

**SECTION 130 – E&WDAA, 2004
PLACER AND EL DORADO COUNTIES, CALIFORNIA**

**MODEL AGREEMENT
FOR
CONSTRUCTION
ASSISTANCE
(WORK PERFORMED BY GOVERNMENT)**

MODEL HISTORY:

10 October 2007 - Model originally approved.

Note: For information regarding the approval authority and signature authority for a project specific agreement developed using the current version of the Section 130 Government Performance Construction model, go to the Implementation Memo link to see the Section 130 Models for Government Performance of Work Implementation Memo, dated 10 October 2007.

MODEL APPLICABILITY:

The Section 130 Government Performance Construction model is one of six models developed for providing environmental assistance to non-Federal interests in Placer and El Dorado Counties, California pursuant to Section 130 of the Energy and Water Development Appropriations Act, 2004, Public Law 108-137. The other models address different combinations of design, construction, design and construction, and whether the work will be performed by the sponsor or the Government.

This model should be used when the sponsor requests only construction of the project be undertaken in the proposed agreement, the Government will be performing the work, and the Government completed the design for the project pursuant to a Section 130 Government Performance Design agreement. If the sponsor intends to provide a design, or a portion thereof, for use by the Government in constructing the project, do not use this model – use the Section 130 Government Performance Design and Construction model. Optional language is included in the model in case the sponsor wants to perform a portion of the construction.

Further, this model should not be used for implementation of projects under any of the other environmental infrastructure authorities, an agreement addressing design only of a Section 130 project, an agreement addressing both design and construction of a Section 130 project, nor for any Section 130 projects where all the work will be performed by the sponsor.

Project specific agreements developed using this model cannot be approved for execution prior to compliance with all applicable environmental laws and regulations including, but not necessarily limited to, NEPA and Section 401 of the Federal Water Pollution Control Act (33 U.S.C. 1341).