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An AORs Guide to THE AOR ROLE

The AOR serves as USAID's technical expert for grants and cooperative agreements, functioning under a designation from the Agreement Officer (AO). While the AO is the government official vested with the authority to award assistance instruments and obligate funds therein, an AOR will be appointed to administratively manage a specific grant or cooperative agreement. The AOR is a USAID employee who possesses a high degree of knowledge of the technical and program area for which USAID provides support through the assistance instrument.

USAID policy, in ADS 303, defines the role of the AOR as:

"An individual, as designated in writing by the Agreement Officer, who provides programmatic and administrative oversight of the assistance instrument. The AOR ensures that USAID exercises prudent management over the award and monitors the recipient's progress in achieving the objectives of the program description."

USAID policy also provides procedures for AOs to designate personnel in writing to exercise routine administration and oversight of grant and cooperative agreement recipient performance. An AOR must provide proof of:

- current certification in the Federal Acquisition Institute Training System (FAITAS),
- completion of USAID specific training, and
- completion of the required 40 hours of continuous learning points.

The AO cannot finalize the award until the AOR designation letter has been issued and acknowledgement by the AOR has been received. The AOR name and contact information will usually be included in the award document. Often the designated AOR was the technical expert, program officer, or project manager who served previously as the Activity Manager/Planner during the design and A&A planning stage.

This guide highlights the AOR's role during each phase of the award life cycle. The guide uses the term AOR throughout even though the phase of award cycle being discussed may occur before the AO officially designates the AOR.

Awarding a grant or cooperative agreement is a complex team effort, involving many USAID officials. The AOR, like all USAID officials engaged in the award of an assistance instrument, must exercise sound judgment in his or her efforts to support the Development Objective(s) of the assistance instrument at every stage of the award cycle.

What is the AOR's role on the assistance team?

An AOR's role is dynamic, changing as the award proceeds through different phases of the award life cycle. For example, during the planning stage, it is best practice for the AOR to be a member of the corresponding Development Objective (DO) team, serving as a key advisor in the technical aspects of the pre-award process. It is also best practice for the future AOR to also serve as a member of the Selection Committee (SC). By serving in these capacities, the AOR is familiar with all aspects of the effort prior to award. He/she has identified USAID's needs, checked market conditions, reserved funds and coordinated program office activities regarding the potential award.

In the preparation, approval, and issuance of the Notice of Funding Opportunity (NOFO) as well as receipt and evaluation of applications, the AO plays the most active role, while the AOR often provides necessary technical knowledge and coordination among the DO Team members. After the AO signs the grant or cooperative agreement and award administration and management begin, the AOR takes the lead in award monitoring. During this phase the AOR ensures that the recipient meets the expected results and objectives of the assistance award and that the recipient is funded appropriately and in a timely manner.

An AOR cannot delegate his or her duties to another person. It is also important to note that only the AO can change the AOR designation, and he or she must communicate any new designation to the recipient.

Each AOR designation letter will identify the AOR's specific delegated duties as appropriate to the award as well as identify the limitations on the AOR's authority. The USAID AOR designation letter clearly states that the overall role of the AOR is to "work as part of a team to ensure that USAID exercises prudent management over its assistance funds." The AOR, like the AO, must act in an impartial manner and avoid any conflict of interests in order to "preserve the public confidence in the U.S. Government (USG) employee's conduct of business."

What is the AOR's role in assistance award planning?

A&A planners, which should include an Activity Manager (AM), coordinate all assistance planning activities with the AO. When possible, the future AOR should serve as the Activity Manager during the planning phase. USAID's A&A planning begins during the development of the Project Authorization Document (PAD). While the AO must clear the PAD during project authorization, it is important that the AM continue to engage with the AO throughout the pre-award process.

During market research, the AM is responsible for gathering information about the capabilities in the market. Market research can identify prevailing business conditions that may affect the support and performance of the grant or cooperative agreement.

The AM and AO should collaborate on deciding the appropriate Choice of Instrument, including whether the activity should be placed under an existing LWA or be a stand-alone instrument.

The AM, in collaboration with the A&A planning team, is responsible for drafting the program description that describes the type of program and expected results that USAID wishes to fund. The work should be described in performance-based terms that align with expected outcomes and, ultimately, the agency Development Objective(s). In addition, the AM must identify standards of acceptable quality, delivery dates, reporting requirements and other such aspects on the progam description. The AM, in collaboration with the A&A planning team, is also required to develop the independent government cost estimate (IGCE) for the potential assistance award. The program description and IGCE are critical documents. The thoroughness and accuracy, how well the program description ties to development objectives, how clearly defined the expected results are and how well the IGCE predicts the likely cost of the activity, can ensure the success – or failure – of the solicitation process and resultant award.

If the AM believes that the activity cannot be solicited competitively, he/she must justify the reason for restricting eligibility. USAID policy provides acceptable exceptions to competition and reasons to restrict eligibility for an award. An AM must explain any restriction to eligibility according to one of these acceptable exceptions.

During this stage, the AM role may extend to liaising with other USAID advisors and technical experts, especially when planning mandatory areas that every USAID NOFO and grant or cooperative agreement must address: gender issues, environmental concerns, Branding and Marking, and the use of highly trained volunteers (where appropriate). Above all, the AM must coordinate these program areas with both technical personnel and the AO for seamless and efficient award administration and management.

USAID generally requires the AM or Planner to submit all necessary pre-award documents in USAID's Global Acquisition and Assistance System (GLAAS). The requirements can vary for different USAID missions but they often include the following types of documents:

- The Project Authorization Document (PAD)
- An Activity Checklist
- Environmental documentation
- Branding and Marking information
- Market research
- Choice of instrument memo
- Program Description framework
- IGCE
- Merit review criteria
- Justification to Restrict Eligibility (JRE)
- Forward Funding Memo

These pre-award documents and the submission in GLAAS are the official means of presenting a request to the AO for solicitation and award. The GLAAS request also provides for a reservation of funds to ensure the availability of funds for the initial performance of the award. The AM plays a critical role in developing this pre-award information, compiling it, and presenting it to the AO.

What is the AOR's role in NOFO preparation, approval, and issuance?

Once the AO receives the GLAAS submission, he or she will analyze the information and coordinate any additions, changes, and the need for further documentation and approvals with the AM.

In the NOFO preparation process, the AM should assist the AO in the development of a document that clearly states what type of project the government intends to support, the type of assistance instrument, and merit review criteria for the potential award. Other AM roles include:

- Approval of the NOFO on behalf of the technical office prior to issuance
- Becoming familiar with the NOFO terms and conditions
- Responding to technical questions as requested by the AO
- Participating in briefings to USAID senior management
- Assisting with and reviewing NOFO amendments
- Coordinating the technical proposal evaluation process
- Formulating an award management plan and obtaining necessary resources for eventual award administration and management.

What is the AOR's role during receipt and evaluation of applications?

Once the AO receives the applications, the AM often serves on the SC, and when appropriate, as the head of the SC. The SC evaluates the applications according to the procedures and factors set forth in the NOFO and written review plan.

The AO is responsible for the safeguarding of information and will ensure that no conflicts of interest arise. The head of the SC oversees the evaluation of all applications according to the merit review criteria set forth in the NOFO and documents this evaluation appropriately. He/she ensures fairness to all applicants, an impartial deliberation, complete documentation, and the safeguarding of information. He/she will document the SC's review process and its selection of an applicant, detailing each applicant's strengths and weaknesses. The AO may request that the head of the SC check references and past performance information.

What is the AOR's role in award decision and documentation?

During award management, the AOR acts as the AO's eyes and ears, monitoring the recipient's work toward established goals and objectives. The AOR's efforts are critical to ensuring that the award's results align with USAID Development Objective(s) and that the recipient achieves results in a timely manner and within the total estimated amount of the agreement.

The AM may assist the AO during negotiations with the apparently successful applicant, sometimes assuming the role of technical negotiator. Once the AO concludes negotiations, the AM will complete any final analysis and documentation required to support the award decision.

In addition, the AM may have a role if an unsuccessful applicant requests additional information regarding why it was not selected. If requested in writing within 10 days of the award announcement, USAID policy mandates debriefing unsuccessful applicants on areas of strength and weakness in their application. The AO will rely on the SC's well-detailed memorandum and will likely ask the head of the SC to participate in the debriefing. These joint efforts of the AO and head of the SC provide valuable information to applicants so they understand how to strengthen future applications submitted to USAID.

It is at this point in the award process that the AO normally issues the AOR designation letter that identifies the roles, duties, responsibilities, and extent of authority delegated to the AOR for the particular award. As stated previously, it is best practice for the future AOR to serve as AM as well as head of the SC prior to AOR designation. The AOR participates in award start-up activities, including the post award orientation and review and approval of the recipient's implementation plan.

What is the AOR's role during award administration and management?

During award management, the AOR acts as the AO's eyes and ears, monitoring the recipient's work toward established goals and objectives. The AOR's efforts are critical to ensuring that the award's results align with USAID Development Objective(s) and that the recipient achieves results in a timely manner and within the total estimated amount of the agreement.

The AOR's award administration responsibilities include:

- Review and analyze reports and monitor reporting requirements;
- Verify timely performance;
- Monitor progress on fulfilling specific conditions included in the award;
- Ensure compliance with the terms and conditions of the award;
- Carry out all responsibilities in the schedule of the award as delegated by the AO and as noted under the "Substantial Involvement" section of a Cooperative Agreement;
- Conduct site visits as appropriate;
- Monitor the recipient's financial reports to ensure that the recipient makes progress toward meeting the required cost sharing, when applicable;
- Notify the AO promptly of any developments that could have a significant impact on the recipient's performance;
- Prepare internal documents to support amendments to the award;
- Assist the AO in the review of the proposed Branding Strategy and Marking Plan and monitor the execution of the approved Branding Strategy and Marking Plan;
- Ensure all mitigating environmental measures and conditions in the award are implemented throughout the life of the award and that timely amendments are undertaken as needed with the relevant Bureau environmental officer approval in writing;
- Monitor classified recipients' compliance with the security specifications included in their grants and cooperative agreements, and notify the AO and the Office of Security of any problems or suspected noncompliance with those requirements;
- Evaluate the recipient's program effectiveness at the end of the program, and produce a final report on the award for the AO and the Activity Manager; and
- Perform other duties, as requested or delegated by the AO, to ensure prudent management of assistance funds.

What are the AOR's limitations?

AOR authority does not include communicating with the recipient, either in writing or verbally, or otherwise committing to changes that affect the program, cost, period of performance, or other terms and conditions of the award. Only an AO has the authority to take such actions. The standard AOR designation letter further states the specific limitations of the AOR designation. The AOR remains accountable for the delegated responsibilities and is the only person authorized to carry out the functions described in the AOR designation letter. Additionally, the AOR may not delegate his/her authority to others.

What is the AOR's role when things go wrong during the life of the award?

The AOR's role, when performance is below desired standards or disagreements arise between USAID and the recipient, is to identify possible issues, create and maintain documentation, communicate with the AO, and suggest possible solutions. 2 CFR 700.15 states that the USAID AO will make the final decision regarding a dispute(s) that may arise under a grant or cooperative agreement. In addition, the AO's decision is final. However, in the process of making this decision, the AO will rely heavily on the AOR's input and documentation.

What is the AOR's role in assistance award closeout?

The AOR must certify that the recipient met all award objectives, provided all required reports, properly disposed of property and met all other award terms and conditions before the AO can begin closeout actions. In essence, the AOR is certifying that the award is "physically complete." Normally the AO will send the AOR instructions and checklists in accordance with standard USAID policy that will guide the closeout process.

The AOR should take all steps necessary in a timely manner to close an award, promptly respond to AO requests for completion information, and be prepared to assist the AO if disputes or other administrative and legal issues arise.

KEY TAKEAWAYS

- The AOR is not officially designated by the AO until award issuance.
- As a best practice, the future AOR should play a role in all phases of the assistance process, including serving as the Activity Manager during A&A planning and serving on the SC.
- During the planning phase, the AM prepares the program description framework and IGCE in collaboration with the A&A planning team.

- The AM assists the AO with input to the NOFO preparation and often serves as the head of the SC.
- The AOR's duties, responsibilities, and limitations are designated in writing by the AO for each award.
- The AOR serves as the eyes and ears of the AO and ensures that the award's results align with USAID Development Objective(s), and that the recipient achieves results in a timely manner and within the total estimated amount of the agreement.