



# Senior Obligation Alignment Review: Frequently Asked Questions

## An Additional Help for ADS 300

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# FREQUENTLY ASKED QUESTIONS

## **SOAR Background and Applicability**

- 1. Why were the thresholds and review process for Senior Obligation Alignment Review (SOAR) (formerly known as Acquisition and Assistance Review and Approval Document (AARADs) process) revised?**

As the Agency transformation is operationalized, the role of **staff of the U.S. Agency for International Development (USAID) in Washington** will be critical to integrating the principles of self-reliance, leveraging new resources, collaborating with our partners, and broadening our partner base. The AARAD thresholds and process were revised and renamed as a Senior Obligation Alignment Review (SOAR) as a first step to encouraging creativity and innovation in program design and acquisition and assistance (A&A) processes. The new approval requirements will better align with efforts to restructure and reform the way the Agency does business and to ensure that senior leadership in Washington maintains responsibility and visibility for the Agency's most significant A&A activities.

- 2. Is a proposed activity that is in furtherance of a Congressional mandate exempt from the SOAR process?**

Many USAID activities are based on statutory mandates or commitments. The purpose of the SOAR process is to make sure the Agency is applying the principles of Effective Partnership and Procurement Reform (EPPR) and the Journey to Self-Reliance in all awards, whether mandated or not. The only exemptions are those outlined in **Automated Directives System (ADS) Chapter 300.3.4.1(b)**.

- 3. Several of the questions in the template don't seem to apply to my activity. Does this mean that SOAR approval is not required?**

SOAR approval is required if your activity meets the applicability standards in **ADS 300.3.4.1(a)** and none of the exceptions apply. Depending on the type of mechanism or method of solicitation, some of the questions in the SOAR template may not apply. Operating Units should address the applicable questions to the extent possible. For example, if your award is for an institutional support contract, you may not have an approach for mobilizing other resources to increase development impact. You should explain why this is not relevant to your activity and answer the rest of the questions that do apply.

- 4. We plan to issue a Notice of Funding Opportunity (NOFO) that we expect will result in between 20 and 35 grants, each of which is limited to a total estimated amount of \$2,000,000. Are the NOFO and the awards subject to the SOAR review?**

Yes, SOAR approval is required for the NOFO, regardless of whether it is an Annual Program Statement (APS) or a Request for Application (RFA). The SOAR requirement applies to the solicitation, whether for a single or multiple awards, rather than the individual award(s) under it. As stated in **ADS 300.3.4.1(a)(1)**, the review level is determined by the cumulative estimated value of the awards you expect to issue. If a Bureau/Mission is uncertain at the solicitation stage on whether the potential awards will reach the SOAR thresholds, then a SOAR review can be undertaken at a later time once more certainty on funding-level availability is known. If the total amount of all the awards is envisioned to be below the SOAR threshold, then no SOAR review is required.

**5. Is a SOAR required if a Justification to Restrict Eligibility (JRE) or a Justification and Approval for Other than Full and Open Competition (J&A) is signed by the Assistant Administrator or Administrator for procurement contracts or assistance awards? Note: This Q&A applies to procurement contracts and acquisition awards. This Q&A does not apply to PIO awards.**

For new awards: The SOAR is not required in instances where an exception to competition, signed by the Assistant Administrator or Administrator, documents in the Action Memo how the proposed award addresses areas covered by the SOAR, including self-reliance, leveraging new resources, collaborating with our partners, and broadening our partner base. See **ADS 300.3.4.1(b)** for exceptions to the SOAR policy. If a new instrument will be awarded based on exceptions to competition authorized in an Expedited Procedures Package (EPP), a SOAR is still required because none of the current EPPs address the SOAR coverage areas.

For modifications of existing awards: The SOAR is required for new awards only and does not apply to contract modifications, regardless of whether a J&A is required.

**6. Can we publicly post the draft Statement of Works/Statement of Objectives (SOW/SOO) in a Request for Information (RFI) without an approved SOAR?**

Yes. It is allowable to post the draft SOW/SOO for industry comment without a pre-approved SOAR. You should mention in the SOAR that the draft was posted for comment and use any data you receive in the SOAR document.

**7. Can we request a SOAR for an activity without having an activity approval document signed by Mission Director? The activity approval will come later after the SOO is finalized incorporating suggestions from industry. Not mandating the activity approval document at the time of submitting a SOAR request would expedite the process.**

We encourage Missions and Bureaus and Independent Offices (B/IOs) to submit their SOARs as early in the design process as possible, as the process does sometimes

result in changes to the design of the program. While activity approval/project approval documents (PADs) are required for all procurements, SOAR is a separate process, and an approved PAD or Activity Approval is not required before submitting the SOAR. This should be at the Mission Director's or head of the B/IO's discretion.

**8. Do we need to specifically address Youth Engagement/Integration for all projects?**

The USAID Youth in Development Policy asks that any activity that affects young people between ages 10–29, apply an intentional, age-appropriate, [Positive Youth Development](#) (PYD) approach and interventions. While not all USAID activities focus or affect this age group, many programs do and can improve development outcomes by integrating key language and interventions into their designs. Additional examples and language can be found on the [USAID Youth Intranet Resource Site](#) or from the USAID Youth Coordinator, [mimccabe@usaid.gov](mailto:mimccabe@usaid.gov).

**9. What is the definition of “Information Technology (IT),” “IT resources,” and “for use by Agency staff” as referenced in ADS 300man?**

USAID uses the definition for “IT Resources” directly from the Office of Management and Budget ([OMB Circular M-15-14: Management and Oversight of Federal Information Technology](#)) (pages 3-4:

*B. Such services or equipment are “used by an Agency” if used by the Agency directly or if used by a contractor under a contract with the Agency that requires either use of the services or equipment or requires use of the services or equipment to a significant extent in the performance of a service or the furnishing of a product.*

Whether IT is procured by the Agency directly or by a contractor, it is covered as long as it meets the criteria for “used by Agency,” as defined by OMB above. This could mean such services or equipment used by the Agency directly or used by a contractor under a contract with the Agency that requires either use of the services or equipment, or requires use of the services or equipment to a significant extent in the performance of a service or the furnishing of a product.

USAID has identified several factors that affect whether IT is “used by an Agency.” The Office of the Chief Information Officer (M/CIO) will consider these criteria when determining whether IT falls within its scope, and include: (1) whether the Agency owns the IT; (2) how Agency personnel use the IT ; (3 ) whether Federal information is collected, maintained, or processed; (4) what the Agency's rights to, and restrictions with, the data are; (5) whether the IT is interconnected to an Agency system; (6) what the purpose of the contract is; and, (7) what role the IT plays in the delivery of product and/or services under the contract.

**10. How do I obtain M/CIO approval in relation to the SOAR process?**

B/IO/MS can submit a review or approval request to M/CIO at [ITAuthorization@usaid.gov](mailto:ITAuthorization@usaid.gov) to initiate a review of the proposed acquisition that includes a requirement for IT for the Agency's use. Upon approval, M/CIO will provide a document to attach to the SOAR.

## **Thresholds**

### **11. Does the review process only apply to appropriated funds? In other words, would cost-sharing provided through public-private partnerships be included for the purpose of determining the total estimated cost?**

All funding sources that are legally required conditions of the USAID award (e.g., cost-sharing) should be considered in determining the total estimated cost of the activity. For example, if \$30 million is provided from appropriated funds and another \$20 million is partner cost-sharing, the SOAR must be approved by the Administrator. On the other hand, if the \$20 million is anticipated leveraging and does not constitute legally required cost-share under an agreement between an implementing partner and USAID (as could be the case with public-private partnerships), the potential funding would not be included for purposes of determining SOAR requirement applicability because the proposed leverage amount is not legally binding.

## **Process**

### **12. Are the Contracting/Agreement Officer (CO/AO) and the cognizant attorney in the Office of the General Counsel in Washington (GC/W) or the Resident Legal Officer (RLO) required to clear on the SOAR prior to submission?**

The policy outlined in [ADS 300, Agency Acquisition and Assistance \(A&A\) Planning](#), particularly **ADS 300.3.4.3**, does not require that the cognizant CO/AO and GC/W attorney or RLO clear SOARs prior to submission. The policy allows for the head of the Operating Unit (OU) to determine what internal clearances will be required. However, planners may wish to consult with their CO/AO and lawyer in advance of submitting the package to address any legal questions presented in preparing a SOAR package. Bureau for Management (M), GC/W Front Office, and Office of Small and Disadvantaged Business Utilization (OSDBU) clearance are required for SOARs approved by the Administrator, i.e., A&A solicitations with an estimated cost of \$40 million and above and PIO cost-type agreements and project contributions of \$10 million and above.

### **13. Can a B/IO include more than one award in one SOAR document?**

No, a B/IO must only include one activity requiring SOAR approval per SOAR Document, which includes Part 1—Standard Descriptive Data and Part 2—Justification. However, a B/IO may package and route several SOAR documents under one action memo. The key will be to keep the memo short (two pages) and to summarize the urgency and main points in the action memo.

**14. How many days is the Secretariat compliance review? Should the SOAR Liaison not continue the routing process until she/he hears back from the Secretariat that the SOAR has passed the compliance check?**

The SOAR Secretariat review in the second block of the flowchart (found [here](#)) is a quick scan and can be accomplished with the copy to the SOAR mailbox. The Secretariat will not reply unless there are blatant errors that are apparent at this stage. The SOAR Liaison should continue to route the document through the process without waiting for a response from the Secretariat regarding the compliance check at the first stage of the process.

**15. How many days will the reviews extend Procurement Action Lead Times (PALTs)?**

The reviews are expected to have limited impact on PALTs. The CO/AO will receive key elements of the Request for Proposal/Notice of Funding Opportunity, *e.g.*, scope of work/program description, before the SOAR approval is requested. The preliminary work required for a solicitation will be done concurrently with the senior reviews. The timeframes related to pre-solicitation items, such as SOARs, will be projected and recorded as part of the Global Acquisition and Assistance Milestones. The dates agreed to by the technical and program offices with the CO/AO on these items are considered pre-solicitation planning activities, also referred to as Pre-PALT dates. The Pre-PALT dates will also be tracked and monitored milestones.

**16. Should the questions in the SOAR template be incorporated into the evaluation criteria for the solicitations?**

The areas covered by the SOAR should be incorporated into the statement of work/program description and/or the evaluation criteria at the corresponding SOAR thresholds to the extent that specific SOAR recommendations are relevant to these particular areas.

**17. What topics will be discussed in a potential meeting with the front office if required?**

SOARs may result in a meeting with the front office where any additional questions will be asked. The focus of the meetings has been on “how” the program/project will be done, how this particular procurement broadens the partner base, how it enhances “self-reliance,” how local organizations are involved, *etc.*

**18. Do I need to submit any additional documentation with the SOAR?**

No additional documentation should be provided unless specifically requested. However, we encourage presenters to bring maps to highlight the geographic scope of the activity to the Administrator-level review meeting.

## **Public International Organizations (PIOs)**

### **19. Agreements with PIOs were previously exempt from the approval process. Why are they now included?**

Cost-type agreements and project contributions with PIOs are now included because such agreements represent a substantial share of the Agency's annual spending.

### **20. The PIO mechanism doesn't lend itself to the level of involvement as the A&A mechanisms. How will the SOAR criteria be applied?**

The SOAR template indicates which questions must be addressed for PIO cost-type agreements and project contributions. Essentially, the Operating Unit must address why support to a PIO is the best approach versus a direct Agency award that is more collaborative in nature, and how the support will advance sustainable results. The other questions in the template should be given adequate consideration to the best of your knowledge.

### **21. We are in the process of co-designing and finalizing the project description for a potential PIO agreement. Given the stage of the procurement process, is the SOAR approval required?**

SOAR approval is required for all cost-type agreements and project contributions to PIOs executed on or after June 27, 2018. If the agreement has not yet been executed (signed), SOAR review is required. You will need to follow the SOAR procedure prior to making the award. SOAR applies to all PIO agreements. You should submit a SOAR for this agreement as soon as you have enough information to answer the two questions in the SOAR template specific to PIOs. The remaining questions in the template should be given adequate consideration to the best of your knowledge.

### **22. If a Mission is "buying-in" to a PIO cost-type contribution or project contribution, does this action require a SOAR?**

As long as the "buy-in" does not increase the total estimated amount of the agreement, SOAR approval is not required. If the PIO agreement will be amended to accommodate the "buy-in," then SOAR approval is required for the amendment.

### **23. If there was a competitive process that went through the SOAR at the pre-solicitation stage and a PIO subsequently was deemed to be the successful applicant, is a second SOAR required to approve the PIO?**

Yes, a second SOAR will be required to approve the grant to the PIO. According to **ADS 300.4.1(c)**, the policy requires SOAR approval prior to the award of a PIO agreement "whether or not they result from a competitive process."

## **Broad Agency Announcements (BAAs) and Interagency Agreements (IAAs)**

### **24. How can a B/IO complete the SOAR Document for a BAA when the use of innovation, evidence, and some other questions in the template cannot be answered prior to solicitation?**

While the B/IO will not know the outcome of the BAA process, the SOAR Document can provide information from the technical background/perspective to highlight why the BAA approach offers significant potential to harness a number of approaches/innovation/evidence, *etc.* The B/IO should do its best to share the technical foundation for the problem and where the state of evidence currently appears to be— basically, any technical knowledge that supports why the BAA process would likely be the most effective approach to tackle the particular problem area. As a best practice, the B/IO could also look at existing innovations, including intellectual property in the same area of programming that USAID might also own and manage via past awards, and make that a key part of the analysis.

### **25. Why does the SOAR process apply to interagency agreements (IAAs)? Are the \$20M and \$40M thresholds applicable to IAAs?**

The review of IAAs was included in the former AARAD process and is continued under the SOAR review process. Any new IAA between \$20 and \$40 million must be approved by the AA and any new IAA at or above \$40 million must be approved by the Administrator. If the IAA is operational in nature, SOAR approval is required, but the functional Bureau/CFOI and review by the SOAR Advisors does not apply (*e.g.*, personnel contracts, leases, *etc.*).

### **26. Does the SOAR process apply to 632(a) IAAs (which do not obligate funds)?**

No, the SOAR process does not apply in this situation. 632(a) is a non-expenditure transaction that occurs at the appropriation level; therefore, there is no agreement to approve.

### **27. The questions in the template don't seem to apply to IAAs. What should Planners include in SOAR submissions re: proposed IAA awards?**

For IAAs, Planners should give adequate consideration to all applicable questions in the template to the best of their knowledge. For Operational IAAs Only: Explain how the goods and services requested by USAID from the Servicing Agency cannot be provided by contract as conveniently or cheaply by a commercial enterprise.

## **SOAR Roles**

### **28. Who are the SOAR Advisors and what is their role?**



The SOAR Advisors are designated staff in the Bureau for Management's Office of Acquisition and Assistance, the Bureau for Policy, Planning and Learning, the Global Development Lab, and the Office of the Executive Secretary. The SOAR Advisors provide substantive input and advice on SOARs and ensure that they reflect Agency priorities. SOAR Advisor feedback in the SOAR Advisor Review Form is meant for comment and consideration as representatives of key transformation equities. Advisors do not provide clearance in the SOAR process. Please consider their feedback to encourage creativity and innovation as we integrate the principles of self-reliance, leverage new resources, co-collaboration/co-design, and broaden our partner base into all of our mechanisms.

**29. Who are the SOAR Liaisons and Advisors and how do Bureau and CFOI Liaisons provide feedback?**

The list of Liaisons and Advisors can be found [here](#). The list will be updated as the SOAR Secretariat is informed of any changes to B/IO personnel. The SOAR Liaisons provide comments **and/or share the SOAR document with reviewers to provide comment** in the google doc provided by the initiating B/IO Responsible SOAR Liaison.

**General Information**

**30. Are non-disclosure agreements (NDAs) required for individuals who will be working with the SOAR?**

The requirements to protect internal procurement-sensitive and proprietary information and documents apply to United States Government employees regardless of whether they sign NDAs. Therefore, any USAID employee receiving SOAR documents does not need to sign an NDA.

Contractor employees and fellows, who generally are also contractor employees, should sign NDAs when they start their work in USAID space and on USAID systems. Under IAAs, the sending agency can send either U.S. Direct-Hires or employees of a contractor firm. If the RASA/PASA person is a U.S. Direct-Hire, no NDA is needed. If s/he is a contractor employee, then confirm if s/he has signed an NDA with the sending agency. If s/he has not, ask him/her to sign an NDA.

In addition, the SOAR template includes the footer below for procurements to ensure that individuals in the process are aware that the information is procurement sensitive.

SENSITIVE BUT UNCLASSIFIED  
For Acquisition-Procurement Sensitive Information under FAR 3.104

**31. Is there a help desk or some way to request assistance?**

You may request assistance by sending an email to **soar@usaid.gov** or by contacting the designated SOAR Liaison for your Bureau or Independent Office.

**32. Where can I find definitions and more information on Effective Partnering and Procurement Reform (EPPR)?**

Basic information on the EPPR initiative can be found at this [link](#) to the Transformation Task Team Web site.

**33. Is there a font size for the SOAR template?**

It is up to you as to what font you prefer for the SOAR template. The Action Memo must be 14-pt Times New Roman. Shorter is better; writing concise points without jargon, acronyms, or AID-speak.

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