



# USAID | WEST BANK/GAZA

## Implementing Partner Notice No. 2023-WBG-01

To: USAID/West Bank and Gaza Implementing Partners  
From: Daniel Harter, Supervisory Contracting/Agreement Officer  
Office of Contracts Management, USAID/West Bank and Gaza  
Date: January 20, 2023  
Subject: Addressing SAM Registration Issues for USAID Partners

Dear Implementing Partners:

In April 2022, the new [System for Award Management \(SAM\)](#) Unique Entity Identifier (UEI) replaced the Data Universal Numbering System (DUNS) number as the official government-wide identifier used for federal awards. As some of you may already know, the system transition has been challenging with registration/revalidation taking up to several months to complete. Due to high demand, responses from SAM.gov are taking much longer than expected to resolve. USAID understands and appreciates the challenges this transition has caused and, as a result, has been actively engaging with the General Services Administration (GSA) team to ensure that USAID's partners are able to address the challenges with SAM registration requirements.

The purpose of this notice is to share the available resources that will assist you during the SAM registration process as well as to highlight the currently available flexibilities and exceptions related to USAID partners' registration in the U.S. government SAM under acquisition and assistance instruments.

Highlighted below are actions that USAID has taken over the last six months to assist new and existing partners to overcome challenges with SAM registration:

- **Developed escalation procedures for urgent registrations:** All SAM escalation requests related to an entity validation process are to be sent from a USAID Contracting Officer (CO)/Agreement Officer (AO) or Contracting Officer Representative (COR)/Agreement Officer Representative (AOR). Please note that requests received directly from partners/vendors will not be processed. USAID is only able to submit tickets on EVS escalations for urgent, time critical registrations - i.e., mission critical pending awards, risk of missed payment. Should that be applicable to you, please contact your CO/AO or COR/AOR accordingly for consideration.
- **Participation in an interagency working group:** USAID is engaging with the U.S. Office of Management and Budget (OMB) and General Services Administration (GSA) to seek additional flexibilities related to North Atlantic Treaty Organization (NATO) Commercial and

Government Entity (NCAGE) codes (a prerequisite for SAM registration), UEIs, and SAM registration for assistance awards. As a result of these efforts, it is anticipated the NCAGE requirement will be de-coupled from SAM registration for entities which are only pursuing assistance opportunities. This change is slated for implementation in the coming months and a follow up notice will be issued when this becomes in effect.

- **Industry outreach:** Through business forecast calls, social media engagement, partner association outreach, webinars, and [blogs](#), USAID continues to communicate to partners how to register on SAM.gov, including answering questions about when a partner must be registered to apply for funding.
- **Available Resources:** You are highly encouraged to review all the resources available on the [WorkwithUSAID](#) platform related to UEI. In addition, [this video](#) and [this video](#) from GSA are very helpful in explaining the process. Both videos can be viewed on YouTube and, using closed captioning and the Auto-Translate function, are available in a large number of languages for your convenience.

In addition, USAID/WBG would like to remind Implementing Partners about the following exceptions pertaining to SAM registration under Assistance and Acquisition instruments:

#### **Assistance Instruments:**

In accordance with 2 CFR 200 and 2 CFR 25, all entities applying for assistance awards must obtain a UEI and be registered in SAM before submitting a full application, unless an exception applies.

**Please note that SAM registration is not required prior to submitting a concept note.**

For assistance awards, 2 CFR 25.110(b) and (c) outline the conditions under which USAID may exempt an applicant or recipient from the requirement to obtain a UEI and/or register in SAM, including:

- Assistance awards valued less than \$25,000 awarded to foreign organizations or foreign public entities for a project or program performed outside the United States. USAID must determine, on a case-by-case basis, that it is impractical for the entity to comply with the registration requirement. This exception does not apply if subawards are anticipated under the award.
- For an applicant, if USAID determines there are exigent circumstances that prohibit the applicant from receiving a UEI and completing SAM registration prior to receiving an award. In these instances, USAID must require the recipient to obtain a UEI and complete SAM registration within 30 days of the award date.

In addition, mandatory reference [ADS 303maz](#) “USAID Policy Guidance on Exemptions to Assistance Reporting Under the Federal Funding Accountability and Transparency Act of 2006” provides additional guidance on the application of these exemptions.

## **Acquisition Instruments:**

In accordance with FAR 4.1102(a) and FAR 52.204-7(b), an entity applying for an acquisition award must be registered in SAM at the time an offer is submitted, and continue to be registered through award, performance, and final payment of any contract, unless an exception applies. The entity must also have a UEI linked to and maintained with its SAM registration.

For acquisition awards, FAR 4.1102(a) outlines several exceptions under which offerors do not need to register in SAM, including:

- Contracts awarded by COs located outside of the United States for work to be performed in support of foreign assistance programs overseas, in an area that has been designated by the Department of State as a danger pay post.
- Contracts with individuals for performance outside the United States – e.g., personal services contractors (PSCs) performing overseas.
- Contracts awarded without providing for full and open competition due to unusual or compelling urgency under FAR 6.302-2.
- Contract actions at or below \$30,000 awarded to foreign vendors for work performed outside the United States, if it is impractical to obtain SAM registration.

In addition, mandatory reference [ADS 302mbj](#) “Exceptions to Contract Reporting in the Federal Acquisition Regulation Part 4.6” outlines the three Federal Funding Accountability and Transparency Act (FFATA) requirements, as well as applicable exemptions.

USAID will continue to facilitate Implementing Partner’s registration in the U.S. Government SAM and provide updates to any of the above actions and measures taken accordingly. Please direct any questions about this notice to the CO/AO and your respective Acquisition and Assistance Specialist.