal funds available. The Contributor provides all the funds needed to perform the dredging and related activities (engineering, design, environmental etc.)**
 - **Contributed Funds MOA - O&M Dredging is a Federal Expense; Federal funds are available to award a contract; contributor provides specified amounts of funds for additional O&M dredging of Federal channel.**
- **Posted at:**
<http://www.usace.army.mil/Missions/CivilWorks/ProjectPartneshipAgreements.aspx>



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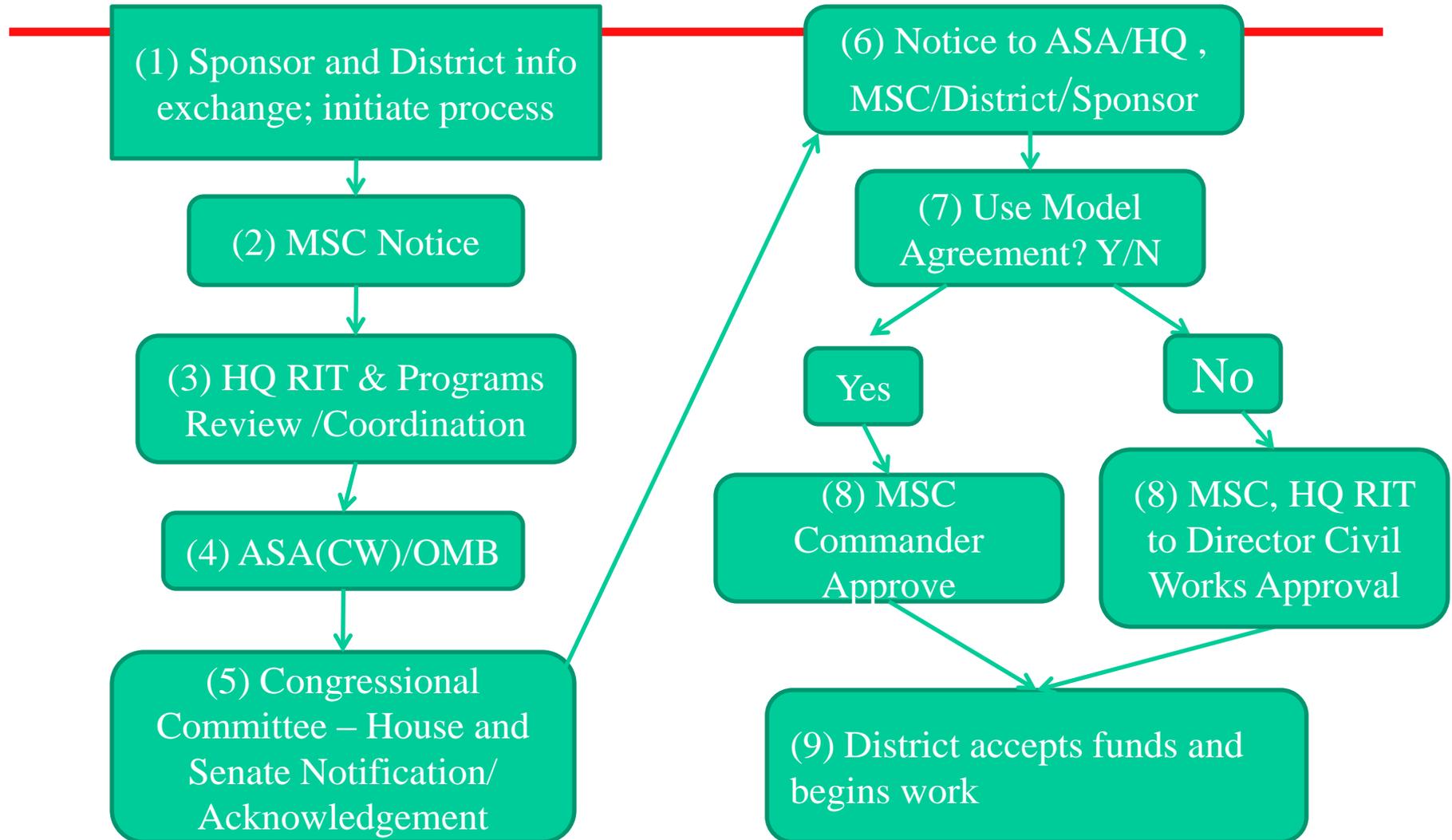
Summary

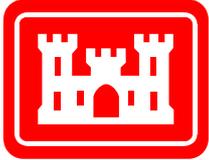
- **Presentation Summary**
- **Questions to be further researched (if any)**
- **Webinars will be posted. Links will be sent out in the future along with a schedule of upcoming webinars.**
- **These are your webinars. Please let us know how we can improve.**



Contributed Funds Flowchart

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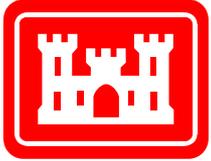


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Potential Webinar Topics



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- **Conducting Planning Studies in a Non-Earmark Environment**
 - **Status of Smart Planning Outreach Efforts**
 - **Alternative Financing of Corps Projects**
 - **Planning Metrics**
 - **Harbor Sym Overview**
 - **WRDA Amend Section 101 – 10 percent Cost Share**
 - **Continuing Contracts**
 - **Section 204, 10, and 408 Processes**
 - **Calculating 902 Cost**
 - **Planning Principles and Guidelines**
 - **??????????**



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Thank You!