

**SECTION 221 – FCA 1970, AS AMENDED**

**MODEL MOU  
FOR  
IN-KIND CONTRIBUTIONS PROVIDED OR PERFORMED  
BY A NON-FEDERAL INTEREST PRIOR TO  
EXECUTION OF AN AGREEMENT FOR DESIGN**

**MODEL HISTORY:**

**30 May 2008** - 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 In-Kind MOU for Design model, go to the Implementation Memo link to see the In-Kind MOU Model Implementation Memo, dated 23 June 2008.

**MODEL APPLICABILITY:**

The In-Kind MOU for Design model is one of two model MOUs developed to address in-kind contributions to be provided or performed by a non-Federal interest prior to execution of the applicable cost sharing agreement. The other model addresses construction activities provided or performed as in-kind contributions.

This model should be used if the non-Federal interest intends to provide or perform design activities prior to execution of a Design Agreement for a specifically authorized project. In addition, it should be used if the non-Federal interest intends to provide or perform design activities only prior to execution of a Project Partnership Agreement (PPA) for those authorities (Continuing Authorities Program and regional authorities) that use a PPA that addresses performance of both design and construction in one agreement. It should not be used if the sponsor intends to provide or perform construction activities prior to execution of a PPA for a specifically authorized project nor if the sponsor intends to provide or perform in-kind contributions consisting of both design and construction activities for those authorities that use a PPA that addresses performance of design and construction in one agreement.