



# Guidance for Use of the Expedited Procedures Package (EPP) for Responding to Outbreaks of Contagious Infectious Diseases

An Additional Help for ADS Chapter 302

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# Guidance for Use of the Expedited Procedures Package (EPP) for Responding to Outbreaks of Contagious Infectious Diseases

## Overview

The purpose of this help document is to provide Operating Units (OUs) with guidance for the appropriate use of the authority of the Expedited Procedures Package (EPP) for Responding to Outbreaks of Contagious Infectious Diseases (March 16, 2020). The guidance is organized as a series of questions for OUs, including Contracting/Agreement Officer's Representatives (CORs and AORs), to consider ensuring appropriate use of the authority of the EPP for a particular activity. The guidance is based on lessons learned during the months following the Administrator's approval of the EPP. This document supplements the policy and procedures in [ADS Chapter 302](#), including [ADS 302mbo, Guidance for Use of the Authorities Under Expedited Procedures Packages \(EPPs\)](#).

## Discussion

The intent of the EPP is to allow USAID to respond quickly to “address an Outbreak”; however, the term “address an Outbreak” is not defined in the EPP beyond determining the parameters that constitute an outbreak. OUs should consider several questions in determining whether the activity “addresses an Outbreak” for purposes of the EPP, including, but not limited to:

- ***Will the action use funds dedicated to or appropriated specifically for Outbreak response?*** If all the funds are dedicated to or appropriated for Outbreak response, the project falls within the scope of the EPP. If the project will use, in whole or part, funds not specifically dedicated or appropriated for Outbreak response, OUs should consider the additional questions below to determine if use of the EPP is appropriate.
- ***Will the action support efforts to contain or mitigate the Outbreak?*** Awards that support efforts to detect, treat, or prevent the spread of a contagion (e.g., strengthen diagnostic capacity, support outreach campaigns, deploy new vaccines, provide hygiene or protective supplies, conduct community surveillance) are examples of actions that demonstrably are “in response” to the contagion as that phrase is used in the EPP.
- ***Will the action address secondary impacts of the Outbreak?*** The EPP contemplates response to secondary impacts of an Outbreak, which could include, for example, food insecurity or economic contraction, increased risk of gender-based violence, or the breakdown of community services. The EPP may be used for actions to address secondary impacts of an Outbreak, but if the nexus to the Outbreak is not immediately apparent, the OU must clearly articulate in its justification how the activity is tied to Outbreak response, as

required by AIDAR 706.302-70(b)(3)(i) and [ADS 303.3.6.5.c \(5\)](#). If the OU would carry out the activity in the same way regardless of the Outbreak, reliance on the EPP is not appropriate.

- ***Is the action needed solely because the Outbreak affected an activity that is otherwise unrelated to Outbreak response?*** If an activity is affected by an Outbreak but is not directly responding to primary or secondary effects of the Outbreak, then there is not sufficient basis for use of the EPP. Such an action would require full and open competition unless another authority applied to limit competition. For example, it would not be appropriate to use the EPP to expand the technical and geographic scope of a Grants under Contracts (GUC) program to enable grants to local civil society organizations supporting independent media, civil engagement, and oversight of governance because the issuance of a new assistance award was delayed by COVID-19.
- ***Can a proposed non-competitive action using the authority of the EPP include any activities that do not address an Outbreak?*** There may be appropriate instances where an OU uses the EPP for a non-competitive award or extension that includes a minor amount of funding for some activities that do not address an Outbreak along with other activities that do. For example, an OU may propose to add \$6 million to an existing award, with \$5 million going towards Outbreak response and \$1 million going towards other activities. Reasons for including activities that do not address the Outbreak could include administrative efficiency, need for integrated programming, effect of Outbreak-related programming on the ability to achieve other activities' goals under the award, etc. An OU should consider whether any such unrelated funding is minor compared to the total award and value of the change.

Ultimately, **ADS 302** requires that the OU demonstrate that its use of the EPP is consistent with the EPP requirement that the action is needed to address an Outbreak. In some instances, an OU may find it more appropriate to rely on authorities other than the EPP to justify the use of non-competitive procedures for the action; OUs should consult the cognizant CO/AO as early in the planning process as possible.

OUs that are unsure whether using the EPP is appropriate for an award or extension that includes activities not addressing an Outbreak are strongly encouraged to consult with the Agency Competition Advocate (ACA) ([justificationsandA@usaid.gov](mailto:justificationsandA@usaid.gov)) prior to using the EPP.

In addition to the questions above, OUs should consider the period of performance of a proposed award or extension when deciding if reliance on the EPP is warranted. The exceptions to competition approved in the EPP are justified by a need for USAID to rapidly move to address an Outbreak in circumstances where the length of time needed to engage in competition would hinder the response. In some cases, the period of performance of an award or extension may raise questions about why competitive

procedures could not be followed, *e.g.*, when using the EPP for an award extension that would not begin for several years after reliance on the EPP or for a new five-year award. In such cases, OUs are strongly encouraged to document in the justification why this period of performance is appropriate to “address an Outbreak” or consider using another authority to justify the use of non-competitive procedures for the action. OUs that are unsure whether using the EPP is appropriate in such cases are strongly encouraged to consult with the ACA (**[justificationsandA@usaid.gov](mailto:justificationsandA@usaid.gov)**) prior to relying on the EPP.

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