

## **Questions received prior to IP Meeting**

1. Q: Is USAID looking to increase support to Ukraine when in need, or limit activities for development projects?

R: At this time we do not have plans to increase or limit any current activities, however USAID may consider its options to adjust programs to the current situation. We ask that all partners in Ukraine engage in their own contingency planning for their staff and their activities. Should activity work plans be disrupted you must work with your COR/AOR and CO/AO on those specific issues.

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 maximum extent practicable, however, considering the safety of personnel and beneficiaries as paramount. In addition to the above, USAID is looking at ways to tweak/adjust our development programming to respond to the current situation. As noted in the implementing partner town hall held on January 27, 2022, USAID/Ukraine's activities were designed with flexibility in mind and to allow for pivots.

2. Q: What is not an allowable cost during potential emergency for staff/office?

R: Please refer to the RCO Letter Guidance issued on January 25, 2022 for specific instruction on authorization for travel and differentials and allowances. We cannot provide a full listing of allowable costs so we ask that you work with your COR/AOR and CO/AO for determinations of specific costs. Please refer to the applicable regulations and cost principles to make sure that the costs are reasonable, allowable and allocable.

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).

3. Q: Should the situation deteriorate for longer-time, can a project revise partner list and move to West?

R: Should the partner determine it is in the best interest of programmatic success and staff security to locate an office in a new location within Ukraine, please discuss that request with your COR/AOR and CO/AO. Those costs will have to be formally requested by the implementing partner and approved by the CO/AO to determine that the proposed costs are reasonable, allowable and allocable. Should the partner determine it is in the best

interest of programmatic success to revise their subawards, that must be discussed with your COR/AOR and CO/AO.

4. Q: Would geolocation of project be allowed too? Including move of office to i.e. Lviv (as example)?

R: Should the partner determine it is in the best interest of programmatic success and staff security to locate an office in a new location within Ukraine, please discuss that request with your COR/AOR and CO/AO. Those costs will have to be formally requested by the implementing partner and approved by the CO/AO to determine that the proposed re-allocations and associated costs are reasonable, allowable and allocable.

5. Q: Can the project staff hope for the US evacuation opportunity, if the staff is Ukrainian?

R: RCO Guidance to USAID/Ukraine IPs dated January 25, 2022 applies to Expatriate personnel and their dependents only (US and TCNs). USAID does not generally reimburse costs for evacuation of local staff.

6. Q: We consider that our project can be implemented even remotely. However, based on the actual situation we would perhaps wanted to better adjust its activities. Would it be possible to continue project implementation?

R: Any adjustments of activities within scope of the award's Statement of Work or Program Description may be resolved through an amendment to the approved Work Plan. Amendments to the Work Plans are subject to the COR/AOR approval, if delegated in the award. If these re-allocations may affect the approved budget in your award, Implementing Partners shall submit a request for budget realignment to the AO/CO for consideration and approval. Should the partner determine it is in the best interest of programmatic success and staff security to locate an office in a new location within Ukraine, please discuss that approach with your COR/AOR and CO/AO.

7. Q: For the assistance awards, in case of planning for evacuation, should changes to the budget be made?

R: If you anticipate changes to your existing award budget, please work with your AOR and discuss any possible adjustments to your award budget. The RCO Letter Guidance, item #3, posted below is the applicable guidance. Finally, any revisions of the approved budget in your award 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 for any expatriate travel from Ukraine, and Ukraine evacuation related costs.

8. Q: How should the evacuation plans be set? Should they be submitted in written form? Should they include indicators and stages etc?

R: USAID does not formally review or approve evacuation plans. In the RCO Letter Guidance we request that partners inform their CO/AO and COR/AOR of their plans and the evacuation status of US/TCN staff members.

The USAID/Office of Security (SEC), Partner Liaison Security Office (PLSO) Support Team has volunteered to review implementing partner security plans. Please submit your security plan to your A&A Specialist (with your COR/AOR and CO/AO copied) who will forward the plans to SEC.

The Tetra Tech team in Ukraine has created a WhatsApp group to share security related information. Participation in this group is voluntary. If your organization would like to participate in this group, complete this [WhatsApp Emergency Group voluntary registration](#) google form. Tetra Tech will review the requested registration information for authentication then add those requested employees to the group. Each organization may have two participants in the group, preferably a senior manager and a security/operations-type employee. This WhatsApp group is not sponsored by USAID, it is not an official communications channel, and it does not represent the views or positions of USAID or the US Government.

9. Q: Does evacuation cost cover travel and living in a new place?

R: Refer to the RCO Letter Guidance issued on January 25, 2022 for instruction on authorization for travel and differentials and allowances during evacuation.

10. Q: Is there any guidance for choosing a safe place? Should it be in Ukraine? Can this be abroad, namely in the US?

R: USAID does not formally review or approve evacuation plans. In the RCO Letter Guidance we request that partners inform their CO/AO and COR/AOR of their plans and the evacuation status of US/TCN staff members.

The USAID/Office of Security (SEC), Partner Liaison Security Office (PLSO) Support Team has volunteered to review implementing partner security plans. Please submit your security plan to your A&A Specialist (with your COR/AOR and CO/AO copied) who will forward the plans to SEC.

11. Q: Who can be evacuated - staff, their families?

R: USAID will reimburse costs for evacuation of Expatriate personnel (US Citizens and Third Country Nationals (TCN)) and their dependents only. Please refer to the RCO Letter Guidance and please read carefully the instructions 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.

12. Q: In case of evacuation to the US with families, can visas be issued for the family members?

R: Implementing Partners and individuals seeking a US visa will have to go through the normal visa process. Refer to the US Embassy Kyiv webpage for 'Visas' for more information <https://ua.usembassy.gov/visas/>

### **Questions from the IP Meeting 27 Jan**

13. Q: As I understand it's possible to pass into Hungary via the Chop crossing? With vaccination?

R: [The U.S. Embassy in Hungary's website](#) describes entry and exit requirements (located under the header "Entry and Exit Requirement"). The [Hungarian Police's website](#) also provides relevant information. For information on requirements for other nationalities, please go to the State Border Guards of Ukraine website <https://dpsu.gov.ua/> or the Ukraine Ministry of Foreign Affairs website <https://mfa.gov.ua/en>

14. Q: Are security-related additional expenses (ballistic PPE, emergency telecom, armouring of cars, etc) eligible to be covered on programmatic USAID funds for the stay-and deliver requirements?

R: The RCO Letter Guidance has given authorization specific to evacuation costs, differentials and allowances. Any additional security costs require a separate request and are subject to the CO/AO determination. Please work with your COR/AOR and CO/AO on your specific request to determine the allowability of those specific costs.

15. Q: Does evacuation/evac allowance cover Americans who at the time of hiring had a Home of Record in Ukraine?

R: Per the RCO Letter dated January 25, 2022 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 Ukraine, 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. Q: Regarding IPs' Ukrainian partners: can we flow down appropriate elements to our subawardees, specifically around USAID's flexibility in allowing for IPs paying staff even if they can't work?

R: Performance is expected to continue consistent with the terms and conditions of the award. Should there be disruptions to performance, the RCO Letter Guidance states "USAID authorizes implementing partners to continue paying staff salaries and provide necessary support to staff, in accordance with this letter and the terms and conditions of their awards." While this guidance is directed at prime awards, it can be used by implementing partners to make their determination on allowability of costs incurred and other programmatic authorities therein for their subawardees and grantees. The consideration of approval of subaward or grant costs must be consistent with the terms and conditions of the respective subaward or grant and company policy of the Prime Awardee.

17. Q: Do you have particular recommendations or procedures for ensuring the safety of Ukrainian citizens who are employees of implementing organizations? For example, regarding the lease of a backup office in the West of Ukraine or equipment purchase if there are power outages or communications?

R: USAID does not formally review or approve evacuation plans. In the RCO Letter Guidance we request that partners inform your CO/AO and COR/AOR of your plans and the evacuation status of US/TCN staff members.

The USAID/Office of Security (SEC), Partner Liaison Security Office (PLSO) Support Team has volunteered to review implementing partner security plans. Please submit your security plan to your A&A Specialist (with your COR/AOR and CO/AO copied) who will forward the plans to SEC.

Should the partner determine it in the best interest of programmatic success and staff security to locate an office in a new location within Ukraine, please discuss that request with your COR/AOR and CO/AO. Those costs will have to be formally requested by the implementing partner and approved by the CO/AO.

18. Q: Will USAID share the IP Meeting presentation?

R: Yes, along with written responses to your questions a copy of the presentation is provided.

19. Q: Can we get contacts and advice on how to order security trainings?

R: As a matter of practice, USAID does not provide direct recommendations for specific companies.

The [Department of State Overseas Security Advisory Council \(OSAC\)](#) has a group for Kyiv, Ukraine. OSAC is a partnership between the U.S. Department of State and private-sector security community that supports the safe operations of U.S. organizations overseas through threat alerts, analysis, and peer networking groups. IP's can contact Sergii Grabsky ([sgrabskyi@worldbank.org](mailto:sgrabskyi@worldbank.org)), who is the Kyiv Ukraine group OSAC private co-chair to discuss particular security companies.

20. Q: Can you talk more on satellite comm and phone tree?

R: It is a best practice to develop a security plan with an established phone tree and contingencies for loss of standard communications.

The RCO Letter Guidance has given authorization specific to evacuation costs, differentials and allowances. Any additional security costs require a separate request and may have to be approved by the CO/AO. Please work with your COR/AOR and CO/AO on your specific request to determine the allowability of those specific costs.

A phone tree is a prearranged, defined system of informing and activating a group of people by telephone. Typically, the phone tree [is] designed to serve as a communication hierarchy, of sorts, dividing responsibility for sharing critical information with a group of people to get the message out faster. When something needed to be communicated, each person on the tree was informed in order of priority according to a predetermined phone

tree list, with each assigned a “branch” of additional phone numbers to call and people with whom to share the information.

The manual phone tree system—also known as a “call tree” or “telephone tree”—is quite simple by design. Each member of the tree only needs to contact a small group of people, perhaps two to five, who then relay the same information to a similar or smaller group of people they are assigned to inform. The information proliferates from there—each subsequent member of the tree is responsible for phone calls to a handful of people, following a predefined phone tree template, until everybody in the organization that needs to be informed has been contacted. Taken from: <https://www.alertmedia.com/blog/phone-tree/>

21. Q: I would appreciate hearing solutions regarding modification of FAAs. Given the "fixed" in FAAs, delays in deliverables often do have cost implications that cannot be solved as easily as with cost-reimbursable instruments. I am most concerned about partners incurring expenses and yet not meeting milestones and thus cannot readily be paid.

R: Should your implementation schedule or work plans be disrupted due to the situation on the ground, you must work with your AOR to review and revise schedules and plans. Any potential modifications to your award must be proactively discussed with your AOR with sufficient lead time to make any necessary and agreed-to changes. In general, for FAAs, the AO may amend the award’s payment structure during the award’s performance period, if the original payment structure or milestones are no longer feasible or appropriate due to circumstances beyond the control of the recipient.

### **Questions Received After IP Meeting**

22. Q: Dear colleagues, do I correctly understand that expatriates (TCN) who are worked under USAID grant in our organization, can use this grant for evacuation/travel related costs?

R: The RCO Letter Guidance is directed to prime awards including direct grants with PIOs. 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/Grantee’s own policies and subject to a standard of reasonableness under the cost principles.

23. Q: Did you say that you are/have set up a community of practice (WhatsApp or other) for those on projects responsible for security. If so, my colleague would like to join. My main concern here is related to in-country security rather than linked to ExPAT/TCN.

R: The Tetra Tech team in Ukraine has created a WhatsApp group to share security related information. Participation in this group is voluntary. If your organization would like to participate in this group, complete this [WhatsApp Emergency Group voluntary registration](#) google form. Tetra Tech will review the requested registration information for authentication then add those requested employees to the group. Each organization may have two participants in the group, preferably a senior manager and a security/operations-type employee. \*Note that this WhatsApp group is not sponsored by USAID nor is this an official communications channel nor does it represent the views or positions of USAID or the US Government.

24. Q: We have local Ukrainian staff we would want to offer relocation to if it is not safe to remain. If there is a real force majeure situation in Ukraine, would costs to relocate local Ukrainian staff and their dependents to places of safety (either within or outside Ukraine) be allowable and allocable under our USAID cooperative agreement?

R: We are only authorized to reimburse costs related to evacuation of Expatriate personnel and their dependents: US Citizens and TCNs.

25. Q: If relocation costs for local staff and their dependents would be allowable and allocable under the cooperative agreement, we would greatly appreciate something in writing confirming this, should we reach such a force majeure situation. If relocation costs for local staff and their dependents would not be allowable or allocable under the cooperative agreement, please let us know as soon as possible so that we can determine what other resources we may be able to pull together.

R: We are currently only authorized to reimburse costs related to evacuation of Expatriate personnel and their dependents: US Citizens and TCNs. Should we receive authorization to include the evacuation of other employment categories we will share that with our implementing partners.

26. Q: Some of our subrecipients would like to potentially use subgrant funds, if necessary, to support the relocation of journalists (and their dependents) and newsrooms to places of safety if the places where they are become too dangerous to remain in. Please provide guidance on the allowability of our subrecipients utilizing subgrant funds to cover these relocation and security costs if necessary to continue operating and performing activities safely. This may come up under both cost reimbursement and fixed amount subgrants.

R: The RCO Letter Guidance is directed to prime awards. However, the guidance contained in the letter can be used by implementing partners to make their determination on allowability of costs incurred and other programmatic authorities therein for their subawards (contracts and sub-grants). Determination of allowability and allocability of costs associated with your subawards are also subject to the prime Recipients' company policy and cost principles. Additionally, any new subawards are subject to AO or AOR approval (if delegated); any re-allocation of costs and/or revision of activities under approved subawards are subject to the AO's and AOR's review to make sure changes are consistent with the approved annual work plan and Program Description of your Cooperative Agreement and directly relates to the purpose of the award.

27. Q: They've also asked if they could potentially use subgrant funds to relocate themselves and their families if they have to go abroad and try to offshore their operations from there. Please provide guidance on the allowability and allocability of such relocation costs and costs to establish their operations outside of Ukraine to be able to safely continue performing their activities remotely.

R: The RCO Letter Guidance is directed to prime awards. However the guidance contained in the letter can be used by implementing partners to make their determination on allowability of costs incurred and other programmatic authorities therein for their subawards (contracts and sub-grants). Determination of allowability and allocability of costs associated with your subs including operations outside of Ukraine/offshore, etc. are subject to Recipients' company policy and the cost principles.

28. Q: Would USAID be willing to waive the prior approval requirement for emergency support subgrants for the purposes described here, or if completely waiving is not an option specifying an amount threshold for such subgrants, so that emergency support subgrants under that threshold would not require prior approval?

R: All subawards are subject to USAID approval (AO or AOR, depending on how it is delegated in your award and in the AOR Letter). USAID does not plan to modify awards at this stage or to grant any waivers. However, USAID may consider flexible options regarding the approval process of emergency support subgrants. Please contact directly your AO, AOR and A&A Specialist regarding this matter.

29. Q: Would we be allowed to issue additional emergency support subgrants to partners separate from any extant subgrants, particularly those who have fixed amount subgrants?

R: Performance on grants and expenditure of funds on grants shall be for the purpose contained in those grants. Should grants need to be increased, you must adhere to the requisite approval requirements in the prime award. If you would like to issue new grants you must adhere to the requisite approval requirements in the prime award. Specifically, additional emergency support subgrants to partners are possible if this benefits your Program, in compliance with your PD and within the current ceiling and obligated amount of the award. Please contact your AOR and AO for further discussions.

30. Q: Can we apply the same considerations afforded to IPs in the Guidance Letter dated 25JAN2022 to our subrecipients, particularly regarding points 3. "Evacuation Costs under Assistance Awards," 4. "Maintaining Readiness and Salaries under Acquisition & Assistance Awards," and 5. "Remote work under Acquisition & Assistance Awards"? It will be extremely helpful if any written confirmation can explicitly indicate that the allowability provided also applies to subrecipients under our cooperative agreement.

R: USAID does not have any direct relations with IP's subawardees, as such no written confirmations or guidance to subawardees will be provided by USAID. The RCO Letter Guidance is directed to Prime Awards (Prime Implementing Partner). However the guidance contained in the letter can be used by implementing partners to make their determination on allowability of costs incurred and other programmatic authorities therein for their subawardees (contract and sub-grants). Any determinations on the costs allowability of subawards under your cooperative agreement are Recipient's responsibility, subject to Prime Recipient consideration, your company policy and related cost principles.

31. Q: Concerning continuous communication in case if "lights are out", can we help our partners in any way with the import of radio stations (HF/VHF) to Ukraine, e.g. diplomatic pouches. Recognizing that, I'm wondering if we should be thinking of the ability to switch to radio frequencies to continue our operations.

R: At this time USAID/Ukraine does not have a communication platform for our implementing partners. Use of the diplomatic pouch to bring in radio equipment is not an option.

FYI: HF/VHF radios (handheld or base stations) are often the first thing jammed due to their lower frequency range, communications from them are easily intercepted, and they are limited in range for hand-held type units (to line-of-sight). Additionally, host countries often limit frequencies allowable due to disruption/interference of civil service communication systems (fire, police, TV, radio stations, etc.), so importing radios and

registering for their usage usually must be coordinated/approved via relevant host government entities. Without repeaters (or retransmit capability), they are best left for vehicle to vehicle and/or short range (less than 1km) communication. Taking into consideration their limitations and weaknesses, and as part of a full PACE (Primary, Alternate, Contingency, & Emergency) communications plan, they are still good to have.