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**Note: The Standard Provisions for US and non-US NGOs have been incorporated into [ADS 303](#). All other portions of this AAPD remain in effect as in the AAPD below.**



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# Acquisition & Assistance Policy Directive (AAPD)

From the Director, Office of Acquisition & Assistance Issued: February 13, 2012

## AAPD 11-01 AMENDMENT #1

### New Mandatory Standard Provisions for Assistance Awards

Subject Category: Assistance Management  
Type: POLICY [See Also AAPD 11-01, issued March 14, 2011](#)

AAPDs provide information of significance to all agency personnel and partners involved in the Acquisition and Assistance process. Information includes (but is not limited to): advance notification of changes in acquisition or assistance regulations; reminders; procedures; and general information. Also, AAPDs may be used to implement new requirements on short-notice, pending formal amendment of acquisition or assistance regulations.

AAPDs are EFFECTIVE AS OF THE ISSUED DATE unless otherwise noted in the guidance below; the directives remain in effect until this office issues a notice of cancellation.

This AAPD:  Is New  Replaces/  Amends AAPD11-01

Applicable to:

- Existing awards;  Modification required
- No later than
- As directed in Required Actions and Guidance sections
- RFPs, RFAs and APSs issued on or after the effective date of this AAPD
- Other or N/A

Precedes change to:

- AIDAR Part(s) Appendix
- USAID Automated Directives System (ADS) Chapters 303
- Code of Federal Regulations
- Other
- No change to regulations

New Provision/Clause Provided Herein

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/s/  
Aman S. Djahanbani  
Director

## **1. PURPOSE:**

The purpose of this amendment to AAPD 11-01 is to notify the Agency's assistance workforce of a class exemption from the mandatory standard provision entitled "Central Contractor Registration (CCR) and Universal Identifier" ("CCR and DUNS Clause") applicable to certain foreign vendors, as described below. This amendment makes no other changes to the policy or procedures set forth under the AAPD.

### **Required Actions:**

- (a) Agreement Officers (AOs) must insert the attached CCR and DUNS Clause (as required in the original AAPD), including Addendum #1, in all new solicitations and awards;
- (b) For existing awards made on or after October 1, 2010, AOs must:
  - (1) Notify the recipients of the available class exemption as it pertains to subawards, and
  - (2) Modify the award to include the revised CCR and DUNS Clause, including Addendum #1 at the earliest practicable opportunity.

## **2. BACKGROUND:**

2 CFR 25, entitled "Universal Identifier and Central Contractor Registration", requires all assistance applicants and recipients, including small local partners, to have DUNS numbers and maintain current CCR registration. The original AAPD was issued on March 14, 2011 to ensure compliance with this and other requirements.

However, under 2 CFR 25.110 foreign entities applying for or receiving an award or subaward for a project or a program performed outside the United States valued at less than \$25,000 may be exempted from the requirement to obtain a DUNS number, register in CCR, or both, if the agency deems it impractical to comply with the requirement.

The vast majority of our small local partners have very limited resources, many do not have electricity or internet access, and few have English skills sufficient to allow them to practically apply for a DUNS number and register in CCR, or otherwise qualify for this exception.

Therefore, in order to streamline Agency processes and improve effectiveness by eliminating the need for review and approval of individual exemptions by AOs world-wide, the Assistance Executive hereby approves a class exemption to relieve certain foreign recipients of the need to comply with the requirement, as specified below.

**EXCEPTION:** Under the authority of 2 CFR 25.110(d)(2)(ii), all current and future Agency grants and cooperative agreements with foreign recipients <sup>1</sup>applying for or receiving an award or subaward for projects or programs performed outside the

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<sup>1</sup> This includes foreign Governmental and Non-Governmental Organizations.

United States valued at less than \$25,000 are exempt from the requirement to have DUNS numbers and be registered in the Central Contractor Registration (CCR) database.

This exemption will eliminate some of the hurdles new, small foreign entities must overcome to be eligible for USAID awards, allowing US assistance provided through USAID to be more widely available to the local entities world-wide. This is another step toward achieving Objective Two of the Agency's IPR initiative "Strengthen civil society and private sector capacity to improve aid effectiveness and sustainability" and also supports Objective Four, "Use USG resources more effectively and efficiently," since it reduces the burden on AOs to assist these small local entities in registering in CCR or documenting individual exemptions.

This AAPD amendment is effective on issuance and remains in effect until revoked or suspended.

### **3. GUIDANCE:**

(a) AOs must include the attached provision entitled "Central Contractor Registration and Universal Identifier," including the Addendum, as prescribed above in Required Action.

(b) For those recipients exempt from the DUNS and CCR requirements under this exception, AOs are to enter the generic DUNS number specified below on the grant/agreement cover letters, and use it when entering the recipient data record in GLAAS record to be reported to FAADS:

**12-345-6787 Foreign Contractor (Undisclosed)**

### **4. POINT OF CONTACT:**

AOs may direct their questions about this AAPD amendment to Michael Gushue, M/OAA/P, E-mail: [mgushue@usaid.gov](mailto:mgushue@usaid.gov), Phone (202) 567-4678 or Lyudmila Bond, M/OAA/P, E-mail: [lbond@usaid.gov](mailto:lbond@usaid.gov); Phone (202) 567-4681.

Recipients or prospective applicants for awards must direct their questions to the cognizant AO for the award.

## **ATTACHMENT A - CENTRAL CONTRACTOR REGISTRATION AND UNIVERSAL IDENTIFIER (OCTOBER 2010)**

*(This provision is required in accordance with 2 CFR 25 Award Term for Central Contractor Registration and Universal Identifier. AOs must include this provision in all assistance solicitations and all awards made on or after October 1, 2010.)*

### **CENTRAL CONTRACTOR REGISTRATION AND UNIVERSAL IDENTIFIER (OCTOBER 2010)**

- a. Requirement for Central Contractor Registration (CCR).** Unless you are exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in the CCR until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.
- b. Requirement for Data Universal Numbering System (DUNS) numbers.** If you are authorized to make subawards under this award, you:
  - (1) Must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive a subaward from you unless the entity has provided its DUNS number to you.
  - (2) May not make a subaward to an entity unless the entity has provided its DUNS number to you.
- c. Definitions.** For purposes of this award term:
  - (1) Central Contractor Registration (CCR) means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the CCR Internet site (currently at <http://www.ccr.gov>).
  - (2) Data Universal Numbering System (DUNS) number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D&B) to uniquely identify business entities. A DUNS number may be obtained from D&B by telephone (currently 866-705-5711) or the Internet (currently at <http://fedgov.dnb.com/webform>).
  - (3) Entity, as it is used in this award term, means all of the following, as defined at 2 CFR part 25, subpart C:

- (i) A Governmental organization, which is a State, local government, or Indian tribe;
  - (ii) A foreign public entity;
  - (iii) A domestic or foreign nonprofit organization;
  - (iv) A domestic or foreign for-profit organization; and
  - (v) A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
- (4) Subaward:
- (i) This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
  - (ii) The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. --.210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").
  - (iii) A subaward may be provided through any legal agreement, including an agreement that you consider a contract.
- (5) Subrecipient means an entity that:
- (i) Receives a subaward from you under this award; and
  - (ii) Is accountable to you for the use of the Federal funds provided by the subaward.

#### **ADDENDUM #1 (FEBRUARY 2012)**

Effective February 13, 2012, and pursuant to a USAID impracticality determination under 2 CFR 25.110(d)(2)(ii), this provision does not apply to grants and cooperative agreements with a total value of less than \$25,000 awarded to foreign entities performing work outside the United States. In addition, subparagraph b. of this provision, requiring DUNS numbers for subawards, does not apply to subawards of less than \$25,000 made to foreign subrecipients performing work outside the United States.

[END OF PROVISION]