

SESSION 13

ENVIRONMENTAL COMPLIANCE IN SOLICITATIONS AND AWARDS

SESSION SUMMARY.

The ADS requires “Incorporating environmental factors and mitigative measures identified in IEEs, EAs, and EISs, as appropriate, in the design and the implementation instruments for programs, projects, activities or amendments.” (204.3.4(a)(6).)

Beyond this, best practice environmental compliance language in solicitations and awards requires that:

- Proposals address qualifications and proposed approaches to compliance/ESDM for environmentally complex activities.
- Implementing partners verify current and planned activities annually against the scope of the 22 CFR 216 environmental compliance documentation governing their project. (i.e. request for categorical exclusion (RCE); Initial Environmental Examination (IEE), or Environmental Assessment (EA)).
- A complete Environmental Mitigation and Monitoring Plan (EMMP) exists or is developed.
- Project workplans and budgets integrate the EMMP
- Project reporting tracks EMMP implementation

Such Best Practice Environmental Compliance Language assures that the systems and resources necessary for systematic compliance with environmental management requirements established by IEEs and EAs are in place, and provide USAID with the information needed to oversee environmental compliance in funded activities.

The ADS Help Document Environmental Compliance: Language for Use in Solicitations and Awards (ECL) provides step-by-step guidance and boilerplate to generate best practice language for RFAs, RFPs, agreements, grants and contracts. Its use is optional, but strongly encouraged by all BEOs.

This session establishes the importance of incorporating appropriate environmental compliance language in solicitations and awards, expanding on the brief discussion above. It presents the ECL tool and how it functions, where in solicitations and awards environmental compliance language is incorporated, and who has responsibility for drafting, reviewing, and incorporating this language.