Vital Strategies Compliance Webinar

(Selected) Standard Provisions

April 30, 2020

USAID FROM THE AMERICAN PEOPLE

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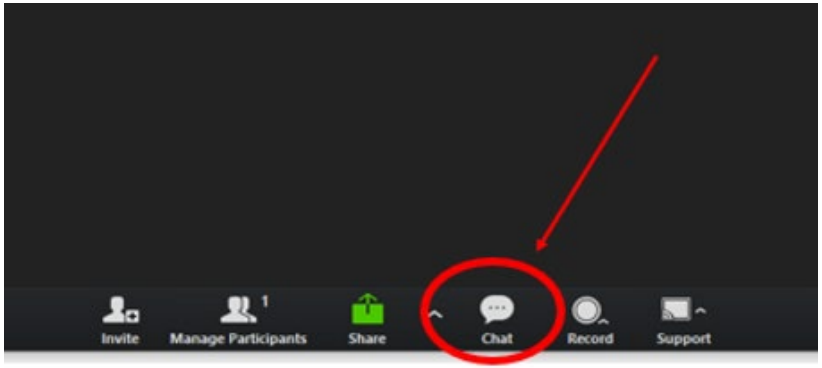
The Union
International Union Against Tuberculosis and Lung Disease
Health solutions for the poor

If you have questions…

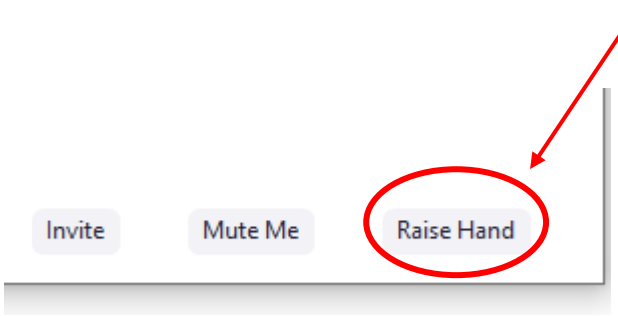
During the presentation

Select “Chat” at the bottom of your screen, and **type** your question



End of presentation

Type questions using the “Chat” feature, or if you would like to ask **verbally**, can select “Raise Hand,” on the bottom right corner.



Outline

- What are *United States Agency for International Development (USAID) Standard Provisions*?
- RAA6: Reporting Subawards and Executive Compensation
- M12: Debarment and Suspension
- M14: Preventing Terrorist Financing
- M26: Mandatory disclosure
- Q&A

USAID Standard Provisions

- Vital Strategies/STREAM is funded by USAID.
- *Standard Provisions (SPs)* are conditions of our agreement with USAID and must be included in all our subgrant agreements.
- Vital Strategies and you, as a subgrantee, need to comply with the SPs.

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ATTACHMENT 1

NOTICE OF REVISION OF APPLICABLE USAID STANDARD PROVISIONS

This Attachment 1 constitutes notice of the updated USAID Standard Provisions listed below that are applicable under our agreement ("Current Standard Provisions"). The Current Standard Provisions shall replace and supersede as of ***Thursday, April 23, 2020*** any prior version of the Standard Provisions.

If any Current Standard Provision is amended, repealed or otherwise modified after the date hereof and Vital Strategies is advised by USAID that such change to the Current Standard Provisions has become applicable to its award, Vital Strategies shall provide Subgrantee/Subrecipient/Subawardee with written notice of such modifications, which shall be incorporated into our agreement and be binding as applicable upon delivery of the written notice.

The text of the Current Standard Provisions can be found by inserting the following Vital Strategies link address into an internet browser:

https://vital.box.com/v/treattb-usaidsp-nonUS-may19

This link with the full texts is provided for convenience only. Subgrantee is responsible for complying with all applicable Standard Provisions irrespective of Vital Strategies' provision of a link with the full texts. (Note: "[sic]" indicates an error in the original ADS provision as supplied or published by USAID. Text highlighted in yellow has been provided by USAID to indicate the revisions in the Standard Provisions from those last issued by USAID. However, text highlighted in yellow does not reflect the changes in the Standard Provisions from the previous versions incorporated into this Agreement and should not be relied upon for that purpose.)

The following Required as Applicable (RAA) Standard Provision for U.S. Nongovernmental Organizations applicable to this Grant which is not otherwise covered by the Required as Applicable Standard Provisions for Non-U.S. Nongovernmental Organizations shall apply to the Subgrantee:

RAA10 PROHIBITION OF ASSISTANCE TO DRUG TRAFFICKERS (JUNE 1999) (in the event Subgrantee's country is or becomes a "covered country" as defined in ADS 206)

Chapter 303 MAB – Mandatory Standard Provisions for Non-U.S. Nongovernmental Organizations

M1. ALLOWABLE COSTS (DECEMBER 2104) [sic]

M2. ACCOUNTING, AUDIT, AND RECORDS (OCTOBER 2017)

M4. NOTICES (JUNE 2012)

M5. PROCUREMENT POLICIES (JUNE 2012)

M6 USAID ELIGIBILITY RULES FOR PROCUREMENT OF COMMODITIES AND SERVICES (JUNE 2012)

M7. TITLE TO AND USE OF PROPERTY (DECEMBER 2014)

M8. SUBMISSIONS TO THE DEVELOPMENT EXPERIENCE CLEARINGHOUSE AND DATA RIGHTS (JUNE 2012)

M9. MARKING AND PUBLIC COMMUNICATIONS UNDER USAID-FUNDED ASSISTANCE (DECEMBER 2014)

M10. AWARD TERMINATION AND SUSPENSION (DECEMBER 2014)

M11. RECIPIENT AND EMPLOYEE CONDUCT (JUNE 2018)

M12. DEBARMENT AND SUSPENSION (JUNE 2012)

M13. DISPUTES AND APPEALS (DECEMBER 2014)

M14. PREVENTING TERRORIST FINANCING (AUGUST 2013)

M15. TRAFFICKING IN PERSONS (AUGUST 2016)

M16. VOLUNTARY POPULATION PLANNING ACTIVITIES – MANDATORY REQUIREMENTS (MAY 2006)

M17. EQUAL PARTICIPATION BY FAITH-BASED ORGANIZATIONS (JUNE 2016)

M18. NONDISCRIMINATION (JUNE 2012)

M19. USAID DISABILITY POLICY - ASSISTANCE (JUNE 2012)

M20. LIMITING CONSTRUCTION ACTIVITIES (AUGUST 2013)

M21. USAID IMPLEMENTING PARTNER NOTICES (IPN) PORTAL FOR ASSISSTANCE (JULY 2014)

M22. PILOT PROGRAM FOR ENHANCEMENT OF GRANTEE EMPLOYEE WHISTLEBLOWER PROTECTIONS (SEPTEMBER 2014)

RAA6. Reporting Subawards and Executive Compensation

The Federal Funding Accountability and Transparency Act (FFATA) requires information on USAID awards (including ours) be made publicly available via: www.usaspending.gov.

- Who Reports? Vital Strategies
- But… we need information from YOU:
  - DUNS number

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M12. Debarment and Suspension

What is it?

- Persons or organizations with a history of serious legal violations cannot be paid with USAID funds
  - Fraud/embezzlement/falsification of records/bribery, etc.
- If a name or entity is tagged “exclusion” on sam.gov = “debarred”

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M12. Debarment and Suspension

Subrecipient obligations:

1. Cannot knowingly transact business under the grant (example: enter into any employment agreement, subaward or contract) with any debarred person or entity listed on the SAM site
2. Must have a process for checking and preventing that from happening
3. Must immediately notify Vital Strategies when aware of any violations since it may result in costs becoming disallowed or other sanctions
4. Must certify compliance annually to Vital Strategies

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M14. Preventing Terrorist Financing

- Must not engage in transactions with, or provide resources or support to, individuals and organizations associated with terrorism, including those individuals or entities that appear on either:
  - the **U.S. Treasury Specially Designated Nationals and Blocked Persons List**
  - the **United Nations Security designation list**

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To comply with M12 and M14, what are subrecipients obligated to do?

Establish / revise policies and procedures within your organization that incorporate debarment and anti-terrorism checks, keeping in mind the following:

- prior to contracting and/or making payments to vendors
- Check all three websites
- Risk of not checking all vendors / transactions
- TREAT TB only or all programs
- Frequency of checks

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Demo: Debarment (M12) & Anti-Terrorism (M14) Checks

Sam.gov: www.sam.gov

US Treasury List: https://www.treasury.gov/resource-center/sanctions/sdn-list/pages/default.aspx

UN Security Council Sanctions List:

https://www.un.org/securitycouncil/content/un-sc-consolidated-list

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M26. Mandatory Disclosure

"…all violations of United States Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Subrecipients must disclose, in a timely manner, in writing to the USAID Office of the Inspector General and to the prime recipient (pass through entity) all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award."

Establish / revise policies and procedures within your organization that prevents, detects, investigates, and reports potential violations.

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M26. Mandatory Disclosure

Reporting to Vital Strategies:

- For all violations *other than those that may directly involve Vital Strategies*, please contact:

  Vital Strategies, Inc., Attention: I.D. Rusen,100 Broadway, 4th Floor, New York, NY 10005, USA; research-contracts@vitalstrategies.org

- For violations that may *directly involve Vital Strategies*: report to the Vital Reporting Line (on non-anonymous basis) at: https://app.convercent.com/en-us/LandingPage/09163756-1761-e911-a963-000d3ab9f296

Reporting to USAID:

USAID: Office of the Inspector General
P.O. Box 657
Washington, DC 20044-0657, USA
Phone: 1-800-230-6539 or 202-712-1023
Email: ig.hotline@usaid.gov

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Conclusion

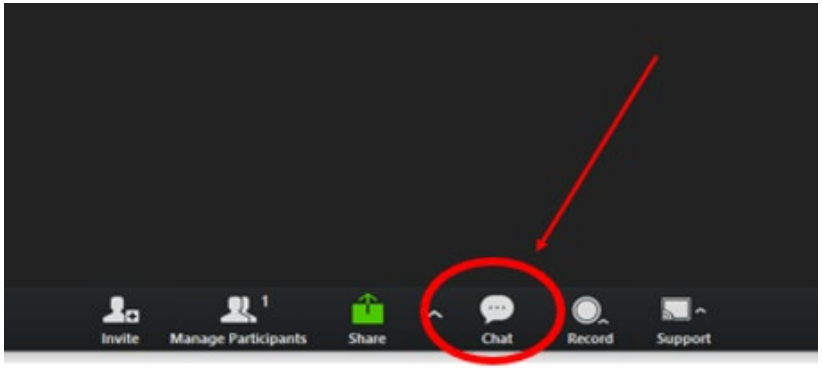
USAID Standard Provision	Summary of steps
RAA6: Reporting Subawards and Executive Compensation	Obtain a DUNS number Complete the FFATA form which will come in May from your Grants Mgr
M12: Debarment and Suspension*	Check sam.gov
M14: Preventing Terrorist Financing*	Check US Treasury List and UN Security Council Sanctions List
M26: Mandatory Disclosure*	Disclose fraud, misuse of funds to Vital Strategies and USAID

**Complying with this provision requires new organization policy, procedure, and/or changes to existing policy / procedure*

Questions? Two options

Type questions

Select “Chat” at the bottom of your screen, and **type** your question



Ask verbally

Select “Participants” at the bottom of screen, and select “Raise Hand” on the bottom right corner. The Host will unmute and inform you when it is your turn.

More questions?

Angel Ling (aling@vitalstrategies.org)
Racquel Enad (renad@vitalstrategies.org)
Rajesh Goyal (rgoyal@vitalstrategies.org)

Thank you!

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