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REGIONAL OFFICE OF ACQUISITION AND ASSISTANCE

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To: All USAID/India Implementing Partners

From: Charles S. "Chuck" Pope, Director, USAID/India/ROAA 

Subjects: Avoiding Unauthorized Commitments in Award Management

USAID policy states that an unauthorized commitment occurs when a USAID official acts in a way that leads an awardee or potential awardee to believe that USAID has committed to make a specific award; change the amount of an existing award; or revise an existing award budget, program description / statement of work, or any of the terms and conditions of the award; and such official does not have the authority to do so. It is against U.S. Government and USAID policy to enter into an unauthorized commitment.

For USAID instruments, unless otherwise delegated by the Assistant Administrator of the Management Bureau (AA/M), the Agreement Officer (AO) for assistance instruments and the Contracting Officer (CO) for acquisition instruments, per FAR 1.602-1, are the only persons authorized to make such commitments. To date, Mission Directors and other officials as delegated by the AA/M may sign grants and cooperative agreements up to \$150,000. All other USAID officials do not have the authority to obligate, change terms or conditions, or change the program description / statement of work (of any part of the award) on behalf of the Agency. Doing so results in an unauthorized commitment.

Unauthorized commitments can be avoided if the following is kept in mind:

- The Agreement / Contracting Officer's Representative (AOR / COR) serving as the personal representative of the AO / CO is the lead on awards that s/he manages. In other words, there should be practically no interaction with a Contractor / Recipient without the involvement of the COR / AOR.
- When requesting an AOR / COR to pursue a course of action on an award s/he manages, please make sure ROAA is kept in the loop. That is most easily achieved by working with the cognizant ROAA Portfolio Manager. [Please refer to Implementing Partner Notice (IPN) - Notice 3]
- The only person who has any authority to make changes to an A&A award is the cognizant AO / CO. Therefore, if any changes are contemplated to an award, the AO / CO must be consulted in advance.

Please let your designated ROAA Portfolio Manager know if you have any questions or comments on the above.