



# Fixed Amount Award Entity Eligibility Checklist

A Mandatory Reference for ADS Chapter 303

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## Fixed Amount Award Entity Eligibility Checklist

Agreement Officers (AOs) must use this mandatory reference to conduct a pre-award risk assessment of the apparently successful applicant when the resultant award is a fixed amount award. AOs must use this checklist to document the pre-award risk assessment in the Assistance Award Memorandum and in lieu of the procedures outlined in [ADS 303.3.9](#). The AO must also certify in GLAAS that the applicant is not listed as actively excluded in SAM.gov as suspended, debarred, or proposed for debarment.

### 1. Organizational Integrity Matters

- a. Obtain a copy of the articles of incorporation or other documentation which substantiates the legal character or registration of the entity in the country, and region/municipality of operation, as appropriate.
- b. Identify the applicant's leadership (such as president, board of directors, etc.), key personnel (such as the program manager, finance manager, etc.), and organization structure (for example an organizational chart).
- c. Check with the Regional Security Officer or other similar checkpoints to validate the applicant's good standing in the local community (integrity, reputation, internal controls).
- d. The AO must verify that the applicant:
  - a. Does not have active exclusions in SAM (sam.gov);
  - b. Does not appear on the Specially Designated Nationals (SDN) and Blocked Persons List maintained by the U.S. Treasury for the Office of Foreign Assets Control, sometimes referred to as the "OFAC List;" and
  - c. Is not listed in the United Nations Security Council Consolidated List.

### 2. Organizational Capacity to Achieve the Activity

- a. Assess the applicant's staffing and other resources to accomplish milestones (for example, does the program manager have sufficient expertise to manage activities).
- b. Assess the applicant's cash flow to inform the structure and amounts of milestones, and ability to receive advances if needed (see Section 5 below).
- c. Review the award objectives, anticipated milestones, and budget to identify the applicant's capacity to (as applicable):
  - i. Comply with records retention requirements in 2 CFR 200.334 - .338 (note

this is a mandatory requirement).

- ii. Procure goods and services in a fair and transparent manner, and maintain inventory and property records, in accordance with the general procurement standards set forth in 2 CFR 200 Subpart D.
  - iii. Manage intellectual property (for example in the development of websites, software, research and data, etc.) to be applied.
  - iv. Manage any subrecipients. Additionally, prior to providing approval for any subawards, the AO must obtain confirmation from the applicant that they have conducted a risk assessment for each proposed subrecipient by name and that the subrecipient(s) do not have exclusions in SAM.gov or appear on the OFAC List or United Nations Security Council Consolidated List.
- d. Identify risks to both the recipient and Agency, and mitigate the risks through specific conditions, where appropriate (see [ADS 303.3.9](#) and [2 CFR 200.208](#)).

### 3. Past Performance

- a. Identify similar activities the entity has implemented (regardless of funding source, e.g., the recipient has implemented similar activities with non-USAID funding).
- b. Obtain third-party (such as host government counterparts, other NGOs, community leaders, previous or current activity beneficiaries) information on performance related to quality of performance, timeliness of completion, etc.
- c. Check ASIST to review past Performance Reports/Reviews if the applicant has current or past USAID awards.
- d. For an award expected to exceed the simplified acquisition threshold, review the applicant responsibility and qualification records available in SAM at <https://sam.gov/>.
- e. Review, if available, objective performance documentation, such as evaluations. This can include any available relevant information on the applicant in the Contractor Performance Assessment Reporting System (CPARS).

### 4. Activity Implementation Viability

- a. Is the payment and milestone structure appropriate to the activity and anticipated cash flow of the recipient? Are milestones clear, concise, achievable, and verifiable?
- b. Does the program scope have measurable goals and objectives?

c. AOs must conduct budget negotiation using the cost principles in 2 CFR 200 Subpart E (or other pricing information) as a guide, including ensuring that there is accurate cost, historical, or unit pricing data available to:

1. Establish a fixed **budget** based on a reasonable estimate of **actual** costs; and
2. Structure payments such that the fixed amount award represents a good value to the Agency.

d. Does the award's payment structure balance liquidity with incentives for the recipient to keep performing?

**5. Pre-Award Financial Review Checklist Applicable for Authorizing Advances of Funds (if providing liquidity through milestone payments is not sufficient):**

a. Is there a properly established bank account to receive USAID advances?

b. Are account-related unused bank checks and petty cash on hand adequately safeguarded?

c. Are there appropriate controls established over account disbursements?

d. Are procedures established adequate to document account disbursement usage for award activities?

e. Are appropriate procedures established for regular reconciliation of bank account statements with internal records?

f. If the recipient had prior experience with managing advances from external sources, was past accountability adequate and were any past issues resolved? (Note: prior advance management experience not required).

g. Does the recipient have a comprehensive cash-flow projection for the proposed activity which supports the proposed implementation plan?

h. Does the recipient understand USAID cash management requirements using either the 30-day rolling advance process or another advance methodology (see [ADS 636](#))?

i. **If advances will be used,** a written report of findings on the above points should be made as part of the fixed amount award **entity eligibility** checklist documentation. The report should provide a summary assessment of the overall advance fiduciary risks, with a brief summary supporting narrative **and explanation of mitigation measures.**

**6. Certifications, Assurances, Representations Included/Obtained, as Appropriate**

Use the certifications, assurances, representations, and other pre-award terms as specified in [ADS 303.3.8](#) with particular attention given to applicability for Non-U.S. Nongovernmental Organization (NGO) recipients when awarding to a Non-U.S. NGO.

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