

# MS 103 Procedures for Global, Regional, and Domestic Strategic Partnerships

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## I. **General Information and Guidance**

### a) **Purpose**

Manual Section 103 (MS-103) sets forth the Peace Corps' policy regarding the approval of strategic partnerships with third-party organizations, including other U.S. Government agencies, international organizations, non-governmental organizations (NGOs), and other private sector entities. This document describes procedures under MS-103 for documenting strategic partnerships with global, regional, or domestic applicability.

The Peace Corps enters into strategic partnerships with other organizations to enhance the agency's ability to achieve its mission. The Peace Corps enters into strategic partnerships to support program priorities and objectives through every stage in the Volunteer life cycle, including recruitment, training, assignment, programming, project support, Third-goal related activities, and returned Volunteer support. Strategic partnerships allow the Peace Corps to leverage the strengths of these organizations to enhance program delivery and impact in the countries where Peace Corps Volunteers serve.

Agreements signed by the Peace Corps implementing strategic partnerships must preserve the Peace Corps' separate and unique mission and independent status. An agreement entered into in

accordance with these procedures must state that such agreement does not create any employment, partnership, agency, joint venture or other similar legal relationship between the Peace Corps and the strategic partner and that the strategic partner does not have the authority to bind the Peace Corps.

## **b) Applicability**

Strategic partnerships are implemented through a variety of agreements, including, but not limited to, memoranda of understanding, interagency agreements, and participating agency program agreements. The Peace Corps and a third-party organization enter into an agreement to define the specific responsibilities and duties of each party for the accomplishment of a shared goal. Except as otherwise described in these procedures, the procedures apply to all global, regional, and domestic agreements entered into to enhance support of Volunteer recruitment, Volunteer programming, training, Third Goal-related activities, or similar activities.

These procedures do not apply to:

- donation agreements or other agreements for gifts or contributions to the Peace Corps under MS 721, *Gifts and Contributions to the Peace Corps*;
- host country contribution agreements with host governments or host government entities under MS 722, *Host Country Contributions*;
- agreements with host governments or host government entities setting the terms and conditions of Peace Corps' operations or programs in country;
- agreements with colleges and universities under the Masters International and Paul D. Coverdell Peace Corps Fellows Program;
- in-country strategic partnerships (covered under *Manual Section 103 Procedures for In-Country Strategic Partnerships*); or
- Cooperative Agreements or Grants.

## **c) Coordination of strategic partnership development**

The Office of Strategic Partnerships (OSP) coordinates and oversees the development and implementation of strategic partnerships to support the agency's three goals and enhance programs through every stage of the Volunteer life cycle. As relates to the development and approval of agreements described in these procedures, the office has several functions, including: establishing priorities for strategic partnerships; sharing information on strategic partnerships and development of strategic partnerships with headquarters offices, overseas posts, and regional recruiting offices; issuing guidance and procedures on development and implementation of strategic partnerships; coordinating the development and approval of agreements; supporting the development of Implementation Plans for strategic partnerships; and monitoring and evaluating the effectiveness of signed agreements.

OSP's role primarily consists of support, coordination, provision of expertise on strategic partnerships, and facilitation of the process. OSP will not generally be the lead in carrying out or designing specific activities under these agreements. The participation of agency program offices is essential to the effective development and implementation of strategic partnerships. In most

cases, therefore, a program office (e.g., OPATS, a Region, VRS, etc.) will need to take the lead to work with OGC and OSP in drafting the agreement, planning, and launching activities under the strategic partnership.

OSP convenes regular agency strategic partnership meetings at which the status of strategic partnerships and development of strategic partnerships will be shared and discussed. Program offices will have the opportunity at these meetings to share information on newly proposed strategic partnerships and to provide input on agency priorities in relation to strategic partnerships.

**d) Informal collaboration and coordination vs. formal agreements**

Peace Corps headquarters offices and overseas posts collaborate with a variety of organizations on a daily basis. Most collaboration is relatively informal, consisting of sharing or accessing materials and best practices, coordinating efforts, participating in events, and providing or receiving technical assistance. As a general matter, where an agency office or post engages in such collaboration or coordination, a signed agreement is neither necessary nor recommended.

Formal agreements may legally bind the agency to meet certain obligations, result in an expenditure of agency resources, or otherwise limit the agency's flexibility. Therefore, formal, signed agreements should be entered into only when necessary. In general, agreements are necessary where: (1) the agency assigns Volunteers to another organization; (2) the agency receives funding or other resources from another organization; or (3) the agency secures the legal right to use materials or resources that it would not otherwise have the right to use.

**e) Responsibility for Volunteer Safety and Security and Site Selection**

If an agreement implicates Volunteer placement, site selection, or housing, the agency must ensure that the Peace Corps retains responsibility, control, and final decision making authority over Volunteer safety and security, site selection, housing, and similar matters. This does not preclude consultation with strategic partners over Volunteer placement and work sites in order to achieve mutual and host country objectives.

**II. Procedures for strategic partnership development, approval, and implementation**

This section describes procedures for agreements entered into by headquarters offices to support global, regional, or domestic activities.

Note: Requirements for posts entering into in-country agreements (including projects through Statements of Work or similar instruments under global framework agreements) are described in the *Manual Section 103 Procedures for In-Country Strategic Partnerships*.

**a) Strategic partnership inquiries and requests**

To request the development of a global agreement, an office contacts OSP to initiate consideration of the strategic partnership. An office that proposes the development of a particular strategic partnership should be prepared to play an active role in the development and implementation of the strategic partnership.

Alternatively, an external organization may contact OSP directly and request the development of an agreement.

In either case, OSP compiles or collects the following information:

- (1) the name of the organization and its mission;
- (2) any known past or present formal or informal collaboration between the organization and the Peace Corps;
- (3) the geographic scope of the organization (i.e., in which countries or regions it has a presence);
- (4) the types of activities envisioned under the strategic partnership;
- (5) the anticipated resources the organization would provide;
- (6) the anticipated resources Peace Corps would need to commit to the strategic partnership (both human, financial, and in-kind); and
- (7) the resources that the requesting office is prepared to commit to the development of the strategic partnership and its future implementation.

OSP adds the organization to a running list of strategic partnership inquiries and solicits the views of other agency offices (including posts and Regional Recruitment Offices (RROs), as appropriate) to determine whether the agency should pursue the strategic partnership and what priority should be placed on its development.

**b) Strategic partnership prioritization and decision to enter an agreement**

1. *Strategic partnership criteria*

The Associate Director of OSP is responsible for establishing strategic partnership development priorities for the agency and for issuing programmatic approval of agreements. Agency offices may not begin drafting a formal regional, global, or domestic strategic partnership without OSP approval and support to develop the agreement. In establishing strategic partnership priorities, the Associate Director of OSP will consult with the Director's Office, the Office of Global Operations (OGO) and its component offices, the Office of Volunteer Recruitment and Selection (VRS), and other agency offices as appropriate. The following criteria, listed in MS-103, are considered in setting strategic partnership priorities:

- a) whether the strategic partnership provides a benefit to key agency functions and programmatic priorities;
- b) whether the strategic partnership has sufficient scale, scope, and anticipated impact to justify the dedication of agency resources;
- c) whether the agency has sufficient resources (human, financial, or in kind) to implement the strategic partnership;

- d) whether the organization has goals that complement those of the Peace Corps; and
- e) whether there are immediately identifiable actions that Peace Corps and the organization will undertake pursuant to the agreement.

## 2. *Due diligence*

If the proposed strategic partner is a private sector entity, OSP and the lead program office, in consultation with OGC and any other offices implicated by the agreement, perform a due diligence analysis in order to permit consideration of whether a strategic partnership with the organization would raise ethics issues (including, but not limited to, potential conflicts of interest); compromise the Peace Corps' integrity, mission, or the work of the Volunteers; or damage the Peace Corps' reputation.

## 3. *Decision to enter into an agreement*

Following consultation as described in paragraph b(1) above and any required due diligence under paragraph b(2), the Associate Director of OSP determines whether the strategic partnership will be developed and its relative priority. The Associate Director of OSP may decide:

- (1) to enter into an agreement and begin development immediately;
- (2) to enter into an agreement at a later date (once resources are available to devote to the development of the agreement);
- (3) to keep the request under consideration but defer decision until a later date; or
- (4) not to enter a formal agreement.

## 4. *Alternatives to a formal agreement*

In some cases, it may be determined that although it is not in the agency's interest to develop a formal agreement, it is still in the agency's interest to collaborate with the organization on a more informal basis. This may include a decision to draft a more informal letter regarding collaboration or similar non-binding expression of mutual support.

### **c) Drafting and approving an agreement**

#### 1. *Identifying programmatic lead points of contact*

The lead program office(s) (i.e. the office(s) that will be primarily responsible for implementing and supporting the agreement) will identify a point person (or persons) for the strategic partnership development process. An OSP staff member is assigned to work with the lead program office for the strategic partnership to coordinate the drafting of the agreement.

OGC and OSP will take the lead in the drafting process, and OSP will coordinate work related to the agreement with the lead program office(s). This may include organizing internal meetings; organizing meetings with the strategic partner; preparing proposals or talking points; circulating drafts of the agreement and other related documents; reviewing feedback and suggested changes

to the agreement text; seeking legal counsel from the OGC throughout the process; facilitating the approval process; supporting the signing of the agreement (including helping to organize a signing ceremony, if appropriate); and assisting in preparation for implementing the strategic partnership.

2. *Formation of the working group*

A working group will be formed to support the development of the strategic partnership and implementation planning. The members of the working group will vary depending upon the agreement, and any office that has a direct programmatic interest or is involved in the strategic partnership will be invited to send a representative. The following table describes which offices are to be included in the working group based on the subject matter or anticipated components of the proposed agreement.

<b>Agreement Subject Matter or Component</b>	<b>Office to Invite to Working Group</b>
Affecting overseas operations	OGO, implicated Regions
Overseas programming and training	OPATS and/or OGH/H
Volunteer recruitment and selection	VRS
Third Goal or returned Volunteer support	Office of Third Goal and Returned Volunteer Services
Strategic partner providing funding to the Peace Corps	OCFO, OACM
Personnel detail (to or from the Peace Corps)	Office of Human Resources Management (HRM)
All agreements	OSP, OGC

In addition, any other office that is implicated by the strategic partnership is invited to send a representative to participate on the working group.

3. *Negotiation and drafting*

OSP and the lead program office organize an initial meeting of the working group to determine goals and priorities for the agreement, identify activities to be engaged in under the agreement, identify pilot posts (if appropriate), and assign roles and responsibilities of each office in the negotiation of the agreement.

OGC, OSP and the lead program office work with the prospective strategic partner to draft and negotiate the terms of the agreement. OGC must be involved in all stages of drafting and negotiating the agreements. OCFO must be consulted on all matters related to negotiation and drafting of budgets, financial reporting requirements, financial systems, and exchange of funding between the strategic partner and the agency.

The OSP lead and the lead program office point of contact keep the working group (and other offices, as appropriate) apprised of the progress of negotiations. As necessary, additional panel

meetings are called during the drafting process to seek additional input on the emerging strategic partnership.

#### 4. *Implementation Plan*

As the draft agreement nears completion, the OSP lead and lead program office point person prepare a draft Implementation Plan for the agreement, seeking input from offices that will be involved in the implementation. Implementation Plans describe:

- the office and staff member(s) primarily responsible for implementation of the agreement, including the division of responsibilities if there is more than one responsible staff member;
- other offices and staff who will provide additional support for the implementation of the agreement and their respective roles;
- an outreach and education plan for sharing information about the agreement and training or orienting key staff so that agency offices, posts, and RROs are aware of opportunities presented by the agreement;
- a work plan and timeline for carrying out activities under the agreement;
- a data collection plan and methodology to be used for monitoring, evaluating and meeting reporting requirements; and
- a description of responsibilities of the strategic partner, including contact information and a timeline.

#### **d) Final agreement approval**

Once a draft of the agreement (including budget, if appropriate) is agreed upon with the strategic partner, OSP shares it with the working group along with a draft Implementation Plan and a brief description of how the draft agreement meets the strategic partnership criteria described in II(b)(1). OSP solicits comments from the working group on the draft agreement.

OSP and the lead program office review and consider all comments received, and work with the strategic partner to agree upon any final changes. OCFO must clear the final budget and any provisions related to financial reporting requirements, financial systems, and exchange of funding between the strategic partner and the agency. OGC must provide legal clearance on the final draft.

#### **e) Signature**

An agreement may not be signed unless it has been approved as described in subsection (d), above. Once the agreement is approved, it may be signed by the Peace Corps Director or in accordance with delegations of authority provided in MS 114 or other applicable manual sections.

#### **f) Implementation**

Once the agreement is signed, implementation of activities commences as described in the Implementation Plan (see section II(c)(4) for a description of the contents of the Implementation Plan). The Implementation Plan should be periodically updated as planned activities, roles and responsibilities, or other pertinent information changes. OSP may convene meetings with appropriate members of the working group periodically, as necessary, to address emerging implementation issues.

For funded agreements, OCFO is responsible for billing the strategic partner and submitting the financial reports required by the agreement.

**g) Annual review**

OSP facilitates annual reviews of global agency strategic partnerships. For each agreement, the annual review summarizes key achievements and challenges under the strategic partnership during the preceding year and assesses how the strategic partnership can be leveraged to support the agency's strategic priorities.

**h) Amendments to current agreements**

Major changes to a previously approved final program agreement must be drafted and approved as described in sections II(a) through II(e). At the discretion of the Director of OSP, in consultation with OGC, minor, technical or administrative changes such as changes in the effective date, period of performance and modifications to increase funding that do not include any new major requirements, may not require the application of sections II(a) through II(e). Such revisions should be reviewed and approved by the Associate Director of OSP, with financial review and clearance from OCFO and legal clearance from OGC.