

COVID-19 Partners Call Script
March 18, 2020, 10:00 am

Mark Walther, M/OAA Director: Opening Remarks

Thank you all for joining us for our call today. We have very much appreciated the inquiries which we have received from Implementing Partners and the major Partner Associations. I also want to thank our Contracting and Agreement Officers for their suggestions and inquiries they have been sharing with us, especially our field COs/AOs. We have also appreciated the knowledge sharing from the Associations and other federal agencies such as OMB and the Civilian Agency Acquisition Council (CAAC) as different agencies have issued guidance or shared examples. We want you to be aware that your health and safety are of utmost priority to us. It has clearly been a difficult operating environment given the fluid nature of events over the last few weeks.

Last week I welcomed the ability to share guidance to the Agency's staff and our partners. I'd like to briefly highlight a few points from the guidance again understanding that some of the questions we have received relate to items and language in the guidance itself:

We do encourage implementing partners to continue to consult with their Contracting Officer Representatives/Agreement Officer Representatives (COR(s)/AOR(s)) and Contracting Officers/Agreement Officers (CO(s)/AO(s)) on any new work or revisions to work plans to ensure written authorization to do so. The USAID Administrator is considering an Expedited Procedures Package (EPP), which is now in final clearance, for infectious- disease outbreaks to respond to the emergency and other related ones. If there is a need to redirect implementing partners to respond to the epidemic, the cognizant USAID CO(s)/AO(s) will contact them.

If partners anticipate or are experiencing, disruptions to the implementation of a USAID-funded program, whether because of health/safety issues, quarantine actions, travel restrictions, or logistical concerns (such as supply-chain interruptions), they should inform their COR(s)/AOR(s), who will then consult with the cognizant CO(s)/AO(s) and provide guidance. In the event any USAID implementing partner (whether under a contract, cooperative agreement, or grant) needs to modify or suspend the implementation of a previously agreed-to work plan, it must first notify its COR/AOR, who, in turn, will coordinate with the cognizant CO/AO for approval.

USAID understands that, as a result of the outbreak, some of our implementing partners might find themselves incurring additional implementation costs not originally

envisioned, principally related to safety measures and the protection of staff. USAID will consider any additional proposed costs on a case-by-case basis, provided that such costs are “allowable, allocable, and reasonable.” Before incurring any additional costs relating to COVID-19, partners must consult their AOR(s)/COR(s) and AO(s)/CO(s) for approval, when required. All costs, including incurred costs, must not exceed the obligated amount of the award. At this time, reasonable costs in relation to safety measures are generally allowable.

Please note that questions about authorized/ordered departures and/or decisions about whether to require contractors to depart a country need to be directed to individual Missions which will have case-by-case specific information. There are provisions within our awards that address these decisions and the allowability of costs.

An additional note for institutional support contractors (ISCs), those contractors that provide support in USAID office buildings and missions. ISC employees who work on-site in USAID facilities in Washington, D.C., must contact their employer’s Project Managers, if applicable, and the cognizant USAID Contracting Officers’ Representative(s) (CORs) regarding eligibility for telework, and must follow their employer’s policies on telework. ISCs must also consult with their Contracting Officer (CO) to ensure the telework approved is within the terms of their contract. If a contract currently does not provide for telework capabilities, the Agency encourages ISCs and COs to undertake action quickly to allow ISC employees to telework, with approval from the COR responsible for the day-to-day management of the award. ISC employees can continue to work in USAID/Washington facilities as long as there is sufficient supervision of work, even if the supervision occurs remotely.

Please note that if the Agency further determines to limit access to our buildings, please consult with your COR and CO unless more overarching guidance is shared with you should this occur.

Please be reminded for questions that are very award specific and continue to engage your relevant COR/AOR and CO/AO. Separate from the questions you have already shared with us, if you have more additional general questions, they should be sent to TF2020-COVID19@usaid.gov.

We will now turn to the questions we have received, many of which were shared with us yesterday with the assistance of the major Implementing Partner associations, and some others we have been receiving from our COs/AOs over the weekend. As you might imagine, we have received a large number of questions that we will continue to work through in a very fluid environment that we all find ourselves in with COVID-19, the coronavirus. We again appreciate the joint challenges and the collaborative approach

all of us are collectively undertaking at this time. We also realize that there are concerns with consistency in interpretation and application of guidance which we hope the use of Frequently Asked Questions (FAQs) and continued internal and external outreach will assist in mitigating.

I want to emphasize to please consider the questions and responses we are sharing with you at this time are quickly developed initial ones. While we will be sharing with you a copy of this transcript, I'd ask that you ultimately refer to final versions of Frequently Asked Questions (FAQs) that we will work to post internally and externally which may naturally reflect some revisions as they are more holistically cleared and finalized.

Please note that responses to the questions are preliminary responses. USAID will issue a Frequently Asked Questions document in the coming days.

Moderated Q&A

1. What guidance has been given to the Regional and Technical Bureaus, Missions and other USAID Overseas Offices regarding COVID-19 implications for the Forecast?

USAID Response: This is an area that we will be considering further on a case-by-case basis. As many of you know, we recently undertook our traditional quarterly review and updating of the Business Forecast and outreach to Partners. We realize that the challenges before us add complexities and difficulties in preparing proposals and understanding operating environments, but we also have critical program activities to pursue. Please continue to consult the Business Forecast as we further engage Missions and Bureaus. Obviously, we would like to get information at the earliest time possible, if adjustments are undertaken.

2. How does USAID envision the current COVID-19 pandemic will affect the pace of solicitations and awards? Will USAID consider extending any submission deadlines or delaying the release of new solicitations that may be difficult for organizations to respond to?

USAID Response: We remain actively engaged in our solicitation and award processes while concurrently working through the COVID-19 challenges. I can't predict specific traditional development efforts that will be impacted, and believe this will case-by-case circumstances at this point in time.

3. Does USAID anticipate a shift in its funding to prioritize COVID-response and how will it impact current opportunities on the forecast?

USAID Response: As noted in part of our Implementing Partner guidance last week, an Expedited Procedures Package (EPP) for Infectious Diseases is in the final stages of consideration and review. This is intended to provide streamlined authorities and procedures for the COVID-19 response and other diseases to give the Agency additional speed and flexibilities to adjust existing programs or expedite new ones to combat the challenges before us. In addition, the Agency has also made greater use of adaptive partnering as part of reforms these last two years with Shock Responses and Crises

Modifiers. Please note that any existing program adjustments will be indicated by COs/AOs and the CORs/AORs.

4. What are the expectations around drawdown availability, do we anticipate disruptions?

USAID Response: I'm assuming this reference to drawdown capabilities in this question is referring to Letters of Credits. The Agency continues to aggressively monitor all system capabilities especially ones in the areas of Management responsibilities. All the Bureau for Management offices such as M/CIO, M/CFO and M/OAA are in daily meetings with our leadership to ensure effective system capabilities and processes are maintained.

5. Is there an expected release date for the Administrator's Expedited Procedures Package (EPP) for infectious disease outbreaks?

USAID Response: We are hopeful that it will be approved by the end of this week.

6. Would USAID agree to temporarily suspend the OCIO IT approval requirement as contained under the LIMITATION ON ACQUISITION OF INFORMATION TECHNOLOGY clause that is included in many of our contracts? As more projects move to telework arrangements it is likely the unforeseen, but critical, IT software and equipment procurement may be needed. As such, it will be critical that projects are able to immediately purchase such items.

USAID Response: We are consulting with CIO about preparing a class deviation to the IT approval requirements as issued under AAPD 16-02R for contracts supporting COVID activities, and will advise our implementing partners.

7. Per the issued guidance, we understand we are to seek USAID approval prior to incurring any additional costs related to COVID-19. However, the situations in countries are rapidly changing each day (and some hour by hour). Considering some requests may require additional time from USAID, would USAID consider blanket approvals for evacuation/return of contractor/recipient staff in accordance with the contractor/recipient's determinations and policies?

USAID Response: Under the terms and conditions of USAID contracts, Mission Directors are authorized to determine, for any reason, the necessity of evacuation on a country by country basis. There is currently not a plan to issue a blanket determination

for all contractors. These determinations have to be made at the Mission level as they are case specific.

8. How are USAID missions dealing with co-creation workshops during this period?

USAID Response: The specific nature of adjustments to areas such as co-creation workshops, oral presentations, and other in-person collaborative approaches will be made by Missions, and Washington Bureaus and Operating Units. There are ways to effectively use virtual and remote technologies to try to overcome the travel and group size challenges we are facing at this time, but there may be situations where another approach will be needed. M/CIO continues to monitor and provide IT assistance across the Agency to ensure the most effective use of remote and virtual technologies.

9. Since we plan to cancel or postpone most meetings, will there be any issues with billing USAID for "cancellation costs" for participant travel, hotels, venues, etc?

USAID Response: In the Implementing Partner guidance, we indicated in part our general desires and abilities to support reasonable, allowable and allocable costs accompanied with requests to engage COs/AOs and CORs/AORs under your specific awards. In general, such costs which meet these standards due to situations outside of the Implementing Partners control are often allowable. As a number of travel and hotel businesses have been undertaking steps on their own accord to allow flexibilities or reduce penalties, etc., we ask that you are fully exploring opportunities to mitigate cancellation and postponement costs with them which I'm assuming most of you are already pursuing. Please note that our intent is not to create any new or additive requirements in our acquisition and assistance (A&A) award processes and effective award management, but rather emphasizing the critical importance to be continually engaged given the challenges and fluid circumstances around COVID-19.

10. What is the guidance for firms/NGOs who require travel to in-country to develop winning proposals, particularly when there is increased interest in fully engaging local partners? Firms/organizations not already on the ground can be disadvantaged.

USAID Response: We appreciate the concerns noted here, and as indicated in some of the prior questions related to the Business Forecast and Solicitation timelines and processes, these decisions will need to be made on a case-by-case manner at this moment in time as Missions consider these types of circumstances.

11. Where USAID Missions are evacuating/returning or even contemplating evacuating/returning USAID staff, how will IPs receive this guidance? Will Missions be advising on a country-by-country basis? Would USAID consider distributing on a centralized basis to ensure contractors/recipients receive all guidance as necessary?

USAID Response: At this time, it is on a country-by-country basis for ordered departures. We will further explore if there is the possibility to reflect this more holistically.

12. Would USAID consider allowing contractors to grant additional sick leave and bill it to USAID for those who are unable to work after contracting COVID-19? Should Implementing Partners create a new leave type to track the leave we grant to employees so that we can get credit via our social security tax for the cost of these benefits?

USAID Response: At this time, USAID does not anticipate any blanket determinations regarding cost determination. Reasonable, allowable and allocable costs will be permitted. Costs incurred, that are out of the ordinary, should be justified and documented in writing - the circumstances that support the need for incurring each cost should be recorded, retained by the IP and submitted to the COR. Cost determinations will be made on a case by case basis. This applies to additional insurance coverage for projects and to sick leave for contractors.

13. Could M/OAA issue global uniform guidance on cost allowability and other issues related to implementation under the present conditions that will be applied as a matter of policy by all COs/AOs rather than making case-by-case decisions? Such repetitive and duplicative actions will divert significant IP and USAID resources from dealing with urgent matters.

USAID Response: We will take this under further consideration as we understand that some questions related to costs categories of a similar nature are arising repetitively. As noted in a prior question, we indicated in part our general desires and abilities to support reasonable, allowable and allocable costs in the Implementing Partner guidance.

14. Will projects be allowed to use funds to send expats or TCNs home?

USAID Response: There are award provisions that address ordered departures and other emergency travel that can be issued by Missions, and that also provides for

consideration of the allowability of such costs. As this time, please engage COs/AOs and CORs/AOR in the individual Missions directly.

15. Please clarify this statement: *“Awarding agencies are authorized to waive prior approval requirements as necessary to effectively address the response. All costs charged to Federal awards must be consistent with Federal cost policy guidelines and the terms of the award, except where specified in this memorandum.”* Does this mean that prior approvals will no longer be requested and given? Should we consider that restricted items are no longer restricted? Please provide more information.

USAID Response: This is a quote from the OMB Memo which only applies to awards related to COVID response and not to all awards. As such, unless a class exception has been approved, all approvals are still required.

16. Can USAID provide further specificity regarding its Guidance that operating costs may be necessary to maintain readiness? Does it include, at a minimum, salary and fringe benefits for staff, office rent and other office operating costs, and other contractually obligated costs?

USAID Response: In general, operating costs would typically be of the nature indicated in the question. However, you need to be engaging with COs/AOs and CORs/AORs under your awards with more specificity on which costs are essential and necessary to maintain readiness.

17. The USAID guidance does not mention whether USAID is embracing the flexibilities outlined in the OMB memo. Will USAID be issuing further guidance or are implementers expected to request the flexibilities outlined in the memo from specific Agreement/Contracting Officers citing the OMB determination?

USAID Response: The class exceptions in the OMB Memo are applicable only for those awards that support the continued research and services necessary to carry out the emergency response related to COVID-19 during the period formally declared by the Department of Health and Human Services through the 90 Day Public Health Emergency Declaration (Public Health Emergency Period). If we see a need for such a class exception we will consider exercising this authority provided in OMB’s memo. But for now we have not.

18. Is USAID prepared to use its existing portfolio of infectious and vector-borne disease programs, including those designed for TB, HIV/AIDS, and Zika, to respond to COVID-19 preparedness and response efforts?

USAID Response: As noted previously, the Expedited Procedures Package (EPP) for Infectious Diseases is designed to provide streamlined authorities and procedures to adjust as needed for specific award and program determinations. Those specific determinations will be made on a case-by-case basis at this time.

19. OMB Memo M-20-11 states in the third paragraph "These exceptions are time limited and are only applicable for those awards that support the continued research and services necessary to carry out the emergency response related to COVID-19..." However, federal award recipients who are not working on the emergency response are also being drastically impacted by COVID-19. Could USAID clarify their understanding of whether the applicability of the OMB memo has been or will be extended to such other award recipients?

USAID Response: USAID's understanding is that the OMB Memo only applies to awards that support the continued research and services necessary to carry out emergency response related to COVID-19. We are not aware of any plans for this to be extended to other awards. However, the memo states that at a later date the Administration will evaluate if these flexibilities should be extended to recipients whose operations have been adversely impacted in the emergency response related to COVID-19 at a later date. In the meantime, USAID has the authority to provide exceptions on a case-by-case basis in accordance with 2 CFR § 200.102, Exceptions and 2 CFR 700.4.

20. Given the understandable requirement for prior approval for any repurposing of funds toward the Coronavirus response, is there an accelerated mechanism to get such approval? What is the time-frame we can expect? Are there specific guidelines? Is it mission-to-mission, as appears to be the case so far, or are there global recommendations?

USAID Response: There are multiple issues regarding repurposing funds. If the funds were earmarked for one purpose, the Agency may not repurpose without prior Congressional approval. Our budget office is taking this under review. If the funds are within a contract and can be moved to address a COVID 19 issue, then the CO can make that determination. That will be done on a case by case basis.

21. Would USAID consider declaring an emergency period of performance in order to expedite decision making and approve the expenditure of fixed costs (including staffing) as a result of COVID-19?

USAID Response: Similar to the question related to similar/recurring cost categories, we will take this under further consideration if there is an effective way to streamline/reduce some of the areas duplicative inquiries and/or needed approvals.

22. Recognizing that the context is shifting quickly and will likely lead to programmatic reduced outcomes and impact, will USAID approve modifications to targets and program activities after the crisis is over?

USAID Response: We are cognizant that the current situations may impact program and awards in terms of timelines and associated targets. As you continue to engage COs/AOs and CORs/AORs on those situations, we will also engage and be cognizant of any subsequent adjustments that may be needed.

23. Will there be a hotline or email for COVID-19 questions for project implementation, contracts or other operational issues?

USAID Response: Please continue to use the COVID-19 email address - TF2020-COVID19@usaid.gov - that was highlighted in the Implementing Partner guidance at this time.