



Acquisition & Assistance Policy Directive (AAPD)

From the Director, Office of Acquisition & Assistance

AAPD No. 24-07

UEI/SAM Registration Flexibilities for Acquisition

Issued: August 29, 2024

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. AAPDs may be used to implement new requirements on short notice, pending formal amendment of acquisition or assistance regulations. Each AAPD is effective as of the issuance date on its cover page unless otherwise noted elsewhere in the AAPD guidance; the directives remain in effect until the specified expiration date (if any) or M/OAA/Policy issues a rescission.

This AAPD is: New Replaces: _____

Category: Acquisition Assistance PSCs

This AAPD applies to: Solicitations New awards Existing awards
 Modification required

This AAPD precedes changes to:

FAR _____ AIDAR _____ CFR _____
 ADS _____ Other _____ No change to regulations

Clause/Provision: New Provision/Clause Provided Herein Available in GLAAS

Contains a deviation? No Yes: #M-OAA-DEV-FAR-24-05c effective until: Aug 28, 2026

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I. Purpose

This AAPD provides instructions and guidance regarding a class deviation that provides two flexibilities related to the acquisition requirement for offerors/contractors to obtain a unique entity identifier (UEI) and register in the System for Award Management (SAM). Specifically, Class Deviation No. M-OAA-DEV-FAR-24-05c provides **two optional flexibilities** that Contracting Officers (COs) may use at their discretion to:

Flexibility #1 (Pre-award UEI/SAM): Exempt offerors from UEI/SAM requirements at the time an offer or quotation is submitted, and instead require compliance at the time of contract award, and

Flexibility #2 (Post-award UEI/SAM): Authorize offerors/contractors to obtain a UEI and be fully registered in SAM within 30 days after contract award.

This AAPD is effective as of the issuance date on the cover page and continues in effect until **August 28, 2026**, unless rescinded earlier.

II. Required Actions

The use of the flexibilities described in this AAPD is optional. These flexibilities build upon each other – Flexibility #2 may only be used after Flexibility #1 has been used.

In the event a CO elects to use one or both of these flexibilities, the CO must adhere to the following required actions:

Flexibility #1: Exempt Offerors from UEI/SAM Registration Requirements at the Time an Offer is Submitted

(1) *Insert solicitation requirements:* In the solicitation, the CO must:

- Insert the full deviated text for **Alternate II to FAR 52.204-7** (“System for Award Management”), as detailed in [Attachment 1](#) of this AAPD.
- Ensure the standard [FAR 52.204-13](#) (“System for Award Management Maintenance”) clause is included in the solicitation.
- Identify any required representations and certifications that an offeror not registered in SAM must complete as part of its proposal. An offeror fully registered in SAM will have representations and certifications available in

SAM, in accordance with FAR 52.204-8. An Offeror not fully registered in SAM must manually include, as part of its proposal, the required representations and certifications identified in the solicitation. The CO must specify the required representations and certifications in Section K of the solicitation. For more information on the full list of reps and certs that would typically be included in an entity's SAM registration, see [FAR 52.204-8](#) and [FAR 4.1202](#), or [FAR 12.301\(b\)\(2\)](#) if using commercial procedures. Note that FAR 4.1202 includes deviated text in [Attachment 3](#) of this AAPD.

- (2) *Verify reps and certs compliance*: During the evaluation of offers, the CO must ensure that any offeror not registered in SAM has provided responses in its proposal for any required representations and certifications that would normally be available in SAM and are required in Section K of the solicitation. The CO must save these reps and certs files in ASIST.
- (3) *Verify SAM registration*: The offeror selected for award must notify the CO in writing as soon as the SAM registration is completed and provide its UEI.
 - **If the CO only elects to use Flexibility #1 of this AAPD**: The CO may need to delay the award of the contract until the offeror is fully registered in SAM. Prior to award, the CO must use the UEI to verify that the apparent successful offeror is registered in SAM and that the offeror has no active exclusions in SAM. No further actions are required under this AAPD.
 - **If the CO elects to also use Flexibility #2 of this AAPD**: If there is a need to award a contract and additional time is needed to allow the apparent successful offeror to complete its UEI/SAM registration after award of the contract, the CO has the option to use Flexibility #2 of this AAPD. If the CO elects to use Flexibility #2, the CO must continue with the next required actions.

Flexibility #2: Authorize UEI/SAM Registration Within 30 Days After Contract Award

- (4) *Document rationale for file*: The CO must document the determination to apply this Flexibility #2 of the AAPD in the award file. The Contracting Officer may either include the details of the justification directly in the negotiation memorandum or complete the template found in [Attachment 4](#) and save it in the ASIST contract file as an attachment to the negotiation memorandum. The CO

shall determine and document what circumstances exist, such as funding limitations related to the end of the fiscal year, emergency demand for supplies and services to meet Agency requirements, or the need to address mission-critical technical implementation.

- (5) *Obtain proof of initiation of SAM registration*: The CO must ask the offeror to provide a copy of the entity validation ticket (with ticket number and date) the offeror created when it submitted its supporting documentation in SAM as the offeror's proof of its initiation or attempt to start the SAM registration process.
- (6) *Escalate for support*: The CO must provide the entity validation ticket information to M/OAA Systems Support (oaasystemsUPPORT@usaid.gov) in accordance with the instructions found in the [UEI/SAM Escalation Process](#) in order to prioritize the ticket for action by GSA.
- The M/OAA Systems Support team can only support escalation on “open” tickets. If the ticket has been closed, the offeror will need to open a new ticket.
- (7) *Insert contract requirements*: In the contract, the CO must:
- Insert the special contract requirement found in [Attachment 2](#) of this AAPD in Section H of the award.
 - Ensure the standard [FAR 52.204-13](#) (“System for Award Management Maintenance”) clause is included in the contract.
 - Emphasize to the contractor that it may not invoice USAID – and, as a result, no payment will be issued – until after the contractor has successfully completed its SAM registration and provided its UEI to the CO. See Section III (“Additional Guidance”) below for further considerations regarding invoicing, payment, and the contract's period of performance.
- (8) *Use of generic entity identifier*: If the contractor does not have a UEI at the time of award, the CO may use the generic entity identifier as described in deviated FAR 4.605(c)(2)(iv) (see [Attachment 3](#)). The generic entity identifier may also be used for cases where a contractor has a UEI but its SAM registration has expired and requires renewal. When completing the [vendor request form](#), the CO must

identify the appropriate exception and submit the form to M/OAA Systems Support (vrequest@usaid.gov).

- (9) *Flag as “Prevent new spending”*: When setting up the vendor in Phoenix, the M/OAA Systems Support team will mark the vendor record as “prevent new spending” to prevent payments from being issued until the SAM registration is completed. This step can only take place after the initial action in GLAAS is completed.
- (10) *Monitor registration status*: The CO must monitor the contractor’s progress towards completion of the full SAM registration as soon as possible after award and, as necessary, request updates from the contractor on the registration status.
- (11) *Update the award and systems*: There are several steps the CO must take once the contractor is fully registered in SAM and has provided its UEI:
 - (a) The CO must verify the SAM registration and ensure the contractor has no active exclusions in SAM.
 - (b) The CO must contact M/OAA Systems Support (vrequest@usaid.gov) to advise of the contractor’s UEI and SAM registration.
 - (c) The CO must process a modification to the contract to update the UEI. In certain circumstances, the start/end dates for the period of performance may also need to be adjusted – see Section III (“Additional Guidance”) below for further details.
 - (d) While processing the modification in GLAAS, the CO must update the associated record in the Federal Procurement Data System – Next Generation (FPDS-NG) with the UEI.
 - (e) After the modification is processed, the CO must request that the M/OAA Systems Support team remove the “prevent new spending” hold on the vendor record in Phoenix, to allow payments to be issued to the contractor.

III. Additional Guidance

Below are additional instructions and considerations for the application of the flexibilities authorized by this AAPD.

Application of the flexibilities:

- ***Flexibility #1 (Pre-award UEI/SAM): Exempt Offerors from UEI/SAM Registration Requirements at the Time an Offer is Submitted***

COs may use Flexibility #1 **broadly** in solicitations to expand the pool of offerors, provide greater flexibility, and promote burden reduction for offerors.

- ***Flexibility #2 (Post-award UEI/SAM): Authorize UEI/SAM Registration Within 30 Days After Contract Award***

COs must use Flexibility #2 **on a limited, case-by-case basis**. Due to the potential negative effects on contract performance and administration if a vendor cannot complete the SAM registration within 30 days after award, COs must not use this flexibility more broadly than necessary. COs must apply this flexibility thoughtfully as the acquisition strategy and internal contracting business processes allow.

This Flexibility #2 cannot be used when the offeror is not able to demonstrate proof of its initiation of the SAM registration process. This deviation should not be used if the procedures of another available, existing exception under FAR 4.1102(a) can be utilized instead.

This Flexibility #2 may be applied only when an offeror provides a copy of the entity validation ticket (with ticket number and date) the offeror created when it submitted its supporting documentation in SAM as the offeror's proof of its initiation or attempt to start the SAM registration process. This exception may be used, for example, when the offeror has initiated the registration process in SAM but is unable to proceed due to an entity validation issue.

Timing of SAM registration and impacts on period of performance: When using Flexibility #2 and its Special Contract Requirement (see [Attachment 2](#)), the contractor must complete its full SAM registration **prior to invoicing** USAID. As such, no payment will be issued until after the contractor has successfully completed its SAM registration. In situations where the CO believes that the contractor's financial capabilities cannot support the contractor working "at-risk" prior to completing its SAM registration (e.g. cost-reimbursement awards to small local entities) and it is in the best interest of the U.S. Government to issue such award, the CO should consider awarding the contract and including a delayed start date for the period of performance. When making this decision, the CO must consult the RLO for Mission-specific actions or GC/A&A for

Bureau/Independent Office actions to consider the protest risks of a delayed start date. In this case, the CO may use the following language in the contract for the period of performance (e.g., in Section F of the contract):

The execution date of this award is _____ (insert date). The period of performance of this award is from _____ (insert **start** date) through _____ (insert **end** date). The Contractor is authorized to begin performance of work only after the start date of the period of performance. The Contractor may not incur costs until after this start date of the period of performance.

Note: The current estimates of SAM registration timelines indicate it can sometimes take entities approximately 90 to 120 calendar days to fully register in SAM. COs should consider this timeframe, as well as the contract type, complexity, and the urgency of the Agency's need when determining the appropriate start date for the award, and include this analysis in the template for justifying use of this exception (see [Attachment 4](#)). It is not recommended to establish the start date of the award significantly beyond 120 days after the execution date of the award. In limited circumstances, the contract may need to be modified, once the contractor's SAM registration is completed, to adjust the period of performance to address any excessive or unexpected delays in completing the SAM registration process.

IV. Frequently Asked Questions (FAQs)

Q1: *Can the flexibilities of this AAPD be applied to assistance awards?*

A1: No. This AAPD only applies to acquisition awards. There are already existing flexibilities for assistance awards (e.g., grants, cooperative agreements, and grants under contract) found in the assistance regulations at [2 CFR 25.110](#). USAID maintains additional guidance on this topic for assistance awards in [ADS 303maz](#).

Q2: *Can the flexibilities of this AAPD be applied to subcontractors?*

A2: Under the acquisition regulations, there is no requirement for a subcontractor to fully register in SAM. Subcontractors only have to obtain a UEI in order for a prime contractor to conduct any applicable reporting in FSRs.gov, as required by FAR 52.204-10. Any FSRs reporting is not required until after subcontract award. As a practical matter, there is no need for the flexibilities of this AAPD to apply to a subcontractor.

Q3: Do the flexibilities of this AAPD apply only to new SAM registrants? Some entities who are already registered in SAM may face challenges and delays in the renewal of their SAM registration when applying for a new award. Can these flexibilities be used for offerors who may have a lapsed SAM registration that requires renewal?

A3: When Flexibility #1 (Pre-award) is used, it applies to all offerors. As such, it would apply to both offerors who have never registered in SAM as well as offerors who may have previously registered in SAM and need to process a renewal (and therefore have an “inactive” SAM registration). In both cases, the offeror would need to have a UEI and full (active) registration in SAM.

Flexibility #2 (Post-award) may be used for both new SAM registrants and those entities who face delays in a SAM registration renewal, to allow the entity to complete full registration in SAM within 30 days after contract award. This flexibility may not be used for a contractor who does not maintain its SAM registration after award – e.g., if its registration becomes inactive during the subsequent performance of the award. When this type of situation arises, the CO must address it as a contract compliance matter; the CO may consult the RLO (for Missions) or GC/A&A (for Bureaus and Independent Offices) in these situations.

Note: both of these flexibilities can only be applied during the solicitation and award of a new contract, but are not meant to be used if a contractor’s SAM registration subsequently lapses during contract performance.

Q4: When using Flexibility #2 of this AAPD to allow SAM registration after award, what happens if the contractor is not able to complete its registration within 30 days of the contract award date? Is the CO authorized to extend this time frame?

A4: No, the CO may not authorize an extension of time beyond the 30 days. The CO must monitor the contractor’s progress towards completion of the full SAM registration and request updates from the contractor on the registration status. Failure to complete the full SAM registration within the 30 days is a deficiency in compliance with contract requirements that will need to be addressed. If the contractor is nearing the 30 day mark and still not registered, the CO must consult with the RLO (for Missions) or GC/A&A (for Bureaus and Independent Offices) to determine next steps.

V. Background

In accordance with [FAR 4.1102\(a\)](#) and [FAR 52.204-7\(b\)](#), an entity applying for an acquisition award must be fully 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. FAR 4.1102(a) outlines the available exceptions. The entity must also have a UEI linked to and maintained with its SAM registration.

Entities that partner with USAID face significant challenges in obtaining a UEI and registering in SAM. One particular difficulty is the requirement for documentation required in the entity validation process to be [translated into English](#). This is a burden – both financially and logistically – on foreign entities, particularly those that are smaller or more nascent organizations. It also can cause disruptions in the acquisition timeline, as the translation of documents required for SAM registration can take several weeks to complete. Another barrier that foreign vendors face is support from the U.S.-based Federal Service Desk (FSD) for help with UEI/SAM troubleshooting. FSD does not have foreign language support capabilities, a toll-free international phone number, or locations or operating hours that are convenient or practical for foreign entities.

Instead of requiring all offerors to obtain a UEI and register in SAM in order to submit proposals, USAID investigated the possibility of a class deviation to allow offerors to obtain a UEI and complete full SAM registration prior to award. This approach provides offerors more time to complete the process. It also provides substantial burden reduction for both offerors and the Federal Government: unsuccessful offerors are relieved of the responsibility to complete the registration process, while agency staff no longer need to spend time supporting those unsuccessful offerors in navigating SAM and troubleshooting issues with the FSD.

The approach aligns with what was [previously authorized under the FAR](#), which allowed offerors to register in SAM “prior to award of a contract or agreement,” rather than prior to submission of a proposal. The public comments summarized in the [2018 final rule](#) (83 FR 48691) that changed the FAR to require SAM registration “at the time an offer or quotation is submitted” provide insight into the challenges offerors face – which are exacerbated by translation and foreign language complications. The rule notes: “One respondent was concerned that many offerors would not want to register in SAM with submission of the offer, because they would want to wait until they had the incentive of knowing that they were going to receive the award. ... Still another respondent stated that the rule will severely limit the number of potential offerors. ... Several respondents commented on the public burden that the proposed rule would impose. One respondent stated that ... the Federal Government had vastly underestimated the burden associated with compiling and reporting requisite information to complete registration in SAM.”

Other commenters noted SAM registration at the time of offer submission places “an undue burden on small businesses.”

In addition, there are some cases where there is a need to award a contract and still provide additional time for a contractor to complete the UEI/SAM registration process after award. For these types of situations, USAID explored the possibility of a class deviation to allow an offeror/contractor up to 30 days after award to complete its UEI/SAM registration. This approach for a temporary delay is similar to an existing exception available for Federal assistance awards under [2 CFR 25.110](#), where “*the Federal agency determines that there are exigent circumstances that prohibit the applicant from receiving a UEI and registering in SAM.gov before receiving a Federal award. In these instances, Federal agencies must require the recipient to obtain a UEI and complete registration in SAM.gov within 30 days of the Federal award date.*” There is precedent for the Federal Government in allowing this type of approach – for example, the Department of Defense allowed for SAM registration after contract award under [Class Deviation 2022-O0009](#) in 2022.

After consultation with the Office of Management and Budget (OMB) and the Civilian Agency Acquisition Council (CAAC), USAID approved Class Deviation No. M-OAA-DEV-FAR-24-05c to authorize COs the ability to use the following two options in acquisition awards:

Flexibility #1 (Pre-award UEI/SAM): Exempt offerors from UEI/SAM requirements at the time an offer or quotation is submitted, and instead require compliance at the time of contract award, and

Flexibility #2 (Post-award UEI/SAM): Authorize offerors/contractors to obtain a UEI and be fully registered in SAM within 30 days after contract award.

Attachment 3 of this AAPD contains the deviated FAR text authorized by Class Deviation No. M-OAA-DEV-FAR-24-05c to implement these two flexibilities.

VI. Point of Contact

COs may direct questions about this AAPD to the ["Ask M/OAA Policy" Google Group](#).

VII. Attachments

[Attachment 1](#): Solicitation Provision (Deviated FAR 52.204-7) for Flexibility #1

[Attachment 2](#): Special Contract Requirement for Flexibility #2

[Attachment 3](#): Full Deviated FAR Text Implemented by this AAPD

[Attachment 4](#): Justifying the Use of Flexibility #2 of AAPD 24-07

Attachment 1: Solicitation Provision (Deviated FAR 52.204-7) for Flexibility #1

**52.204-7 System for Award Management (Oct 2018) Alternate II (Deviation Aug 2024)
Class Deviation No. M-OAA-DEV-FAR-24-05c**

(a) Definitions. As used in this provision—

Electronic Funds Transfer (EFT) indicator means a four-character suffix to the unique entity identifier. The suffix is assigned at the discretion of the commercial, nonprofit, or Government entity to establish additional System for Award Management records for identifying alternative EFT accounts (see subpart 32.11) for the same entity.

Registered in the System for Award Management (SAM) means that—

(1) The Offeror has entered all mandatory information, including the unique entity identifier and the EFT indicator, if applicable, the Commercial and Government Entity (CAGE) code, as well as data required by the Federal Funding Accountability and Transparency Act of 2006 (see subpart 4.14) into SAM

(2) The offeror has completed the Core, Assertions, and Representations and Certifications, and Points of Contact sections of the registration in SAM;

(3) The Government has validated all mandatory data fields, to include validation of the Taxpayer Identification Number (TIN) with the Internal Revenue Service (IRS). The offeror will be required to provide consent for TIN validation to the Government as a part of the SAM registration process; and

(4) The Government has marked the record “Active”.

Unique entity identifier means a number or other identifier used to identify a specific commercial, nonprofit, or Government entity. See www.sam.gov for the designated entity for establishing unique entity identifiers.

(b) (1) An Offeror is required to be registered in SAM prior to award of a contract or agreement, unless USAID determines an exception at FAR 4.1102(a) applies. USAID’s Acquisition & Assistance Policy Directive (AAPD) 24-07, available at <https://www.usaid.gov/partner-with-us/aapds-cibs>, provides an additional exception.

(2) If the Offeror is registered in SAM at the time of proposal submission, the Offeror does not need to submit any additional representations and certifications required by this

solicitation that are already completed and available in SAM. The Offeror must comply with FAR 52.204-8 and ensure that all required representations and certifications are in SAM and are current, accurate, and complete.

(3) If the Offeror is not registered in SAM at the time of proposal submission, the Offeror must complete and submit as part of its proposal any representations and certifications required by this solicitation.

(4) If selected for award of a contract or agreement and no exception at FAR 4.1102(a) applies, the awardee shall be required to obtain a unique entity identifier and complete its registration in SAM in accordance with the requirements of FAR 52.204-13 (System for Award Management Maintenance) prior to award. The awardee must notify the Contracting Officer in writing as soon as the SAM registration is completed and provide its unique entity identifier. In limited cases, an awardee who has already initiated their SAM registration may be authorized by the Contracting Officer to obtain its unique entity identifier and complete its SAM registration within 30 days after award. The unique entity identifier will be used by the Contracting Officer to verify that the Offeror is registered in the SAM.

(c) If the Offeror does not have a unique entity identifier, it should contact the entity designated at www.sam.gov for establishment of the unique entity identifier directly to obtain one. The Offeror should be prepared to provide the following information:

- (1) Company legal business name.
- (2) Tradestyle, doing business, or other name by which your entity is commonly recognized.
- (3) Company physical street address, city, state, and Zip Code.
- (4) Company mailing address, city, state and Zip Code (if separate from physical).
- (5) Company telephone number.
- (6) Date the company was started.
- (7) Number of employees at your location.
- (8) Chief executive officer/key manager.
- (9) Line of business (industry).
- (10) Company headquarters name and address (reporting relationship within your entity).

(d) Processing time should be taken into consideration when registering. Offerors who are not registered in SAM should consider applying for registration immediately upon receipt of this solicitation. See <https://www.sam.gov> for information on registration.

Attachment 2: Special Contract Requirement for Flexibility #2

When a contract is awarded in accordance with the procedures for Flexibility #2 outlined in this AAPD, the Contracting Officer shall insert the following as a special contract requirement in Section H of award:

H#. System for Award Management Registration

- (a) This contract was awarded under the exception authorized in USAID's Class Deviation No. M-OAA-DEV-FAR-24-05c, as the Contractor had initiated the SAM registration process but was not fully registered at the time of award.
- (b) The Contractor must be fully registered in the System for Award Management (SAM) within 30 days of the contract award date and subsequently maintain its registration in accordance with the requirements of FAR 52.204-13 ("System for Award Management Maintenance"). The Contractor must provide proof of the registration progress to the Contracting Officer, including copies of any tickets (with ticket number and date) submitted to SAM's Federal Service Desk (FSD). The Contractor must do everything within its ability to register in SAM expeditiously and provide updates in writing to the Contracting Officer.
- (c) The Contractor must notify the Contracting Officer in writing as soon as the SAM registration is completed and provide its unique entity identifier (UEI).
- (d) The Contractor must be fully registered in SAM at least three days prior to submission of the first invoice. No payments will be made by USAID under this contract until the contractor has obtained an UEI and is fully registered in SAM.

Attachment 3: Full Deviated FAR Text Implemented by this AAPD

When a Contracting Officer elects to use the flexibilities of this AAPD, Class Deviation No. M-OAA-DEV-FAR-24-05c authorizes the following revisions to the Federal Acquisition Regulation (FAR). Additions to the regulatory text are shown in **[bold and brackets]** and deletions are shown in ~~strikethrough text~~.

Class Deviation No. M-OAA-DEV-FAR-24-05c revises [FAR 4.605](#) as follows:

4.605 Procedures.

* * * * *

(c) * * *

(2) * * *

[(iv) Contracts awarded in accordance with 4.1102(a)(8), where circumstances prevent the offeror from obtaining the unique entity identifier. When making an award, an authorized generic entity identifier may be used temporarily until the contractor obtains its unique entity identifier after award.]

* * * * *

Class Deviation No. M-OAA-DEV-FAR-24-05c revises [FAR 4.1102\(a\)](#) as follows:

4.1102 Policy

(a) Offerors and quoters are required to be registered in SAM ~~at the time an offer or quotation is submitted in order to comply with the annual representations and certifications requirements~~ **[prior to award of a contract or agreement]** except for—

* * *

[(8) Contracts awarded where the contractor has not completed the SAM registration process and the contracting officer determines, as part of the responsibility determination, there are circumstances requiring the award of the contract to meet the agency's needs. The contracting officer must include a written

determination in the contract file documenting the decision to apply the authority under this paragraph (a)(8). In the contract, the contracting officer must require the contractor to complete SAM registration within 30 days of the contract award date.]

* * * * *

Class Deviation No. M-OAA-DEV-FAR-24-05c revises [FAR 4.1105\(a\)](#) as follows:

4.1105 Solicitation provision and contract clauses.

(a) * * *

[(3) Insert the provision at 52.204-7, System for Award Management, with its Alternate II when using USAID Class Deviation No. M-OAA-DEV-FAR-24-05c.]

* * * * *

Class Deviation No. M-OAA-DEV-FAR-24-05c revises [FAR 4.1202\(a\)](#) as follows:

4.1202 Solicitation provision and contract clause.

(a) Insert the provision at 52.204-8, Annual Representations and Certifications, in solicitations, except for solicitations for commercial products or commercial services issued under part 12. The contracting officer shall check the applicable provisions at 52.204-8(c)(2). Use the provision with its Alternate I in solicitations issued after October 1, 2025, that will result in a multiple-award contract with more than one North American Industry Classification System code assigned (see 19.102(b)). ~~When the provision at 52.204-7, System for Award Management, is included in the solicitation, do not separately include the following~~**[When using USAID Class Deviation No. M-OAA-DEV-FAR-24-05c, include the required]** representations and certifications **[in accordance with FAR 52.204-8]:**

* * * * *

Class Deviation No. M-OAA-DEV-FAR-24-05c adds a new "Alternate II" to [FAR 52.204-7](#) as follows:

52.204-7 System for Award Management.

* * * * *

[Alternate II (Aug 2024, Class Deviation No. M-OAA-DEV-FAR-24-05c). As prescribed in 4.1105(a)(3), substitute the following paragraph (b) for paragraph (b) of the basic provision:

(b)(1) An Offeror is required to be registered in SAM prior to award of a contract or agreement, unless USAID determines an exception at FAR 4.1102(a) applies. USAID’s Acquisition & Assistance Policy Directive (AAPD) 24-07, available at <https://www.usaid.gov/partner-with-us/aapds-cibs>, provides an additional exception.

(2) If the Offeror is registered in SAM at the time of proposal submission, the Offeror does not need to submit any additional representations and certifications required by this solicitation that are already completed and available in SAM. The Offeror must comply with FAR 52.204-8 and ensure that all required representations and certifications are in SAM and are current, accurate, and complete.

(3) If the Offeror is not registered in SAM at the time of proposal submission, the Offeror must complete and submit as part of its proposal any representations and certifications required by this solicitation.

(4) If selected for award of a contract or agreement and no exception at FAR 4.1102(a) applies, the awardee shall be required to obtain a unique entity identifier and complete its registration in SAM in accordance with the requirements of FAR 52.204-13 (System for Award Management Maintenance) prior to award. The awardee must notify the Contracting Officer in writing as soon as the SAM registration is completed and provide its unique entity identifier. In limited cases, an awardee who has already initiated their SAM registration may be authorized by the Contracting Officer to obtain its unique entity identifier and complete its SAM registration within 30 days after award. The unique entity identifier will be used by the Contracting Officer to verify that the Offeror is registered in the SAM.]

* * * * *

Attachment 4: Justifying the Use of Flexibility #2 of AAPD 24-07

The use of Flexibility #2 of this AAPD must be justified and documented in the award file. The Contracting Officer may either include the details of the justification (see the “Rationale for Exception” requirements below) directly in the negotiation memorandum **or** complete the template below and save it in the ASIST contract file as an attachment to the negotiation memorandum.

Temporary exception from [check all that apply]: <input type="checkbox"/> Unique Entity Identifier (UEI) <input type="checkbox"/> System for Award Management (SAM) Registration		
1. Name of Contractor:	2. Solicitation or Contract No.:	3. Total Estimated Amount of Contract:
4. Period of Performance:		
5. Rationale for Exception: [Provide a justification for the exemption to document the circumstances requiring the award of the contract to meet the agency needs. Cite specific examples or events upon which the exemption is based. Analyze any risks associated with an award to the entity. If the start date of the award has been delayed due to use of this exception, provide the analysis for that change here.]		

6. Contracting Officer Approval :		
Signature	Name	Date