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Senior Management Review of Planned A&A Awards Frequently Asked Questions

An Additional Help for ADS 300

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FREQUENTLY ASKED QUESTIONS

1. Why did USAID establish a senior management review process for large acquisition and assistance awards?

USAID's acquisition and assistance portfolio represents the greatest share of the Agency's annual spending. In fiscal year 2013, approximately 80 percent of all Agency obligations went through acquisition and assistance awards. The reviews are intended to increase senior management engagement and accountability for acquisition and assistance, ensure more rigorous project design and costing standards, establish greater linkages between Washington and field activities and result in more effective implementing mechanisms. The new process also responds to a 2007 recommendation from the Helping to Enhance the Livelihood of People Around the Globe (HELP) Commission, a bi-partisan group consisting of members from Congress, development practitioners, the private sector, and others. The HELP Commission recommended that major contracting decisions be closely supervised by Assistant Administrators and their deputies given the key role of contracts and grants in accomplishing the Agency's mission.

2. Are the reviews proving to be useful?

The reviews have proven to be a valuable tool for focusing attention on award scope, impact, and value for money. Through the process, the Agency has renewed its emphasis on results, as well as the use of small businesses and local organizations through our field missions. In addition, the reviews are promoting Washington/field linkages and enhancing senior management accountability for field activities.

3. When is an Acquisition and Assistance Review and Approval Document (AARAD) required?

An AARAD is required prior to the issuance of a solicitation for planned new awards with a total estimated cost or total estimated amount of \$50 million or more. The requirement applies to acquisition and assistance solicitations and awards signed by an M/OAA backstop CO/AO, including contracts, grants, cooperative agreements, leader with associate awards, associate awards, indefinite delivery-indefinite quantity (IDIQ) contracts and task orders issued under IDIQs, interagency agreements, and Food for Peace and humanitarian assistance non-emergency awards. The review process does not apply to awards signed within the bureau or mission by AAs or mission directors (e.g., government-to-government agreements); awards to public international organizations (PIOs); or emergency humanitarian assistance and transition initiatives activities. The review is also not required in instances where a Justification for Exception to Competition (JEC) or a Justification and Approval for Other Than Full and Open Competition (J&A) signed by the Assistant Administrator or Administrator documents how the proposed award addresses the areas covered by the review. No AARAD is required at the pre-award stage. In most instances throughout ADS Chapter 300, for purposes of the AARAD requirement, "solicitation" and "award" refer to the pre-solicitation requirement as there is no additional AARAD requirement after obtaining approval from the approving official.

4. Who are the approving officials for AARADs?

The responsible Assistant Administrator (AA) or Independent Office Director must approve an AARAD prior to solicitation for new planned awards with a total estimated cost or total estimated amount at or above \$50 million, but less than \$100 million. Regional Bureau AAs may delegate approvals to cognizant Mission Directors. For proposed awards at or above \$100 million, the Administrator must approve the AARAD prior to solicitation for planned awards of \$100 million or more, and clearances by the M Bureau, GC, and OSDBU must be obtained.

5. Is a review meeting required for pre-solicitation AARADs approved by the Administrator?

A review meeting is not required, but may be convened at the Administrator's discretion.

6. What are the approval requirements at the pre-award stage?

There are no AARAD approval requirements at the pre-award stage. Upon issuance of awards \geq \$100 million, the Contracting/Agreement Officer will ensure that the Congressional Award Notification (commonly referred to as the LEG Notice) sent to the Bureau for Legislative and Public Affairs (LPA) is also sent to the cognizant Assistant Administrator, ES, and aarad@usaid.gov. ES will distribute the notice to the Administrator and other relevant staff in A/AID.

7. Can the Mission Director approve AARADs for planned mission awards up to \$100 million?

The Assistant Administrator (AA) may delegate approval of AARADs to the responsible Mission Director. The bureau will identify the specific solicitations for review by Mission Directors in the A&A plan. The status of reviews delegated to mission directors will be discussed at the quarterly A&A Plan meetings. The Mission Director must obtain clearance from the applicable pillar bureau program office prior to approval when the award includes technical activities/services.

8. Can pillar bureau Assistant Administrators (AA) or Directors of independent offices delegate approval for AARADs?

The Pillar bureau AA or independent office director may only delegate approval of AARADs to individuals officially designated as acting in his/her absence.

9. What types of awards are included in the review process?

The review process applies to acquisition and assistance solicitations and awards signed by an M/OAA backstop CO/AO, including contracts, grants, cooperative agreements, leader with associate awards, associate awards, indefinite delivery- indefinite quantity (IDIQ) contracts and task orders issued under IDIQs, interagency agreements and Food for Peace and humanitarian assistance non-emergency awards. The review process does not apply to the following: (a) awards signed within the bureau or mission by AAs or mission directors (e.g., government-to-

government agreements); (b) awards to public international organizations (PIOs); or (c) emergency humanitarian assistance and transition initiatives activities.

10. Is an AARAD required if a Justification for Exception to Competition (JEC) or a Justification for Approval for Other than Full and Open Competition (J&A) is signed by the Assistant Administrator or Administrator?

The AARAD is not required if the JEC or J&A outlines how the proposed award addresses the areas in the [Acquisition and Assistance Review and Approval Document for Pre-Solicitation template](#). If the areas addressed were not part of the JEC or J&A, then an AARAD is still required.

11. How much time does the Assistant Administrator (AA) or Independent Office Director have to provide a response to the pre-solicitation?

The responsible AA or Independent Office Director has seven work days from the day after receipt of the AARAD to raise substantive issues or provide approval or clearance in the case of AARADs requiring the Administrator's approval. In the case of those requiring Administrator approval, the clearances of M Bureau, GC, and OSDDBU are intended to take place concurrently with the AA. If the AA does not respond within the seven work days, the Planner must note on the AARAD that the seven work days has lapsed and proceed to the next stage of the AARAD approval process. If the AA raises substantive issues, the clock will stop until the issues are resolved.

12. How much time does the Administrator have to respond to the pre-solicitation Acquisition and Assistance Review and Approval Document (AARAD)?

The Administrator will have seven work days from the day after receipt of the AARAD to authorize the solicitation or raise substantive issues. If the Administrator or clearing officials raise substantive issues, the clock will stop until the issues have been resolved. The clock will also stop if a meeting is convened by the Administrator and there is a scheduling conflict due to the Administrator's schedule or the schedule of the submitting bureau.

13. What are the clearance requirements for Acquisition and Assistance Review and Approval Documents (AARADs)?

The Planner must obtain clearance from the Mission Director/Head of the Operating Unit prior to forwarding the AARAD for the Assistant Administrator (AA), Independent Office Director or Administrator's approval. In order to streamline the review process, bureaus should require no more than four clearances within the bureau prior to the AAs clearance (e.g., Country Desk Officer, Technical Officer who participated in the design process, Program Officer, and Deputy Assistant Administrator). The regional bureau will obtain clearance from the applicable pillar bureau program office when the award includes technical activities/services. The pillar bureau will obtain clearance from the regional program office when the bureau implements the activity in a country or within one region. The regional or pillar program office will have seven work days for a simultaneous review and clearance while the AARAD is being reviewed by the AA in

the initiating bureau. There should be no more than one clearance for the pillar or regional bureau in these instances.

14. Can the Contracting Officer/Agreement Officer (CO/AO) release draft documents to the partner community before the approval is received from the Assistant Administrator?

The CO/AO must not release the **final** requirements document without the Assistant Administrator's (AA's) approval or written notification from the Contracting Officer's Representative/Agreement Officer's Representative that the seven day timeframe for the AA's response has lapsed. The intent is to receive the AA's approval on the program component prior to the issuance of the Request for Proposal/Application without discouraging early outreach to the partner community. The **draft** scope of work or program description, for example, could be made available.

15. Doesn't the senior review process diminish the authority of the acquisition and assistance staff?

The new process does not impact the Contracting Officer/Agreement Officer's role as the source selection authority. The pre-solicitation review by the Assistant Administrators will ensure more rigorous project design and costing standards and a more comprehensive solicitation that is consistent with Agency priorities and reforms. The Administrator's pre-award review will be a business decision that focuses on Agency needs rather than the evaluation process.

16. Is an AARAD required for an Annual Program Statement (APS) with a ceiling of \$50 million or above? What about awards stemming from the APS?

Yes, an AARAD is required prior to solicitation of an APS if the total amount of the APS meets the dollar threshold. Some **questions in the AARAD template** may not apply, but Operating Units should do their best to address the **questions**.

17. Is training available on the senior review process?

The new requirements will be incorporated into acquisition and assistance courses.

18. Is there a help desk or some way to request assistance?

An email box has been set up to receive and respond to questions and to receive documentation associated with the reviews. The address is AARAD@usaid.gov.

19. What documentation goes to the Assistant Administrators for the pre-solicitation review?

Assistant Administrators (AAs) must receive the Acquisition and Assistance Review and Approval Document (AARAD). **No additional documentation should be provided unless specifically requested.**

20. What documentation goes to the Administrator for the pre-solicitation review?

The Administrator must receive an Action Memorandum and the Acquisition and Assistance Review and Approval Document (AARAD). No additional documentation should be submitted for the Administrator's review.

21. Where can I find the templates for the Pre-Solicitation AARAD?

The [Acquisition and Assistance Review and Approval Document for Pre-Solicitation](#) is a mandatory reference in [ADS 300, Acquisition and Assistance Planning](#).

22. How many days will the reviews extend Procurement Action Lead Times (PALTs)?

The reviews are expected to have limited impact on PALTS. The Contracting Officer/Agreement Officer will receive key elements of the Request for Proposal/Application, e.g., scope of work/program description, before the Assistant Administrator's (AA's) approval is requested. The preliminary work required for a solicitation will be done concurrently with the senior reviews.

23. Does the review process apply to institutional support contracts?

The Acquisition and Assistance Review and Approval Document (AARAD) must be completed for institutional support contracts that meet the dollar threshold. Some [questions in the template may](#) not be relevant, but the review must address the [questions](#) to the extent possible.

24. Which Assistant Administrator (AA) approves a solicitation when the action is being funded by a pillar bureau and the activity is taking place in-country?

Regional bureau AAs will serve as the approving officials for award solicitations below [\\$100 million](#) initiated in their respective bureaus in USAID/Washington or overseas Missions falling under their oversight ([unless delegated to the mission director](#)). Pillar bureau AAs will approve USAID/Washington award solicitations below [\\$100 million](#) that the pillar bureaus initiate. As a part of this process, the regional and pillar bureau AAs will coordinate, where appropriate.

25. Does the policy apply if an award is amended to increase the cost at or above [\\$50 million](#)?

The review process only applies to new awards.

26. Will the Administrator be the Source Selection Authority for awards at or above [\\$100 million](#)?

The Contracting Officer/Agreement Officer will continue to be the source selection authority for the awards. The Administrator will make a business decision based on the situation during the [pre-solicitation review](#).

27. Will the questions in the AARAD template be incorporated into the evaluation criteria for the solicitations?

The areas covered by the AARAD should be incorporated into the statement of work/program description and/or the evaluation criteria for all contracts and grants over \$50 million unless the issues are not applicable for a particular instrument.

28. If there is a substantive change that would impact the information provided in an AARAD does it have to be resubmitted?

The approving official (Administrator, Assistant Administrator, Independent Office Director, or Mission Director) must review and approve any changes that will substantively change the responses to questions provided in an AARAD.

29. Is there a page limit for the Acquisition and Assistance Review and Approval Document (AARAD)?

Yes. The AARAD template includes descriptive data for the planned award, as well as a justification that addresses specific mandatory and optional questions. There must be no more than three sentence responses to descriptive data and no more than five pages for the justification. Submissions exceeding these limitations will be returned for revision.

30. Does the Contracting Officer/Agreement Officer (CO/AO) have any role in the concurrence/review of the Acquisition and Assistance Review and Approval Document (AARAD) for pre-solicitation?

The CO/AO is not required to clear the AARAD, but will do an initial review of the key elements of the Request for Proposal/Application (e.g., scope of work/program description, evaluation criteria) before the documentation is forwarded to the approving official for pre-solicitation approval.

31. Please clarify what information in the Acquisition and Assistance Review and Approval Document (AARAD) is being reviewed at the Contract Review Board (CRB).

A copy of the approved pre-solicitation AARAD must be provided to the pre-solicitation CRB prior to the CRB review of solicitations at or above \$50 million.

32. Does the Board for Acquisition and Assistance Reform (BAAR) still exist?

The Board for Acquisition and Assistance Reform (BAAR) has been discontinued but its goals will continue to be achieved as part of pre-solicitation AARADs and the A&A Plan review meetings. The A&A plan review meetings will include a discussion of how planned awards will enhance competition, expand the partner base, and utilize appropriate size and type of award mechanisms. The Director of the Office of Small and Disadvantaged Business Utilization will participate in the A&A Plan review meeting.

33. Does the policy apply if the total estimated cost at solicitation is below \$50 million, but the actual award cost is above \$50 million?

The pre-solicitation Acquisition and Assistance Review and Approval Document (AARAD) is only required when the total estimated cost based on the independent government cost estimate (ICGE) is at or above \$50 million. The responsible Assistant Administrator or Independent Office Director should be informed when the award cost is greater than anticipated, resulting in a total cost in excess of the threshold.

34. Does the policy apply to awards to Public International Organizations (PIOs) that are signed by an Agreement Officer (AO) vs. the Assistant Administrator or Mission Director?

The review process does not apply to PIOs regardless of whether they are signed by an M/OAA backstop Contracting Officer/Agreement Officer, Assistant Administrator or Mission Director.

35. Are non-disclosure agreements required for individuals who will be working with the Acquisition and Assistance Review and Approval Document (AARAD)?

The individuals who work with the AARAD are not required to sign a non-disclosure agreement since the AARAD and other documentation will not disclose the name of the potential awardee or any information that may identify the potential awardee. Also, the AARAD includes a highlight on the pages as noted below to make individuals aware of sensitive information:

SENSITIVE BUT UNCLASSIFIED

For Acquisition-Procurement Sensitive Information under FAR 3.104

36. Doesn't the Acquisition and Assistance Review and Approval Document (AARAD) process violate the terms of the non-disclosure agreement signed by the Technical Evaluation Committee (TEC) Chair?

As [ADS 300](#) has been revised to include the AARAD process, the inclusion of information required for the AARAD is not viewed as contrary to non-disclosure agreements. The information in the AARAD must not disclose the name or any information that will identify the potential awardee.

37. Does the review process only apply to appropriated funds? In other words, would cost sharing provided through public-private partnerships be included for the purpose of determining the total estimated cost?

All funding sources that are legally required conditions of the USAID award (e.g., cost sharing) should be considered in determining the total estimated cost of the activity. For example, if \$30 million is provided from appropriated funds and another \$20 million is partner cost-sharing, the AARAD must be approved by the responsible Assistant Administrator. On the other hand, if the \$20 million is anticipated leveraging and does not constitute legally required cost share under an agreement between an implementing partner and USAID (as may be the case with public-private

partnerships), the potential funding would not be included for purposes of determining AARAD requirement applicability because the proposed leverage amount is not legally binding.

38. Is the cognizant GC/W attorney or RLO required to clear on the AARAD prior to sending up to the approving official?

The cognizant GC/W attorney or RLO approval is not required as a part of the AARAD process. However, planners may wish to consult with their lawyer in advance of submitting the package to address any legal questions presented in preparing an AARAD package.

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