

USAID/Sudan Implementing Partner Guidance with Q&A

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We would like to reassure you that USAID/Sudan remains steadfastly committed to the safety and security of all of our Implementing Partners operating in Sudan. Please see below General Information and Guidance for Implementing Partners with regard to the current situation in Sudan.

GENERAL INFORMATION:

- Department of State Travel Advisory: On April 22, 2023, the U.S. State Department reissued the Sudan travel advisory Level 4 with updates to the security situation and post departure status.
- U.S. Embassy Khartoum Security Alert: The US Embassy Khartoum provides frequent Security Alerts for U.S. Citizens. Please continue to monitor the Embassy's website at <https://sd.usembassy.gov/> for the latest updates.
- Emergency and other Messages for U.S. Citizens: Travel information for U.S. citizens is provided by the U.S. State Department's Bureau of Consular Affairs. All U.S. citizens are strongly encouraged to register with the Smart Traveler Enrollment Program (STEP) to receive information on a timely basis. <https://step.state.gov/step/>

USAID/SUDAN GUIDANCE FOR IMPLEMENTING PARTNERS

- Organizations operating under USAID contracts should follow and implement their internal organization policies and security plan regarding the drawdown or relocation of AMCIT and TCN staff independently of the U.S. Embassy or USAID (contractors should focus special attention to the Federal Acquisition Regulation (FAR), USAID Acquisition Regulation (AIDAR), Agency policies on specific topics under sections of the Code of Federal Regulations (CFRs), and the 300 Series of the Automated Directives System (ADS) as incorporated in your respective contract).

For specific information on authorizations for Sudan programming, please refer to *Guidance to USAID/Sudan Implementing Partners* - released April 27, 2023.

- U.S. or non-U.S. organizations operating under USAID assistance mechanisms, to include cooperative agreements, grants, or PIO agreements should follow and implement their internal organization policies and security plan regarding the drawdown or relocation of AMCIT and TCN staff independently of the U.S. Embassy or USAID (recipients should focus special attention on Title 22 Code of Federal Regulations (CFR) Part 226 or 2 CFR 200 as incorporated in your respective agreement).

- USAID/Sudan will continue to maintain contact with all of our Implementing Partners throughout this situation. As necessary USAID may request our partners to provide additional information on their (planned or actual) drawdown or relocation of AMCITs, TCNs, and CCN's.

REDIRECTING PROGRAMMING and/or MODIFYING AWARDS

- USAID recognizes that it may not be possible under current circumstances to continue with normal project implementation. To the extent that any USAID implementing partner (whether under a contract, cooperative agreement, grant, or PIO agreement) needs to modify implementation of a previously agreed upon project action plan, the partner must notify their respective COR/AOR/Activity Manager with a copy to the CO/AO. USAID is not expecting or directing IPs to continue implementation if it would place their staff or beneficiaries at the risk of harm.

For USAID/Sudan Mission-based awards, please note: USAID/Sudan is not requesting or directing any change to programming at the current time for Mission-based awards. USAID will continuously monitor and evaluate this posture as the situation evolves. USAID will contact the appropriate Implementing Partners if there is a need to redirect programs and/or modify awards in response to the current situation. Simultaneously, USAID welcomes proactive evaluation by Implementing Partners of the operational context and environment and assessing what adjustments may need to be made or could be made to their workplan or award.

For BHA awards, please note: BHA partners should contact their AOR in regards to programmatic pivots, expansions, assessments, or other questions.

- USAID understands that some USAID contractors and recipients may find themselves incurring additional implementation costs not originally envisioned to take safety measures and protect staff. USAID will consider any additional costs on a case-by-case basis, provided that such costs are, "allowable, allocable, and reasonable."

Please note: The aforementioned additional unforeseen implementation costs are subject to audit. Should an organization indeed have incurred significant costs beyond those envisioned in the contract, grant, *or* cooperative agreement, please coordinate with the respective COR/AOR/Activity Manager as well as the CO/AO.

- Implementing Partners should not undertake any new work or change approved work plans without consulting their respective COR/AOR/Activity Managers and CO/AO and receiving written authorization to do so.
- USAID/Sudan would like to inform the potential Applicants regarding the suspension of the Annual Program Statement (APS) Number: 72066723APS00001 "Support to

Locally-led Development Approaches - USAID/Sudan” considering the ongoing security conditions in Sudan. The call for Concept Papers, for all Addenda, under the APS has been suspended until further notice. USAID/Sudan will continue to evaluate options for programming and will update the status of the APS as soon as possible.

QUESTIONS AND ANSWERS (Q&As)

1. **Question:** We have a deliverable-based contract with USAID and cannot meet our deliverables because of the change in the security situation. Will the Agency provide guidance?

USAID Response: If you feel that you cannot continue program implementation due to security concerns, whether you are a contractor or recipient, please notify your COR or AOR as well as the CO/AO immediately.

2. **Question:** Will USAID push back dates for upcoming solicitations pending the resolution of the current crisis? When might we expect an update to the USAID business forecast?

USAID Response: The call for Concept Papers, for the Addenda under Annual Program Statement (APS) Number: 72066723APS00001 for the Support to Locally Led Development Approaches has been suspended until further notice. USAID/Sudan will continue to evaluate options for programming and will update the status of the APS as soon as possible. New procurements will continue to be assessed on a case-by-case basis. We anticipate that USAID’s Business Forecast will be updated on an ongoing basis.

3. **Question:** Future of our projects

USAID Response: USAID does not currently have plans to issue stop-work orders (acquisition) or letters of suspension (assistance). USAID programs should continue to operate to the extent practicable, however, considering the safety of personnel and beneficiaries as paramount.

4. **Question:** Project implementation and priorities. Is there any plan to review our activities in Sudan and adjust our work plans?

USAID Response: At this time there is no overarching plan to make adjustments to all active work plans. Any programmatic adjustments will be assessed on a case-by-case basis, as well as if/when an adjustment is proposed by the IP to the CO/AO and COR/AOR.

5. **Question:** Various IPs are looking at options available for extending benefits and possible supplementary payments to local staff. Can USAID provide guidance, if any related to

required approvals and options. Allowability of local staff expenses for their safety preparedness/relocation.

USAID Response: USAID is conducting consultations and researching the allowability and appropriateness of authorization of specific allowances and payments to IP local staff.

6. **Question:** Does USAID foresee a change in programming posture in regards to the location of IP operations and whether IPs will be asked to move operations to a surrounding country or undertake in-country relocations?

USAID Response: USAID is not currently advising partners to move operations to surrounding countries, or to locations outside of Sudan or as otherwise specified as the place of performance in individual awards. However, USAID is continually assessing potential risks and vulnerabilities and will engage partners as the situation evolves. While USAID is not requesting or directing a change in operational locations, IPs should continue to take reasonable steps to ensure the safety and security of their personnel.

If an Implementing Partner has assessed that the implementation of an activity would be best performed outside of the designated place of performance in their award, the Implementing Partner should discuss this with their COR/AOR/Activity Manager and the Contracting/Agreement Officer and provide the rationale supporting how this will best achieve the activity's objectives.

7. **Question:** Can USAID provide guidance regarding evacuations and authorized departure by USG personnel?

USAID Response: Implementing Partners (IPs) should assess the situation in Sudan and make determinations for the safety and security of their personnel. On April 22, 2023, the U.S. Embassy in Khartoum suspended its operations, and the Department of State ordered the departure of U.S. direct hire employees and eligible family members from Embassy Khartoum due to the continued threat of armed conflict in Sudan.

8. **Question:** What is USAID/Sudan's approach regarding IP Staff Accountability?

USAID Response: At the beginning of the conflict, USAID sought accountability information from all Implementing Partners regarding their staff in Sudan. The Mission will continue to seek updated information from Implementing Partners, as needed, to ensure we have awareness of the breadth of individuals supporting USAID programming and their security status during this situation.

Updated: Currently, USAID requests that IPs stay in regular contact with their COR/AOR and CO/AO to the extent practicable on accountability measures (daily accountability updates are not required). Partners should continue to have plans for tracking staff movements and sharing updates. Additionally, to ensure better tracking and reduce the potential for double reporting or missed reporting, please see below for clarification on what information is requested.

Accountability Points of Contact: IPs should continue to regularly report accountability info to their CO/AO and COR/AOR with a copy to sudanaccountability2023@usaid.gov.

Information Requested: Number of Staff, City Location, and Nationality. In the accountability updates, USAID is not requesting Personally Identifiable Information or specific geographic locations like an address. Please continue to report accountability information if your staff are relocated outside of Sudan as well.

Example of accountability information requested: 12 Sudanese in Port Sudan; 5 Egyptians in Khartoum; 3 Chadians in Nyala; 5 Sudanese in Cairo, Egypt.

Cadence of Accountability Updates: The cadence of accountability updates does not have to be daily, but IPs are requested to regularly share accountability info and when any changes occur.

Roll-up through Primes: Prime awardees should report all accountability updates for their prime award and their subawards. Information regarding subawardees should be clearly identified in the prime awardee submission. In other words, subawardees should report their accountability updates to their prime awardee (not directly to USAID).

Accountability per award: Please report accountability info per prime award, i.e., do not combine accountability for your awards. For example, if your organization has two awards operating in Sudan, report the accountability information separately for each award.

9. **Question:** What guidance and support can USAID provide in the event of communications disruptions?

USAID Response: Communications and connectivity disruptions have affected everyone in Sudan since the beginning of the conflict. In consultation with their headquarters, IPs

should develop plans for redundant contingency communications, review all options available, and weigh any risks associated with various means of communication (satellite, cellular, etc).

If an organization has questions about a particular means of communication or seeks assistance to contact their headquarters, please contact your cognizant COR/AOR/Activity Manager with a copy to your CO/AO. However, please note that USAID cannot facilitate the import of communications equipment into Sudan on an organization's behalf at this time.

- 10. QUESTION:** If IPs temporarily close their offices for employee safety, can USAID provide guidance on whether ongoing administrative and maintenance costs can continue to be charged to respective projects until it is safe for regular operations to resume?

USAID Response: Costs in relation to safety measures are generally allowable. These costs must be reasonable and allocable to the contract or agreement. All costs incurred against an award must be within the total budget and obligated amount of the award. For specific questions on anticipated costs related to your activity, please directly consult with your cognizant COR/AOR/Activity Manager and AO/CO.

- 11. Question:** What types of cost are considered allowable during an emergency/crisis for Implementing Partner staff/office?

USAID Response: Please refer to the *April 27, 2023, Guidance to USAID/Sudan Implementing Partners* for specific instruction on authorization for travel and differentials and allowances. USAID cannot provide a full listing of allowable costs, however, costs associated with the safety and security of staff are generally allowable as long as they are reasonable and allocable . Please refer to the applicable regulations and cost principles to make sure that the costs are reasonable, allowable, and allocable. If IPs are developing or have developed an updated operational plan that contemplates or includes costs related to safety and security, please share operational plans to the extent practicable with the CO/AO and COR/AOR.

Organizations operating under USAID contracts should follow and implement their internal organization policies and security plan regarding the drawdown or relocation of AMCIT and TCN staff independently of the U.S. Embassy or USAID (contractors should focus special attention to the Federal Acquisition Regulation (FAR), USAID Acquisition Regulation (AIDAR), Agency policies on specific topics under sections of the Code of

Federal Regulations (CFRs), and the 300 Series of the Automated Directives System (ADS) as incorporated in your respective contract).

U.S. or non-U.S. organizations operating under USAID assistance mechanisms such as cooperative agreements or grants should follow and implement their internal organization policies and security plan regarding the drawdown or relocation of AMCIT and TCN staff independently of the U.S. Embassy or USAID (recipients should focus special attention on Title 22 Code of Federal Regulations (CFR) Part 226 or 2 CFR 200 as incorporated in your respective agreement).

12. Question: For assistance awards, should changes be made to the approved award budgets contained in our agreements?

USAID Response: If you anticipate changes to your existing award budget, please work with your AOR and discuss any potential adjustments. The *April 27, 2023, Guidance to USAID/Sudan Implementing Partners, Evacuation Costs under Assistance Awards*, posted below is the applicable guidance. Finally, any revisions of the approved award budget are subject to the AO approval.

Evacuation Costs under Assistance Awards.

USAID's assistance agreements do not require the same specific approvals as needed for acquisition since travel and safety related expenses are governed largely by the recipient's own policies and subject to a standard of reasonableness under the cost principles. USAID considers amounts not exceeding those established in Chapter 600 of the Department of State Standardized Regulations, and the Federal Travel Regulations to generally be considered reasonable. Within those parameters, Implementing Partners are encouraged to determine reasonable rates specific to their operating environment and award or subaward needs.

13. Question: Do evacuation costs cover travel and living in a new place?

USAID Response: Refer to the *April 27, 2023, Guidance to USAID/Sudan Implementing Partners* for instruction on authorization for travel and differentials and allowances during evacuation.

14. Question: Who can be evacuated - staff, their families?

USAID Response: USAID will reimburse costs for evacuation of Expatriate personnel (US Citizens and Third Country Nationals (TCN)) and their dependents only. Please refer to

the *April 27, 2023, Guidance to USAID/Sudan Implementing Partners* and please read the instructions carefully on authorization for travel and differentials and allowances under Acquisition and Assistance awards. Acquisition mechanisms are subject to AIDAR clauses, Agency and company policies. Assistance awards do not require the same specific approvals as needed for Acquisition. Travel and safety related expenses are governed largely by the Recipient's own policies and subject to a standard of reasonableness under the cost principles.

USAID continues to evaluate policy clarifications and authorizations regarding additional evacuation costs and reimbursements.

- 15. Question:** Does evacuation allowances cover AMCITs who at the time of hiring had a Home of Record in Sudan?

USAID Response: Per the *April 27, 2023, Guidance to USAID/Sudan Implementing Partners*, US Citizens and their dependents are eligible for evacuation costs and differentials and allowances. However, if their place of legal residence at the time he or she was employed for work under their contract is Sudan, contractors must submit a request for their employees' evacuation to an alternate location directly to the CO and COR for further determination by the Mission Director.

- 16. Question:** We have local Sudanese staff we would like to offer relocation to since it is not safe to remain in the country. Would costs to relocate local Sudanese staff and their dependents to places of safety (either within or outside Sudan) be allowable and allocable under our USAID cooperative agreement?

USAID Response: At this time, we are only authorized to reimburse costs related to evacuation of expatriate personnel and their dependents: US Citizens and TCNs. USAID encourages Implementing Partners to take reasonable measures for the safety and security of all their staff.

- 17. Question:** Our understanding is that USAID will assess the situation in increments of 30-days. Can USAID please confirm if it plans on sharing information/updates with IPs at the upcoming 30-day mark?

USAID Response: Yes, USAID has and will continue to assess and share information and updates expeditiously with Implementing Partners, including additional IP meetings and other outreach approaches, throughout this crisis.

18. Question: Where will the USAID local or regional security base be Located?

USAID Response: USAID is still assessing the locations(s).

19. Question: Can you clarify if the pre-approval of the evacuation costs publication applies to BHA-funded

USAID Response: Yes, the April 27, 2023, *Guidance to USAID/Sudan Implementing Partners* also applies to BHA-funded awards. For further questions, please follow-up with your CO/AO and COR/AOR.

20. Question: Where does USAID want IPs to report the theft of the vehicles, looting, and other security issues? COR and CO or elsewhere?

USAID Response: USAID/Sudan Mission-funded IPs should report security incidents to the COR/AOR and CO/AO with the PLSO in copy. For Washington-based grant mechanisms, including all of BHA grantees, please refer to the specific award agreement language regarding incident reporting. Per ADS 573, USAID implementing partner participation with the PLSO program is voluntary and each IP can determine how or if the information provided by the PLSO is used.

21. Question: How do IPs contact PLSO about security issues or to connect PLSO with our IP security team?

USAID Response: IPs may contact PLSO at plso.sudan@usaid.gov. Per ADS 573, USAID implementing partner participation with the PLSO program is voluntary and each IP can determine how or if the information provided by the PLSO is used.

22. Question: What specific information would be helpful for the Agreement Officer (AO) to respond to a request to relocate an activity's office, if the IP feels that becomes necessary?

USAID Response: Please notify the COR/AOR and CO/AO if the current situation and government advisories have impacted the terms and conditions of an award. Requests should include specific rationale for any proposed changes, as much detail as practicable about the proposed changes, and what, if any, impact these changes will have on the terms and conditions of the respective award or grant, to include financial considerations.