REQUEST FOR GRANT APPLICATIONS

Business Associations Development Program
RFA#2017-020

USAID GOVERNING FOR GROWTH (G4G) IN GEORGIA

10 OCTOBER, 2017

This publication was produced for review by the United States Agency for International Development. It was prepared by Deloitte Consulting LLP. The author's views expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the United States Government.

Table of Contents

1 SUMMARY 3
1.1 USAID Governing for Growth (G4G) Project Summary 3
1.2 RFA Summary: 3
2 INSTRUCTIONS FOR APPLICANTS 6
2.1 General 6
2.2 RFA Contact Information 6
2.3 Questions and Clarifications 6
2.4 Applications Due Date and Time 6
2.5 Application Delivery Address 6
2.6 Type of Award 7
2.7 Submission Requirements 7
2.8 Eligibility 7
2.9 Application Conditions Precedent 8
2.10 Late Applications 8
2.11 Modification/Withdrawal of Applications 8
2.12 Disposition of Applications 8
3 STATEMENT OF WORK 9
3.1 Background 9
3.2 Grant Program Tasks 10
3.3 Grant Program Expected Results 11
4 TECHNICAL APPLICATION CONTENTS 12
5 BUDGET CONTENTS AND COST SHARE 14
6 EVALUATION 16
7 REFERENCES, TERMS & CONDITIONS 17
7.1 References 17
7.2 Terms and Conditions 17
8 Annex 21

Authors

This request for applications was prepared by: USAID project Governing for Growth (G4G) in Georgia, # 5 L. Mikeladze str. Tbilisi, Georgia.

DISCLAIMER:
This publication was produced for review by the United States Agency for International Development. It was prepared by Deloitte Consulting LLP. The author's views expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the United States Government.

1 SUMMARY

1.1 USAID Governing for Growth (G4G) Project Summary

Governing for Growth (G4G) in Georgia is a five-year USAID funded Project implemented by Deloitte Consulting LLP since August 2014.

The purpose of the project is to support the Government of Georgia to create a better enabling environment in which legal and regulatory reforms are fairly and transparently conceived, implemented and enforced providing a level playing field for small and medium size enterprise growth.

G4G will strengthen capacity of both, public and private sectors, to effectively cooperate on identified reforms through an inclusive consultative process.

To achieve the goal, G4G will be supporting inclusive and constructive dialogue among government, private sector, and civil society stakeholders for the effective formulation of reforms to drive economic development nurtured through transparent and accountable oversight of the state.

G4G is comprised of five components: (1) Support inclusive public-private dialogue, (2) Strengthen the capacity of the GOG to develop, implement and enforce reforms, (3) Improve water resource management across multiple competing interests, (4) Improve economic governance and leadership of energy trading policy, including cross-border trading of electricity, and (5) Strengthen the capacity of private sector and civil society actors to advocate for reforms.

Grants are employed as a targeted tool across all G4G components to facilitate the achievement of G4G objectives with a particular focus on working through Georgian SMEs and Civil Society Organizations (SCOs) to increase their capacity and thereby achieving sustainability.

1.2 RFA Summary:

The objective of this Request for Application (RFA#2017-020) is to raise the capacity of five business association in one or two critical areas (such as strategic planning, membership, programs and services, governance, sustainability, advocacy) that will ultimately help them to become stronger and more effective players in public-private dialogue.

Scope of Work: This solicitation requests applications from eligible organizations to implement grant titled “Business Associations Development Program”.

Under this Scope of Work, the Grantee shall perform, but will not be limited to, the tasks specified under the following categories.

Activities: The Grantee is expected to carry out the following activities:

These steps and actions might include but shall not be limited to:

1. <u>Preparation phase:</u>
   a. Develop the methodology to identify and select five membership based business associations willing to strengthen their organization in one or two main areas such as strategic planning, membership, financial sustainability, governance, advocacy, and submit it to G4G for approval;
   b. The grantee will submit to G4G a list with 7-9 business associations potentially to be included in the project; together G4G and the grantee will select the five business associations to be included in the project;
   c. The grantee will obtain the written commitment of the senior leadership of each association that they are committed to the entire program and that they will be an active partner during the capacity building process.

2. Implementation phase:

   a. Work with each association to identify one or two issues (such as strategic planning, membership, programs and services, governance, advocacy, sustainability, communication, etc.). To accomplish this activity the grantee shall use tools such as SWOT analysis, focus groups, and meetings with association leadership;

   b. Based on the previous activity, the grantee will develop an action plan and recommendations to address the selected issue and improve the performance of the association in that respect. The grantee shall submit the action plan and recommendation to the association's Board of Directors and G4G.

   The action plan will be tailored to each organization and will include the following elements:

   - Description of the current situation;
   - Identification of the issue to be addressed during the project;
   - Activities, tools and techniques to be used (workshops, coaching sessions, mentorship session, training sessions, sessions with the Board, etc.);
   - Key performance indicators specifics to each project.

   c. Once the action plan is approved by the association board and G4G, the grantee shall begin implementation;

   d. At the end of the project, the grantee will prepare a project report for each of the five organizations that will include the short description of the tasks, implemented activities, reaching the key performances indicators, and also a section with final recommendation.

Grantee is encouraged to use the G4G premises (up to 70 people) for any events to be held in Tbilisi as indicated in the grant proposal.
The tasks will be undertaken in Georgia.

Period of Performance*:* The period of performance for the grant is 7 months (between January 15, 2018 and August 15, 2018). The application work plan and budget should reflect 7 months period of performance accordingly. The start day of the grant is contingent on signing of Grant Award document.

Proposal Evaluation: All applications will be reviewed to check for eligibility and completeness of the submission. All eligible and complete applications will be reviewed by a Grant Evaluation Committee against the evaluation criteria described in Section 6 Evaluation.

The minimum score to be considered for grant funding is 70 points out of the total 100 points. Applicants not selected for award will be notified by the project in writing.

Funding Range: USAID Governing for Growth (G4G) Project intends to award 1 (one) Fixed Amount Award in response to this RFA#2017-020 with the ceiling amount of up to USD 25,000.00. Funding for this grant will be subject to donor approval, availability of funds and demonstrated successful past performance. Funding will be disbursed to the grantee in Georgian Lari.

Submission Deadlines*:*

Questions should be received by 6 p.m. on November 2, 2017
Responses to questions will be provided by 6 p.m. on November 6, 2017
Applications are due by 6 p.m. on November 27, 2017

This RFA contains the Grant Application Form and Guidelines with the following attachments:

Attachment 1	Technical Proposal Annex A. Grant Activity Implementation Plan Annex B. Information of Previous Assistance Awards/Contracts
Attachment 2	Budget and Budget Notes Annex C. Supporting Data for Cost Estimates
Attachment 3	Information about Applicant
Attachment 4	Certifications and Assurances from Applicant Annex D. Documents Demonstrating Applicant's Eligibility and Capabilities Annex E. Environmental Self-Assessment Form Annex F. Survey on Ensuring Equal Opportunities to Applicants (optional, upon Applicant's Request)

2 INSTRUCTIONS FOR APPLICANTS

2.1 General

- Entities invited to submit an application are under no obligation to do so.
- Applicants will not be reimbursed by USAID Governing for Growth (G4G) Project for any costs incurred in connection with the preparation and submission of their applications.
- Applicants may submit only one application under this RFA.
- For the purposes of interpretation of these Instructions to applicants, the periods named herein shall be consecutive calendar days.
- USAID Governing for Growth (G4G) Project reserves the right to conduct discussions and/or to ask to make an oral presentation once a successful application is identified, or to make an award without conducting discussions based solely on the written applications if it decides it is in its best interest to do so.
- USAID Governing for Growth (G4G) Project reserves the right not to make any award.
- These Instructions to applicants will not form part of the offer or Grant Award. They are intended solely to aid applicants in the preparation of their applications.

2.2 RFA Contact Information

USAID Governing for Growth (G4G) Project Office
Email: grants@g4g.ge
Attention: Nato Ardishvili, Grants Manager
Address: 5, L. Mikeladze Str. Tbilisi, Georgia

2.3 Questions and Clarifications

Method: Only written questions and requests for clarification will receive a response.

Send questions about this RFA#2017-020 by email to the RFA Contact noted above.

Date for receipt: All questions and requests for clarification must be received by 6 p.m. on November 2, 2017 to the email address noted above. Only questions received by this date will receive a response.

Responses: By 6 p.m. on November 6, 2017 we anticipate providing responses to the requests for clarifications. All responses will be emailed to all applicants.

2.4 Applications Due Date and Time

Closing Time: 6:00 p.m. Georgian Time
Closing Date: November 27, 2017

2.5 Application Delivery Address

Proposal packages should be sent electronically to the email address listed below:

grants@g4g.ge
Attn. Nato Ardishvili, Grants Manager

All electronic file names should include the organization's name and the title of the document.
Applicants should retain copies for their records, as all applications received will not be returned.
Project staff will confirm receipt of proposals via email.

2.6 Type of Award

G4G anticipates the award of 1 (one) Fixed Amount Award in response to this RFA#2017-020 with the ceiling amount of up to USD 25,000.00.

2.7 Submission Requirements

- **Language:** The application and all associated correspondence must be in English. Any award document resulting from this request will be in English.
- **Currency:** The cost must be presented in US Dollars.
- **Method:** Electronic copy.
- **Marking:** USAID Governing for Growth (G4G) Project, RFA#2017-020.
- **Authorized Signer:** Application must be signed by a person duly authorized to submit an Application on behalf of the applicant and to bind the applicant to the Application.
- **Authorized Personnel:** Provide name, title, email, and telephone number of the person or persons in the entity who are authorized to discuss and accept a grant, if awarded.

2.8 Eligibility

To be eligible to apply for and receive funding under USAID Governing for Growth (G4G) Project Grant Award, potential applicants must meet the following criteria:

Non-U.S. nongovernmental organizations (for profit or nonprofit) are eligible organizations for grant awards. For example, these may include:

- Non-Government Organizations (NGOs);
- Professional organizations;
- Research institutions;
- Commercial organizations.

Additional eligibility criteria:

- The organization must have demonstrated experience in technical areas relevant to the scope of work or grant focus;
- The organization must have been in existence for more than 2 years;
- The organization must currently be implementing activities in the geographic area or technical area for which it is submitting an application;
- The organization has a Board of Directors/ Board of Trustees, full time staff (including program management, finance/administrative, and monitoring and evaluation staff);
- The organization has minimum absorptive capacity and demonstrates the potential to acquire sufficient capacity to manage programs in a sustainable manner;
- The organization has a functional financial system;
- The organization's other relationships, associations, activities, and interests do not create a conflict of interest that could prevent full impartiality in implementation of the grant activities;
- Effective October 1, 2010, Data Universal Numbering System (DUNS) numbers are required for all organizations, foreign or domestic doing business with the Federal Government. Recipients of grant awards in excess of $25,000 will be required to obtain a DUNS number

Note: For definition of local entity please refer to RAA21 LIMITATION ON SUBAWARDS TO NON-LOCAL ENTITIES under the Standard Provisions for Fixed Amount Awards to Nongovernmental Organizations, that is annexed to this RFA.

2.9 Application Conditions Precedent

All applications must be submitted in the specified format (see Section 4 Technical Application Contents and Section 5 Budget Contents). Any application submitted in any other format will not be considered. The applicant must also include other supporting documentation (board resolution, articles of incorporation, etc.) as may be necessary to clearly demonstrate that it meets the following conditions precedent to Application Evaluation:

- That the applicant organization is an eligible organization legally constituted under Georgian law or is in the process of obtaining such legal status through formal registration;
- That the applicant organization has the managerial commitment, as evidenced by written board of directors resolutions, strategic plans (overall long-range plan for applicant's organization) or other documentation, indicating that it is, or will be, implementing the objectives referred above;
- That the applicant organization has no advances from USAID or a USAID contractor which have been outstanding and unliquidated for longer than 90 days, and that the applicant organization has no grant completion report required under a grant from USAID or a USAID contractor which is more than 30 days past due;
- That at the time of application there exists no condition within the applicant organization or with respect to the applicant organization's management which renders the organization ineligible for a grant directly or indirectly funded by USAID.

2.10 Late Applications

Applicants are wholly responsible for ensuring that their applications are received in accordance with the instructions stated herein. A late application will not be eligible for consideration and will be rejected without evaluation, even if it was late as a result of circumstances beyond the applicant's control. A late application will be considered only if the sole cause of its becoming late was attributable to USAID Governing for Growth (G4G) Project, Deloitte Consulting LLP, its employees or agents.

2.11 Modification/Withdrawal of Applications

Any applicant has the right to withdraw, modify or correct its offer after such time as it has been delivered to USAID Governing for Growth (G4G) Project provided that the request is made before the offer closing date.

2.12 Disposition of Applications

Applications submitted in response to this RFA will not be returned.

3 STATEMENT OF WORK

3.1 Background

Business associations are a critical stakeholder for the development of a sound business community in Georgia. They are the voice of businesses and are a major part of public-private dialogue, being an active partner for the Government and other policy makers. They can contribute solutions and recommendations in policy making, and need to prove they are credible, professional and respected organizations, able to provide good advice and professional recommendations.

To be a strong advocate for positive change oriented to introducing policy reforms, the business associations need to be strong, independent organizations that are able to professionally articulate the concerns of their members. Strategic planning, observing good governance standards, a strong relationship with members, solid knowledge of the advocacy process, and ability to produce comprehensive policy recommendations are just some of the main functions of an effective business association.

Georgia is committed to public-private dialogue, and the Government and Parliament proved their openness to dialogue with representatives of the business community. Thus, it is critical to make sure the business associations participating in this process are prepared for the task, able to convey a professional message to the Government.

Recent business perception survey on policy reforms, by Analysis and Consulting Team (ACT), aimed to accurately assess the perceptions of businesses on the policy environment and reveal the areas where G4G interventions could be most valuable. The survey revealed that the awareness of the activities of Business Associations is very low. “Business representatives assessed the effectiveness of various business associations. It is worth mentioning that 40-50% of companies were not able to provide their evaluation due to lack of awareness of particular associations, whereas also large number of respondents could not provide their opinion due to lack of information. The percentage of the respondents that consider that the business associations are effective is also very low.”[1] This applies especially on sectoral associations. The challenging part of the process is that associations with specific mission lack capacity, knowledge and experience how to improve services, keep the members and stay financially sustainable. Lack of advocacy skills is another challenge. To be perceived by the Government as an effective partner, the business associations need to prove their credibility and influence. All these traits are attributes of strong business associations that have a clear strategic path, strong membership, good governance, and are financially sustainable.

This grant aims to strengthen the capacity of five business associations in Georgia and improve their ability to make changes in public policy through effective advocacy. G4G will contract a grantee that will identify and work closely with five business associations that have a track record of delivering results and have potential in policy advocacy. The consultant will then build capacity of the identified associations in areas they will identify together.

[1] BUSINESS PERCEPTION SURVEY ON POLICY REFORMS
https://drive.google.com/file/d/0B-lGg_EbvUOwVWdXNnFVd3NrTDA/view

The grantee and the business associations will identify one or two main issues to improve during this project; the grantee will be responsible to develop an action plan to address the issue (issues), submit it to the business associations' Board of Directors for approval, and implement the plan during the project with support from the business associations.

The key performance indicators for this project will be specific to each action plan, based on the issue(s) that needs to be addressed for each association. This will be incorporated in each action plan.

The ultimate goal of the project is to have five associations that are better equipped to be effective advocates for policy change and serve as prime examples in building strength and credibility among the plethora of Georgia's business associations.

3.2 Grant Program Tasks

Under this Scope of Work, the Grantee shall perform, but will not be limited to, the tasks specified under the following categories.

Activities: The grantee is expected to carry out the following activities:

These steps and actions might include but shall not be limited to:

1. <u>Preparation phase:</u>
   a. Develop the methodology to identify and select five membership based business associations willing to strengthen their organization in one or two main areas such as strategic planning, membership, financial sustainability, governance, advocacy, and submit it to G4G for approval;
   b. The grantee will submit to G4G a list with 7-9 business associations potentially to be included in the project; together G4G and the grantee will select the five business associations to be included in the project;
   c. The grantee will obtain the written commitment of the senior leadership of each association that they are committed to the entire program and that they will be an active partner during the capacity building process.
2. <u>Implementation phase:</u>
   a. Work with each association to identify one or two issues (such as strategic planning, membership, programs and services, governance, advocacy, sustainability, communication, etc.). To accomplish this activity the grantee shall use tools such as SWOT analysis, focus groups, and meetings with association leadership;
   b. Based on the previous activity, the grantee will develop an action plan and recommendations to address the selected issue and improve the performance of the association in that respect. The grantee shall submit the action plan and recommendation to the association's Board of Directors and G4G.

   The action plan will be tailored to each organization and will include the following elements:

   - Description of the current situation;
   - Identification of the issue to be addressed during the project;
   - Activities, tools and techniques to be used (workshops, coaching sessions, mentorship session, training sessions, sessions with the Board, etc.);
   - Key performance indicators specifics to each project.

c. Once the action plan is approved by the association board and G4G, the grantee shall begin implementation;

d. At the end of the project, the grantee will prepare a project report for each of the five organizations that will include the a short description of the tasks, implemented activities, reaching the key performances indicators, and also a section with final recommendation.

3.3 Grant Program Expected Results

Deliverables: The Grantee shall use his/her knowledge of international best practices, and additional understanding learned from the background and objectives specified in sections A and B above to accomplish the following deliverables by the end of his/her assignment:

- Final report that describes the conducted activity. The report will include an executive summary, background, methodology, findings and recommendations. The final report will be written in third-person perspective, giving an overall and general view in the findings and recommendations that suggest improvements for business associations overall in Georgia (not specific to the associations developed in this grant activity).

Note: The Final report will be submitted to G4G in English language. It is highly advised to have a native English speaker review/edit any deliverables in English.

The Grantee(s) will prepare written deliverables in the G4G-branded Deliverable MS Word or MS PowerPoint template that will be provided to the Grantee(s) by the G4G sector or sub-component manager overseeing his/her work.

The budget items and associated payment terms and dates according to the milestones listed below will be finally defined based on the applicant's proposal and fixed in the Grant Award document.

Suggested Milestones:

- Action Plan including: timeline, session topics, target participant and selection criteria as well as the list of mentors and speakers, approved by G4G management;
- Association action plans (5);
- Association project reports (5);
- Midterm report (progress report);
- Training sessions, workshops, individual mentorships, accordingly training materials, event memos and participant lists;
- Final Report.

4 TECHNICAL APPLICATION CONTENTS

All complete applications received by the deadline will be reviewed for responsiveness to the specifications outlined in the guidelines. USAID Governing for Growth (G4G) Project may reject applications that are:

- Incomplete;
- Do not respond to the scope of work in the solicitation;
- Do not comply with the format requirements;
- Are submitted after the deadline.

Applicants responding to this request should adhere to the following guidelines:

- Written in English;
- Formatting requirements:
  - A4 paper;
  - 1 inch (2.54 cm) margins on all sides;
  - Single-spaced;
  - Times New Roman Font – 11 point;
- Include all of the components listed in the section below, in the order specified;
- Maximum of 10 pages for the technical proposal (cover page and annexes do not count towards the 10 page limit)

The Application in response to this solicitation should be organized as follows:

A. Cover Page

Include all of the following information:

- Name, address, phone/fax number, and email of the organization;
- Title of proposed project;
- Name of contact person;
- Duration of project;
- Date submitted.

B. Applicant Data (see Grant Application Form and Guidelines)

C. Technical Proposal (10 pages maximum)

Sections of the Attachment 1 Technical Proposal of the Grant Application Form and Guidelines should use the headings italicized below, in following order.

1. Organizational Capacity

Provide a summary of organization's key qualifications and capabilities. It should indicate who your organization is and what it does, and what a client can expect from your organization.

Provide a brief description of your present and ongoing actions/projects that have a direct relationship to the proposed grant activity

2. Past Performance

Describe the organization’s experience implementing similar projects. Describe the organization’s relationships with the target populations and demonstrated commitment to

working closely with the target population to implement project activities. If your organization is a new one, describe the similar projects where your personnel participated. Provide brief information on up to three (preferably similar) actions/projects managed by your organization for which your organization has received assistance awards or contracts over the past three years in Annex B.

3. Management Plan

Describe how the project will be managed, the composition and organizational structure of the proposed project team, roles and responsibilities. Include information on technical and managerial experience of the proposed project technical personnel. Provide CVs of all proposed personnel in Annex, including the Project Manager. Experienced, qualified personnel in relevant disciplines and areas should be provided for project management and staff. CVs should not exceed two pages each.

4. Methodology

Describe the methods of implementation of the proposed activities and reasons for the proposed methodology.
If the grant activity is the prolongation of a previous action, explain how it is intended to build on results from the previous action.

5. Budget, Budget Notes and Cost Reasonableness

For budget part please follow instructions given in Attachment 1 Budget and Budget Notes of the Grant Application Form and Guidelines.

5 BUDGET CONTENTS AND COST SHARE

Budget and Payment Terms

The approximate budget for the grantee amounts up to USD 25,000.00. The budget items and associated payment terms and dates according to the milestones listed below will be finally defined based on the applicant's proposal and fixed in the Grant Award document.

Suggested Milestones:

- Action Plan including: timeline, session topics, target participant and selection criteria as well as the list of mentors and speakers, approved by G4G management;
- Association action plans (5);
- Association project reports (5);
- Midterm report (progress report);
- Training sessions, workshops, individual mentorships, accordingly training materials, event memos and participant lists;
- Final Report.

Milestones will be adjusted according to applicant's suggested design of the program.

Cost Share

To be eligible for a grant award the applicants are expected to cost share the implementation of the proposed grant activity by minimum of 10% of the total cost of the grant activity. Cost sharing is a requirement for all grants funded under USAID Governing for Growth (G4G) Project.
Cost share contribution may be financial or in-kind and include any of the following:

- Labor to carry out grant activities;
- Payment of non-labor costs associated with grant activities;
- Leveraged funds from other sources (non-US government);
- Equipment and facilities;
- In-kind donations (include labor, volunteer labor, office space, conference space etc.).

All costs shared by the applicant (both financial and in-kind) must meet all of the following criteria:

- Be verifiable in the applicant records;
- Necessary and reasonable for proper and efficient accomplishment of grant activity objectives;
- Allowable under the applicable USAID regulations (see Attachment 4);
- Must not be included as cost share contributions for any other U.S. Government–assisted program;
- Must not be paid by the U.S. Government under another grant or agreement.

Sub-awards will not be allowed under USAID Governing for Growth (G4G) Project Grants Program.

Budget Content

The Applicant must:

- Include a detailed and realistic budget using the Excel template provided (see Attachment 2: Budget and Budget Notes). The budgets must be prepared in US Dollars and should be based on activities described in the Attachment 1: Technical Proposal. Budget should not include costs that cannot be directly attributed to the activities proposed.
- Include detailed budget notes/clarification of calculation for each budget line item by milestones following the format of the template provided (see Attachment 2: Budget and Budget Notes). Supporting documentation to support cost data will be required prior to award of grants. However, these documents will not be required at the time of application submission.

All applicants must have the financial and administrative systems to adequately account for the grant funds as detailed in the extensive attachments and referenced US Government websites.

Taxes

The prices proposed by the applicant should be net of VAT and customs duties. Under the terms of the 31.07.1992 Bilateral Agreement between the Government of the United States and the Government of Georgia, the awardees, as grantees to the USAID Governing for Growth (G4G) Project, are exempt from VAT and customs duties. Accordingly no such fees, charges, tariffs, duties or levies will be paid under any Grants awarded.
G4G will facilitate VAT exemption for activities under that grant.

6 EVALUATION

USAID Governing for Growth (G4G) Project will evaluate both technical and cost categories to determine whether an application provides the best value.

G4G intends to award a grant resulting from this solicitation to the responsible applicant whose application conforms to the solicitation and represents the best value after evaluation in accordance with the criteria listed here. The evaluation criteria will be used as a guide in determining which applications will present the best value to G4G and USAID.

Each application will be evaluated against the evaluation criteria set forth below.
The minimum score to be considered for grant funding is 70 points out of the total 100 points.

Application Evaluation Criteria	Points
Organizational Capacity / Past Performance	20
Management Plan	25
Technical Approach/Methodology	35
Budget	20
Total points	100

Technical: USAID Governing for Growth (G4G) Project will evaluate each technical approach quantitatively based upon the evaluation factors set forth above. A technical proposal can be categorized as unacceptable when it is incomplete, does not respond to the scope, does not comply with the format requirements or is submitted after the deadline.

Budget: The proposed budget will be analyzed as part of the application evaluation process. Budget must be sufficiently detailed to demonstrate reasonableness and completeness, and that Applications including budget information determined to be unreasonable, incomplete, or based on a methodology that is not adequately supported may be judged unacceptable.

> **Reasonableness -** USAID Governing for Growth (G4G) Project will make a determination of reasonableness based on G4G's experience for similar items or services, what is available in the marketplace, and/or other competitive offers.
>
> **Completeness -** A detailed line item budget, budget notes, assumptions, and schedules that clearly explain how the estimated amounts were derived must adequately support the applicant's budget. USAID Governing for Growth (G4G) Project may request additional supporting information to the extent necessary to determine whether the costs are fair and reasonable.

7 REFERENCES, TERMS & CONDITIONS

7.1 References

The following provisions are relevant to all USAID Governing for Growth (G4G) Project Fixed Amount Awards:

- Mandatory Standard Provisions for Fixed Amount Awards to Nongovernmental Organizations from ADS 303mat;
- Required, As Applicable Standard Provisions for Fixed Amount Awards to Nongovernmental Organizations from ADS 303mat.

These US Government Standard Provisions governing this grant are annexed to the RFA#2017-020,

And

Can be also found at the following website:

http://www.usaid.gov/sites/default/files/documents/1868/303mat.pdf

7.2 Terms and Conditions

- Issuing this RFA is not a guarantee that a grant will be awarded.
- G4G and USAID reserve the right to issue a grant based on the initial evaluation of offers without discussion.
- G4G and USAID may choose to award a grant for part of the activities in the RFA.
- G4G and USAID may choose to award a grant to more than one recipient for specific parts of the activities in the RFA.
- G4G and USAID may request from short-listed grant an oral presentation or written response to a more specific and detailed scope of work that is based on a general scope of work in the original RFA.
- G4G and USAID has the right to rescind an RFA, or rescind an award prior to the signing of a contract due to any unforeseen changes in the direction of Deloitte Consulting LLP's client (the US Government), be it funding or programmatic.
- G4G and USAID reserves the right to waive any deviations by organizations from the requirements of this solicitation that in Deloitte's opinion are considered not to be material defects requiring rejection or disqualification; or where such a waiver will promote increased competition.

Grant Agreement

A grant agreement will include the approved project description, approved budget, payment terms, reporting requirements and relevant provisions. Once executed it is a legally binding agreement between Deloitte Consulting LLP (on behalf of USAID Governing for Growth (G4G) Project) and the recipient organization. Once the grant agreement is signed, it cannot be modified without prior written approval from Deloitte Consulting LLP (on behalf of USAID Governing for Growth (G4G) Project).

Grant Disbursement and Financial Management

Recipients of grant funds may need to open a separate bank account before any funds are transferred from Deloitte Consulting LLP. The grants will be disbursed in GEL and transferred

only through bank transactions.

Reporting
The grant agreement will detail the reporting requirements. Recipients must be willing to adhere to the reporting schedule and requirements for both programming activities and financial monitoring.

Monitoring
USAID Governing for Growth (G4G) Project staff will monitor programmatic performance. Deloitte Consulting LLP and USAID reserve the right to review finances, expenditures and any relevant documents at any time during the project period and for three years after the completion of the project and closeout. All original receipts must be kept for three years after the formal closeout has been completed.

Late Submissions, Modifications and Withdrawals of Applications
At the discretion of Deloitte Consulting LLP, any application received after the exact date and time specified for the receipt may not be considered unless it is received before award is made and it was determined by Deloitte Consulting LLP that the late receipt was due solely to mishandling by Deloitte Consulting LLP after receipt at its offices.

Applications may be withdrawn by written notice via email received at any time before award. Applications may be withdrawn in person by a vendor or his authorized representative, if the representative's identity is made known and the representative signs a receipt for the application before award.

False Statements in Offer
Vendors must provide full, accurate and complete information as required by this solicitation and its attachments.

Certification of Independent Price Determination
(a) The offeror certifies that

(1) The prices in this offer have been arrived at independently, without, for the purpose of restricting competition, any consultation, communication, or agreement with any other offeror, including but not limited to subsidiaries or other entities in which offeror has any ownership or other interests, or any competitor relating to (i) those prices, (ii) the intention to submit an offer, or (iii) the methods or factors used to calculate the prices offered;

(2) The prices in this offer have not been and will not be knowingly disclosed by the offeror, directly or indirectly, to any other offeror, including but not limited to subsidiaries or other entities in which offeror has any ownership or other interests, or any competitor before bid opening (in the case of a sealed bid solicitation) or contract award (in the case of a negotiated or competitive solicitation) unless otherwise required by law; and

(3) No attempt has been made or will be made by the offeror to induce any other concern or individual to submit or not to submit an offer for the purpose of restricting competition or influencing the competitive environment.

(b) Each signature on the offer is considered to be a certification by the signatory that the signatory

(1) Is the person in the offeror's organization responsible for determining the prices being offered in this bid or application, and that the signatory has not participated and will not participate in any action contrary to subparagraphs (a)(1) through (a)(3) above;

(2)(i) Has been authorized, in writing, to act as agent for the principals of the offeror in certifying that those principals have not participated, and will not participate in any

action contrary to subparagraphs (a)(1) through (a)(3) above; (ii) As an authorized agent, does certify contrary to subparagraphs (a)(1) through (a)(3) above; and (iii) As an agent, has not personally participated, and will not participate, in any action contrary to subparagraphs (a)(1) through (a)(3) above.

(c) Offeror understands and agrees that

(1) Violation of this certification will result in immediate disqualification from this solicitation without recourse and may result in disqualification from future solicitations; and

(2) Discovery of any violation after award to the offeror will result in the termination of the award for default.

Standard Provisions

Deloitte Consulting LLP is required to respect the provisions of the United States Foreign Assistance Act and other United States laws and regulations. USAID Governing for Growth (G4G) Project Grant Program will be administered according to Deloitte Consulting LLP's policies and procedures as well as USAID's regulations for non-U.S. non-governmental recipients. These include:

1. **Implementing Partner Notices (IPN) registration**

Applicant acknowledges the requirement to register with the IPN portal if awarded a grant resulting from this solicitation and receive universal bilateral amendments to this award and general notices via the IPN portal. The IPN Portal is located at **https://sites.google.com/site/usaidipnforassistance/.**
Detailed steps are given under the article M9 of the Mandatory Standard Provisions for Fixed Amount Awards to Nongovernmental Organizations from ADS 303mat, which is annexed to this RFA#2017-020.

2. **Indirect rates**

Indirect rates such as fringe, overhead, and general and administrative (G&A) that have not been approved by a U.S. Government agency in a NICRA (Negotiated Indirect Cost Rate Agreement) may not be charged to this award. All costs charged to the project shall be directly related to the project's implementation. For additional information, please see the USAID "Best Practices Guide for Indirect Costing A Mandatory Reference for ADS Chapter 300" at:

http://www.usaid.gov/sites/default/files/documents/1868/300mah.pdf

3. **Activities that will not be considered for funding**

In keeping with the conditions above, programs that fall within the following categories or indicate they might participate in any one of the following shall be automatically disqualified:

- Activities related to the promotion of specific political parties;
- Reconstruction or building rehabilitation projects that are not accompanied by plans for wide community use and maintenance;
- Distribution of emergency/humanitarian assistance or funds;
- Religious events or activities that promote a particular faith;
- For-profit business activities that benefit a small select group, rather than providing increased opportunities to the larger community;
- Unrelated operational expenses.

4. Prohibited Goods and Services

Under no circumstances shall the recipient procure any of the following under this award, as these items are excluded by the Foreign Assistance Act and other legislation which govern USAID funding. Programs which are found to transact in any of these shall be disqualified:

- Military equipment;
- Surveillance equipment;
- Commodities and services for support of police or other law enforcement activities;
- Abortion equipment and services;
- Luxury goods and gambling equipment;
- Weather modification equipment.

5. Restricted Goods

The following costs are restricted by USAID and require prior approval from Deloitte Consulting LLP and USAID:

- Agricultural commodities;
- Motor vehicles;
- Pharmaceuticals;
- Pesticides;
- Fertilizer;
- Used equipment;
- U.S. Government-owned excess property.

6. Certifications for Non-US Non-Governmental Recipients

The following Standard Grant & Subcontractor Certifications are required by Deloitte Consulting LLP and USAID:

- Assurance of Compliance with Laws and Regulations Governing Nondiscrimination in Federally Assisted Programs (This assurance applies to Non-U.S. organizations, if any part of the program will be undertaken in the U.S.);
- Certification Regarding Lobbying (22 CFR 227);
- Prohibition on Assistance to Drug Traffickers for Covered Countries and Individuals (ADS 206, Prohibition of Assistance to Drug Traffickers);
- Certification Regarding Terrorist Financing;
- Certification of Recipient;
- Compliance with Anticorruption Laws.

8 Annex

Standard Provisions for Fixed Amount Awards to Nongovernmental Organizations

A Mandatory Reference for ADS Chapter 303

MANDATORY

STANDARD PROVISIONS FOR FIXED AMOUNT AWARDS TO NONGOVERNMENTAL ORGANIZATIONS

M1. SUBMISSIONS TO THE DEVELOPMENT EXPERIENCE CLEARINGHOUSE AND DATA RIGHTS (JUNE 2012)

a. Submissions to the Development Experience Clearinghouse (DEC).

1) The recipient must provide the Agreement Officer's Representative one copy of any Intellectual Work that is published, and a list of any Intellectual Work that is not published.

2) In addition, the recipient must submit Intellectual Work, whether published or not, to the DEC, either on-line (preferred) or by mail. The recipient must review the DEC Web site for submission instructions, including document formatting and the types of documents to submit. Submission instructions can be found at:

https://dec.usaid.gov

3) For purposes of submissions to the DEC, Intellectual Work includes all works that document the implementation, evaluation, and results of international development assistance activities developed or acquired under this award, which may include program and communications materials, evaluations and assessments, information products, research and technical reports, progress and performance reports required under this award (excluding administrative financial information), and other reports, articles and papers prepared by the recipient under the award, whether published or not. The term does not include the recipient's information that is incidental to award administration, such as financial, administrative, cost or pricing, or management information.

4) Each document submitted should contain essential bibliographic information, such as 1) descriptive title; 2) author(s) name; 3) award number; 4) sponsoring USAID office; 5) development objective; and 6) date of publication.

5) The recipient must not submit to the DEC any financially sensitive information or personally identifiable information, such as social security numbers, home addresses and dates of birth. Such information must be removed prior to submission. The recipient must not submit classified documents to the DEC.

b. Rights in Data

1) Data means recorded information, regardless of the form or the media on which it may be recorded, including technical data and computer software, and includes Intellectual Work, defined in a. above.

2) Unless otherwise provided in this provision, the recipient may retain the rights, title and interest to Data that is first acquired or produced under this award. USAID reserves a royalty-free, worldwide, nonexclusive, and irrevocable right to use, disclose, reproduce, prepare derivative works, distribute copies to the public, and perform publicly and display publicly, in any manner and for any purpose, and to have or permit others to do so.

c. Copyright. The recipient may copyright any books, publications or other copyrightable materials first acquired or produced under this award. USAID reserves a royalty-free, worldwide, nonexclusive, and irrevocable right to use, disclose, reproduce, prepare

derivative works, distribute copies to the public, and perform publicly and display publicly, in any manner and for any purpose, and to have or permit others to do so.

d. The recipient will provide the U.S. Government, on request or as otherwise provided in this award, a copy of any Data or copyrighted material to which the U.S. Government has rights under paragraphs b. and c. of this provision. The U.S. Government makes no representations or warranties as to title, right to use or license, or other legal rights or obligations regarding any Data or copyrighted materials.

[END OF PROVISION]

M2. MARKING AND PUBLIC COMMUNICATIONS UNDER USAID-FUNDED ASSISTANCE (AUGUST 2013)

a. The USAID Identity is the official marking for USAID, comprised of the USAID logo and brand mark with the tagline "from the American people." The USAID Identity is on the USAID Web site at **www.usaid.gov/branding**. Recipients must use the USAID Identity, of a size and prominence equivalent to or greater than any other identity or logo displayed, to mark the following:

(1) Programs, projects, activities, public communications, and commodities partially or fully funded by USAID;
(2) Program, project, or activity sites funded by USAID, including visible infrastructure projects or other physical sites;
(3) Technical assistance, studies, reports, papers, publications, audio-visual productions, public service announcements, Web sites/Internet activities, promotional, informational, media, or communications products funded by USAID;
(4) Commodities, equipment, supplies, and other materials funded by USAID, including commodities or equipment provided under humanitarian assistance or disaster relief programs; and
(5) Events financed by USAID, such as training courses, conferences, seminars, exhibitions, fairs, workshops, press conferences and other public activities. If the USAID Identity cannot be displayed, the recipient is encouraged to otherwise acknowledge USAID and the support of the American people.

b. The recipient must implement the requirements of this provision following the approved Marking Plan in the award.

c. The AO may require a preproduction review of program materials and "public communications" (documents and messages intended for external distribution, including but not limited to correspondence; publications; studies; reports; audio visual productions; applications; forms; press; and promotional materials) used in connection with USAID-funded programs, projects or activities, for compliance with an approved Marking Plan.

d. The recipient is encouraged to give public notice of the receipt of this award and announce progress and accomplishments. The recipient must provide copies of notices or announcements to Agreement Officer's Representative (AOR) and to USAID's Office of Legislative and Public Affairs in advance of release, as practicable. Press releases or other public notices must include a statement substantially as follows:

"The U.S. Agency for International Development administers the U.S. foreign assistance program providing economic and humanitarian assistance in more than 80 countries

worldwide."

e. Any "public communication," in which the content has not been approved by USAID, must contain the following disclaimer:

"This study/report/audio/visual/other information/media product (specify) is made possible by the generous support of the American people through the United States Agency for International Development (USAID). The contents are the responsibility of [insert recipient name] and do not necessarily reflect the views of USAID or the United States Government."

f. The recipient must provide the USAID AOR, with two copies of all program and communications materials produced under this award.

g. The recipient may request an exception from USAID marking requirements when USAID marking requirements would:

(1) Compromise the intrinsic independence or neutrality of a program or materials where independence or neutrality is an inherent aspect of the program and materials;
(2) Diminish the credibility of audits, reports, analyses, studies, or policy recommendations whose data or findings must be seen as independent;
(3) Undercut host-country government "ownership" of constitutions, laws, regulations, policies, studies, assessments, reports, publications, surveys or audits, public service announcements, or other communications;
(4) Impair the functionality of an item;
(5) Incur substantial costs or be impractical;
(6) Offend local cultural or social norms, or be considered inappropriate; or
(7) Conflict with international law.

h. The recipient may submit a waiver request of the marking requirements of this provision or the Marking Plan, through the AOR, when USAID- required marking would pose compelling political, safety, or security concerns, or have an adverse impact in the cooperating country.
(1) Approved waivers "flow down" to sub-agreements, including sub-awards and contracts, unless specified otherwise. The waiver may also include the removal of USAID markings already affixed, if circumstances warrant.
(2) USAID determinations regarding waiver requests are subject to appeal by the recipient, by submitting a written request to reconsider the determination to the cognizant Assistant Administrator.

i. The recipient must include the following marking provision in any sub-agreements entered into under this award:

"As a condition of receipt of this sub-award, marking with the USAID Identity of a size and prominence equivalent to or greater than the recipient's, sub-recipient's, other donor's, or third party's is required. In the event the recipient chooses not to require marking with its own identity or logo by the sub-recipient, USAID may, at its

discretion, require marking by the sub-recipient with the USAID Identity."

[END OF PROVISION]

M3. DRUG TRAFFICKING AND DRUG-FREE WORKPLACE (JUNE 2012)

In the event the recipient or any of its employees, sub-recipients, or contractors are found to have been convicted of a narcotics offense or to have been engaged in drug trafficking as defined in 22 CFR 140, USAID reserves the right to terminate this award, in whole or in part, or take any other appropriate measures including, without limitation, refund or recall of any award amount. Additionally, the recipient must make a good-faith effort to maintain a drug-free workplace and USAID reserves the right to terminate or suspend this award if the recipient materially fails to do so.

[END OF PROVISION]

M4. DEBARMENT AND SUSPENSION (JUNE 2012)

a. The recipient must not transact or conduct business under this award with any individual or entity that has an active exclusion on the System for Award management (SAM) (www.sam.gov) unless prior approval is received from the Agreement Officer. The list contains those individuals and entities that the U.S. Government has suspended or debarred based on misconduct or a determination by the U.S. Government that the person or entity cannot be trusted to safeguard U.S. Government funds. Suspended or debarred entities or individuals are excluded from receiving any new work or any additional U.S. Government funding for the duration of the exclusion period. If the recipient has any questions about listings in the system, these must be directed to the Agreement Officer.
b. The recipient must comply with Subpart C of 2 CFR Section 180, as supplemented by 2 CFR 780, USAID may disallow costs, annul or terminate the transaction, debar or suspend the recipient, or take other remedies as appropriate, if the recipient violates this provision. Although doing so is not automatic, USAID may terminate this award if a recipient or any of its principals meet any of the conditions listed in paragraph c. below. If such a situation arises, USAID will consider the totality of circumstances—including the recipient's response to the situation and any additional information submitted—when USAID determines its response.
c. The recipient must notify the Agreement Officer immediately upon learning that it or any of its principals, at any time prior to or during the duration of this award:
   (1) Are presently excluded or disqualified from doing business with any U.S. Government entity;
   (2) Have been convicted or found liable within the preceding three years for committing any offense indicating a lack of business integrity or business honesty such as fraud, embezzlement, theft, forgery, bribery or lying;
   (3) Are presently indicted for or otherwise criminally or civilly charged by any governmental entity for any of the offenses enumerated in paragraph c.(2); or
   (4) Have had one or more U.S.-funded agreements terminated for cause or default within the preceding three years.
d. Principal means—
   (1) An officer, director, owner, partner, principal investigator, or other person within a participant with management or supervisory responsibilities related to a covered transaction; or
   (2) A consultant or other person, whether or not employed by the participant or

paid with Federal funds, who—

(i) Is in a position to handle Federal funds;

(ii) Is in a position to influence or control the use of those funds; or,

(iii) Occupies a technical or professional position capable of substantially influencing the development or outcome of an activity required to perform the covered transaction.

e. The recipient must include this provision in its entirety except for paragraphs c.(2)-(4) in any sub-agreements, including sub-awards or contracts, entered into under this award.

[END OF PROVISION]

M5. PREVENTING TERRORIST FINANCING (AUGUST 2013)

a. The recipient must not engage in transactions with, or provide resources or support to, individuals and organizations associated with terrorism, including those individuals or entities that appear on the Specially Designated Nationals and Blocked Persons List maintained by the U.S. Treasury (online at: **http://www.treasury.gov/resource-center/sanctions/SDN-List/Pages/default.aspx**) or

   the United Nations Security designation list (online at: **http://www.un.org/sc/committees/1267/aq_sanctions_list.shtml**).

b. This provision must be included in all sub-agreements, including sub-awards and contracts issued under this award.

[END OF PROVISION]

M6. TRAFFICKING IN PERSONS (JUNE 2012)

a. USAID is authorized to terminate this award, without penalty, if the recipient or its employees, or any sub-recipient or its employees, engage in any of the following conduct:

   (1) Trafficking in persons (as defined in the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention against Transnational Organized Crime) during the period of this award;

   (2) Procurement of a commercial sex act during the period of this award; or

   (3) Use of forced labor in the performance of this award.

b. For purposes of this provision, “employee” means an individual who is engaged in the performance of this award as a direct employee, consultant, or volunteer of the recipient or any sub-recipient.

c. The recipient must include in all sub-agreements, including sub-awards and contracts, a provision prohibiting the conduct described in a(1)-(3) by the sub-recipient, contractor or any of their employees.

[END OF PROVISION]

M7. VOLUNTARY POPULATION PLANNING ACTIVITIES – MANDATORY REQUIREMENTS (MAY 2006)

a. Requirements for Voluntary Sterilization Programs

(1) Funds made available under this award must not be used to pay for the performance of involuntary sterilization as a method of family planning or to coerce or provide any financial incentive to any individual to practice sterilization.

b. Prohibition on Abortion-Related Activities:

(1) No funds made available under this award will be used to finance, support, or be attributed to the following activities: (i) procurement or distribution of equipment intended to be used for the purpose of inducing abortions as a method of family planning; (ii) special fees or incentives to any person to coerce or motivate them to have abortions; (iii) payments to persons to perform abortions or to solicit persons to undergo abortions; (iv) information, education, training, or communication programs that seek to promote abortion as a method of family planning; and (v) lobbying for or against abortion. The term "motivate," as it relates to family planning assistance, must not be construed to prohibit the provision, consistent with local law, of information or counseling about all pregnancy options.

(2) No funds made available under this award will be used to pay for any biomedical research which relates, in whole or in part, to methods of, or the performance of, abortions or involuntary sterilizations as a means of family planning. Epidemiologic or descriptive research to assess the incidence, extent, or consequences of abortions is not precluded.

[END OF PROVISION]

M8. EQUAL PARTICIPATION BY FAITH-BASED ORGANIZATIONS (JUNE 2012)

a. Faith-Based Organizations Encouraged.

Faith-based organizations are eligible to compete on an equal basis as any other organization to participate in USAID programs. Neither USAID nor entities that make and administer subawards of USAID funds will discriminate for or against an organization on the basis of the organization's religious character or affiliation. A faith-based organization may continue to carry out its mission, including the definition, practice, and expression of its religious beliefs, within the limits contained in this provision. More information can be found at the USAID Faith-Based and Community Initiatives Web site: **http://www.usaid.gov** and 22 CFR 205.1.

b. Inherently Religious Activities Prohibited.

(1) Inherently religious activities include, among other things, worship, religious instruction, prayer, or proselytization.

(2) The recipient must not engage in inherently religious activities as part of the programs or services directly funded with financial assistance from USAID. If the recipient engages in inherently religious activities, it must offer those services at a different time or location from any programs or services directly funded by this award, and participation by beneficiaries in any such inherently religious activities must be voluntary.

(3) These restrictions apply equally to religious and secular organizations. All organizations that participate in USAID programs, including religious ones, must carry out eligible activities in accordance with all program requirements

and other applicable requirements governing USAID-funded activities

(4) These restrictions do not apply to USAID-funded programs where chaplains work with inmates in prisons, detention facilities, or community correction centers, or where USAID funds are provided to religious or other organizations for programs in prisons, detention facilities, or community correction centers, in which such organizations assist chaplains in carrying out their duties.

(5) Notwithstanding the restrictions of b(1) and (2), a religious organization that participates in USAID-funded programs or services

(i) Retains its independence and may continue to carry out its mission, including the definition, practice, and expression of its religious beliefs, provided that it does not use direct financial assistance from USAID to support any inherently religious activities,

(ii) May use space in its facilities, without removing religious art, icons, scriptures, or other religious symbols, and

(iii) Retains its authority over its internal governance, and it may retain religious terms in its organization's name, select its board members on a religious basis, and include religious references in its organization's mission statements and other governing documents.

c. Construction of Structures Used for Inherently Religious Activities Prohibited. The recipient must not use USAID funds for the acquisition, construction, or rehabilitation of structures to the extent that those structures are used for inherently religious activities, such as sanctuaries, chapels, or other rooms that the recipient uses as its principal place of worship. Except for a structure used as its principal place of worship, where a structure is used for both eligible and inherently religious activities, USAID funds may not exceed the cost of those portions of the acquisition, construction, or rehabilitation that are attributable to eligible activities.

d. Discrimination Based on Religion Prohibited. The recipient must not discriminate against any beneficiary or potential beneficiary on the basis of religion or religious belief as part of the programs or services directly funded with financial assistance from USAID.

e. A religious organization's exemption from the Federal prohibition on employment discrimination on the basis of religion, set forth in Sec. 702(a) of the Civil Rights Act of 1964, 42 U.S.C. 2000e–1 is not forfeited when the organization receives financial assistance from USAID.

f. The Secretary of State may waive the requirements of this section in whole or in part, on a case-by-case basis, where the Secretary determines that such waiver is necessary to further the national security or foreign policy interests of the United States.

[END OF PROVISION]

M9. USAID Implementing Partner Notices (IPN) Portal for Assistance (July 2014)

APPLICABILITY: *For use in all solicitations and resulting awards. Please refer to* ***ADS 303, Section 303.3.31, "USAID Implementing Partner Notices (IPN) Portal For Assistance"*** *for additional guidance.*

USAID IMPLEMENTING PARTNER NOTICES (IPN) PORTAL FOR ASSISTANCE (July 2014)

(a) Definitions
"USAID Implementing Partner Notices (IPN) Portal for Assistance ("IPN Portal)" means the single point where USAID posts proposed universal bilateral amendments for USAID awards, which can be accessed electronically by registered USAID recipients. The IPN Portal is located at **https://sites.google.com/site/usaidipnforassistance/**.

"IPN Portal Administrator" means the USAID official designated by the Director, M/OAA, who has overall responsibility for managing the USAID Implementing Partner Notices Portal for Assistance.
"Universal bilateral amendment" means those amendments with revisions or new requirements or provisions that affect all awards or a designated class of awards, as specified in the Agency notification of such revisions or new requirements.
(b) By submission of an application and execution of an award, the Applicant/Recipient acknowledges the requirement to:

(1) Register with the IPN Portal if awarded an assistance award resulting from this solicitation, and

(2) Receive universal bilateral amendments to this award and general notices via the IPN Portal.

(c) Procedure to register for notifications.
Go to **https://sites.google.com/site/usaidipnforassistance/** and click the "Register" button at the top of the page. Recipient representatives must use their official organization email address when subscribing, not personal email addresses.

(d) Processing of IPN Portal Amendments
The Recipient may access the IPN Portal at any time to review all IPN Portal amendments; however, the system will also notify the Recipient by email when the USAID IPN Portal Administrator posts a universal bilateral amendment for Recipient's review and signature. Proposed USAID IPN Portal amendments distributed via the IPN Portal are applicable to all awards, unless otherwise noted in the proposed amendment.
Within 15 calendar days from receipt of the notification email from the IPN Portal, the Recipient must do one of the following:

(1) (a) verify applicability of the proposed amendment for their award(s) per the instructions provided with each amendment; (b) download the amendment and incorporate the following information on the amendment form: award number, organization name, and organization mailing address as it appears in the basic award; (c) sign the hardcopy version; and (d) send the signed amendment (by email or hardcopy) to the AO for signature. The Recipient must not incorporate any other changes to the IPN Portal amendment. Bilateral amendments provided through the IPN Portal are not effective until the both the Recipient and the AO sign the amendment;

(2) Notify the AO in writing if the amendment requires negotiation of additional changes to terms and conditions of the award; or

(3) Notify the AO that the Recipient declines to sign the amendment.

Within 30 calendar days of receipt of a signed amendment from the Recipient, the AO must provide the fully executed amendment to the Recipient or initiate discussions with the Recipient.

[END OF PROVISION]]

M.10 - Pilot Program for Enhancement of Grantee Employee Whistleblower Protections (SEPTEMBER 2014)

The requirement to comply with and inform all employees of the "Pilot Program for Enhancement of Contractor Employee Whistleblower Protections" is retroactively effective for all assistance awards and sub-awards (including subcontracts) issued beginning July 1, 2013.

The Grantee must:

1. Inform its employees working under this award in the predominant native language of the workforce that they are afforded the employee whistleblower rights and protections provided under 41 U.S.C. § 4712; and
2. Include such requirement in any sub-award or subcontract made under this award.

41 U.S.C. § 4712 states that an employee of a Grantee may not be discharged, demoted, or otherwise discriminated against as a reprisal for "whistleblowing." In addition, whistleblower protections cannot be waived by any agreement, policy, form, or condition of employment.

Whistleblowing is defined as making a disclosure "that the employee reasonably believes" is evidence of any of the following:

- Gross mismanagement of a Federal contract or grant;
- A gross waste of Federal funds;
- An abuse of authority relating to a Federal contract or grant;
- A substantial and specific danger to public health or safety; or
- A violation of law, rule, or regulation related to a Federal contract or grant (including the competition for, or negotiation of, a contract or grant).

To qualify under the statute, the employee's disclosure must be made to:

- A Member of the U.S. Congress, or a representative of a U.S. Congressional Committee;
- A cognizant U.S. Inspector General;
- The U.S. Government Accountability Office;
- A Federal employee responsible for contract or grant oversight or management at the relevant agency;
- A U.S. court or grand jury; or,
- A management official or other employee of the Grantee who has the responsibility to investigate, discover, or address misconduct.

[END OF PROVISION]

M11. SUBMISSION OF DATASETS TO THE DEVELOPMENT DATA LIBRARY (OCTOBER 2014)

a Definitions. For the purpose of submissions to the DDL:

(1) “Dataset” is an organized collection of structured data, including data contained in spreadsheets, whether presented in tabular or non-tabular form.

For example, a Dataset may represent a single spreadsheet, an extensible mark-up language (XML) file, a geospatial data file, or an organized collection of these. This requirement does not apply to aggregated performance reporting data that the recipient submits directly to a USAID portfolio management system or to unstructured data, such as email messages, PDF files, PowerPoint presentations, word processing documents, photos and graphic images, audio files, collaboration software, and instant messages. Neither does the requirement apply to the recipient's information that is incidental to award administration, such as financial, administrative, cost or pricing, or management information. Datasets submitted to the DDL will generally be those generated with USAID resources and created in support of Intellectual Work that is uploaded to the Development Experience Clearinghouse (DEC) (See M1. SUBMISSIONS TO THE DEVELOPMENT EXPERIENCE CLEARINGHOUSE AND DATA RIGHTS (JUNE 2012).

(2) "Intellectual Work" includes all works that document the implementation, monitoring, evaluation, and results of international development assistance activities developed or acquired under this award, which may include program and communications materials, evaluations and assessments, information products, research and technical reports, progress and performance reports required under this award (excluding administrative financial information), and other reports, articles and papers prepared by the recipient under the award, whether published or not. The term does not include the recipient's information that is incidental to award administration, such as financial, administrative, cost or pricing, or management information.

b. Submissions to the Development Data Library (DDL)

(1) The recipient must submit to the Development Data Library (DDL) at **www.usaid.gov/data**, in a machine-readable, non-proprietary format, a copy of any Dataset created or obtained in performance of this award, including Datasets produced by a subawardee or a contractor at any tier. The submission must include supporting documentation describing the Dataset, such as code books, data dictionaries, data gathering tools, notes on data quality, and explanations of redactions.

(2) Unless otherwise directed by the Agreement Officer (AO) or the Agreement Officer Representative (AOR), the recipient must submit the Dataset and supporting documentation to the DDL within thirty (30) calendar days after the Dataset is first used to produce an Intellectual Work or is of sufficient quality to produce an Intellectual Work. Within thirty (30) calendar days after award completion, the recipient must submit to the DDL any Datasets and supporting documentation that have not previously been submitted to the DDL, along with an index of all Datasets and Intellectual Work created or obtained under the award. The recipient must also provide to the AOR an itemized list of any and all DDL submissions.

The recipient is not required to submit the data to the DDL, when, in accordance with the terms and conditions of this award, Datasets containing results of federally funded scientific research are submitted to a publicly accessible research database. However, the recipient must submit a notice to the DDL by following the instructions at **www.usaid.gov/data**, with a copy to the agreement officer representative, providing details on where and how to access the data. The direct results of federally funded scientific research must be reported no later than when the data are ready to be submitted to a peer-reviewed journal for publication, or no later than five calendar days prior to the conclusion of the award, whichever occurs earlier.

(3) The recipient must submit the Datasets following the submission instructions and acceptable formats found at **www.usaid.gov/data**.

(4) The recipient must ensure that any Dataset submitted to the DDL does not contain any proprietary or personally identifiable information, such as social security numbers, home addresses, and dates of birth. Such information must be removed prior to submission.

(5) The recipient must not submit classified data to the DDL.

[END OF PROVISION]

[END OF MANDATORY PROVISIONS]

REQUIRED AS APPLICABLE

STANDARD PROVISIONS FOR FIXED AMOUNT AWARDS TO NONGOVERNMENTAL ORGANIZATIONS

The following Standard Provisions are required to be used when applicable. Applicability statements are contained in the parenthetical statement preceding the Standard Provision. When a Standard Provision is determined to be applicable in accordance with the applicability statement, the use of such Standard Provision is mandatory unless a deviation has been approved in accordance with ADS Chapter 303.3.4**.** Do not include a "required as applicable" provision in the award if the applicability statement does not require it.

RAA1. FIXED OBLIGATION GRANT ADVANCE PAYMENT AND REFUNDS (JUNE 2012)

N/A

RAA2. CENTRAL CONTRACTOR REGISTRATION AND UNIVERSAL IDENTIFIER (OCTOBER 2010)

APPLICABILITY: *This provision is required in accordance with 2 CFR 25, Award Term for Central Contractor Registration and Universal Identifier. Agreement Officers (AOs) must include this provision in all assistance solicitations and all awards, unless the AO*

exempts an organization from compliance with the provision under one of the following exceptions, from paragraph d. below:

> ***Exceptions.*** *The requirements of this provision to obtain a Data Universal Numbering System (DUNS) number and maintain a current registration in the Central Contractor Registration (CCR) do not apply, at the prime award or sub-award level, to:*
>
> (1) *Awards to individuals*
> (2) *Awards less than $25,000 to foreign recipients to be performed outside the United States (based on a USAID determination)*
> (3) *Awards where the AO determines, in writing, that these requirements would cause personal safety concerns.*

CENTRAL CONTRACTOR REGISTRATION AND UNIVERSAL IDENTIFIER (OCTOBER 2010)

a. Requirement for Central Contractor Registration (CCR). Unless you are exempted from this requirement under 2 CFR 25.110, you as the recipient must

maintain the currency of your information in the CCR until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently, if required by changes in your information or another award term.

b. Requirement for Data Universal Numbering System (DUNS) numbers. If you are authorized to make sub-awards under this award, you:

(1) Must notify potential sub-recipients that no entity (see definition in paragraph c. of this award term) may receive a sub-award from you unless the entity has provided its DUNS number to you.

(2) May not make a sub-award to an entity unless the entity has provided its DUNS number to you.

c. Definitions. For purposes of this award term:

(1) Central Contractor Registration (CCR) means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the CCR Internet site (currently at **www.ccr.gov/**).

(2) Data Universal Numbering System (DUNS) number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D&B) to uniquely identify business entities. A DUNS number may be obtained from D&B by telephone (currently 866-705-5711) or the Internet (currently at **fedgov.dnb.com/webform**).

(3) Entity, as it is used in this award term, means all of the following, as defined at 2 CFR 25, subpart C:

(i) A governmental organization, which is a State, local government, or Indian tribe;

(ii) A foreign public entity;

(iii) A domestic or foreign nonprofit organization;

(iv) A domestic or foreign for-profit organization; and

(v) A Federal agency, but only as a sub-recipient under an award or sub-award to a non-Federal entity.

(4) Sub-award:

(i) This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you, as the recipient, award to an eligible sub-recipient.

(ii) The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. 210 of the attachment to OMB Circular A- 133, "Audits of States, Local Governments, and Non-Profit Organizations").

(iii) A sub-award may be provided through any legal agreement, including an agreement that you consider a contract.

(5) Sub-recipient means an entity that:

(i) Receives a sub-award from you under this award; and

(ii) Is accountable to you for the use of the Federal funds provided by the sub-award.

ADDENDUM (JUNE 2012):

d. Exceptions. The requirements of this provision to obtain a Data Universal Numbering System (DUNS) number and maintain a current registration in the Central Contractor Registration (CCR) do not apply, at the prime award or subaward level, to:

(1) Awards to individuals

(2) Awards less than $25,000 to foreign recipients to be performed outside the United States (based on a USAID determination)

(3) Awards where the Agreement Officer determines, in writing, that these requirements would cause personal safety concerns.

e. This provision does not need to be included in sub-awards.

[END OF PROVISION]

RAA3. REPORTING SUBAWARDS AND EXECUTIVE COMPENSATION (OCTOBER 2010)

N/A

RAA4. USAID ELIGIBILITY RULES FOR PROCUREMENT OF COMMODITIES AND SERVICES (JUNE 2012)

This provision is only applicable when specific goods or services are listed as or in milestones.

a. Ineligible and Restricted Commodities and Services:

(1) Ineligible Commodities and Services. The recipient must not, under any circumstances, procure any of the following under this award:

(i) Military equipment,
(ii) Surveillance equipment,
(iii) Commodities and services for support of police or other law enforcement activities,
(iv) Abortion equipment and services,
(v) Luxury goods and gambling equipment, or
(vi) Weather modification equipment.

(2) Ineligible Suppliers. Any firms or individuals that do not comply with the requirements in Standard Provision, “Debarment and Suspension” and Standard Provision, “Preventing Terrorist Financing” must not be used to provide any commodities or services funded under this award.

(3) Restricted Commodities. The recipient must obtain prior written approval of the Agreement Officer (AO) or comply with required procedures under an applicable waiver, as provided by the AO when procuring any of the following commodities:

(i) Agricultural commodities,
(ii) Motor vehicles,
(iii) Pharmaceuticals,
(iv) Pesticides,
(v) Used equipment,
(vi) U.S. Government-owned excess property, or
(vii) Fertilizer.

b. Source and Nationality:
Except as may be specifically approved in advance by the AO, all commodities and services that will be reimbursed by USAID under this award must be from the authorized geographic code specified in this award and must meet the source and nationality requirements set forth in 22 CFR 228. If the geographic code is not specified, the authorized geographic code is 937. When the total value of

procurement for commodities and services during the life of this award is valued at $250,000 or less, the authorized geographic code for procurement of all goods and services to be reimbursed under this award is code 935. For a current list of countries within each geographic code, see: **http://www.usaid.gov/ads/policy/300/310**.

c. Guidance on the eligibility of specific commodities and services may be obtained from the AO. If USAID determines that the recipient has procured any commodities or services under this award contrary to the requirements of this provision, and has received payment for such purposes, the AO may require the recipient to refund the entire amount of the purchase.

d. This provision must be included in all sub-agreements, including sub-awards and contracts, which include procurement of the commodities or services specifically listed as or in milestones.

[END OF PROVISION]

RAA5. FLY AMERICA ACT RESTRICTIONS (AUGUST 2013)

N/A

RAA6. OCEAN SHIPMENT OF GOODS (JUNE 2012)

N/A

RAA7. REPORTING HOST GOVERNMENT TAXES (JUNE 2012)

***APPLICABILITY**: This provision is only applicable if a host country tax may possibly be charged on items specifically listed as or in milestones in agreements that obligate or subobligate FY 2003 or later funds except for agreements funded with Operating Expense, Pub. L. 480 funds, or trust funds, or agreements where there will be no commodity transactions in a foreign country over the amount of $500.*

Please insert address and point of contact at the Embassy, Mission, or M/CFO/CMP as appropriate under section (b) of this provision.

REPORTING HOST GOVERNMENT TAXES (JUNE 2012)

a. By April 16 of each year, the recipient must submit a report containing:
   - (i) Contractor/recipient name.
   - (ii) Contact name with phone, fax and e-mail.
   - (iii) Agreement number(s).
   - (iv) he total amount of value-added taxes and customs duties (but not sales taxes) assessed by the host government (or any entity thereof) on purchases in excess of $500 per transaction of supplies, materials, goods or equipment, during the 12 months ending on the preceding September 30, using funds provided under this contract/agreement.
   - (v) Any reimbursements received by April 1 of the current year on value-added taxes and customs duties reported in (iv).
   - (vi) Reports are required even if the recipient did not pay any taxes or receive any reimbursements during the reporting period.
   - (vii) Cumulative reports may be provided if the recipient is implementing more than one program in a foreign country.

b. Submit the reports to: [insert address and point of contact at the Embassy, Mission, or M/CFO/CMP as appropriate, may include an optional “with a copy to”].

c. The recipient must include this reporting requirement in all applicable sub-agreements, including sub-awards and contracts.

[END OF PROVISION]

RAA8. PATENT RIGHTS (JUNE 2012)

APPLICABILITY: This provision is applicable to awards to small business firms or nonprofit organizations for the performance of experimental, developmental, or research work funded in whole or in part with USAID funds.

PATENT RIGHTS (JUNE 2012)

a. Patent Rights

1) Allocation of Principal Patent Rights. The recipient may retain the entire right, title, and interest throughout the world to each subject invention, subject to this provision. With respect to any subject invention in which the recipient retains title, the U.S. Government must have a nonexclusive, nontransferable, irrevocable, paid-up license to practice or have practiced for or on behalf of the U.S. Government the subject invention throughout the world, and to sublicense others to do the same. The recipient agrees to include, within the specification of any United States patent application and any patent issuing thereon covering a subject invention, the following statement: "This invention was made with U.S. Government support under (identify the agreement awarded by USAID). The U.S. Government has certain rights in this invention."

2) Definitions. For purposes of this provision, the following terms will have the following meaning:

(i) "Invention" means any invention or discovery which is or may be patentable or otherwise protectable under Title 35 of the United States Code.

(ii) "Subject invention" means any invention of the recipient conceived or first actually reduced to practice in the performance of work under this award.

3) The recipient must disclose each subject invention to the National Institutes of Health (NIH) EDISON Patent Reporting and Tracking System (**http://www.iedison.gov**) within two months after the inventor discloses it in writing to recipient personnel responsible for patent matters. In addition, the recipient agrees to submit, on request, periodic reports to the Agreement Officer's Representative, no more frequently than annually, on the utilization of a subject invention.

4) Conditions When the U.S. Government May Obtain Title. The recipient must convey title to any subject invention to USAID, upon written request, subject to recipient's retention of a nonexclusive, royalty-free license throughout the world, in each subject invention:

(i) If the recipient fails to file a U.S. patent application or to disclose the subject invention to USAID at least 60 days prior to the statutory period for filing a patent in the United States, fails to file any non-U.S. patent applications within either ten months of the corresponding initial patent application or six months from the date permission is granted by the Commissioner of Patents and Trademarks to file foreign patent applications, or elects not to retain title.

(ii) In any country in which the recipient decides not to continue the prosecution of any application for, to pay the maintenance fees on, or defend in reexamination or opposition proceeding on a patent on a subject invention.

b. Sub-awards and Contracts: Recipient must include this the Standard Provision, suitably modified to identify the parties, in all sub-awards and contracts, regardless of tier, for experimental, developmental, or research work to be performed by a small business firm or nonprofit organization. The recipient must retain all rights provided for the USG in this the Standard Provision, and the recipient must not, as part of the consideration for awarding the contract or sub-award, obtain more rights in the contractor's or sub-recipient's subject inventions than provided in this provision.

[END OF PROVISION]

RAA9. EXCHANGE VISITORS AND PARTICIPANT TRAINING (JUNE 2012)

N/A

RAA10. INVESTMENT PROMOTION (NOVEMBER 2003)

N/A

RAA11. PROTECTION OF HUMAN RESEARCH SUBJECTS (JUNE 2012)

N/A

RAA12. STATEMENT FOR IMPLEMENTERS OF ANTI-TRAFFICKING ACTIVITIES ON LACK OF SUPPORT FOR PROSTITUTION (JUNE 2012)

N/A

RAA13. ELIGIBILITY OF SUBRECIPIENTS OF ANTI-TRAFFICKING FUNDS (JUNE 2012)

N/A

RAA14. PROHIBITION ON THE USE OF ANTI-TRAFFICKING FUNDS TO PROMOTE, SUPPORT, OR ADVOCATE FOR THE LEGALIZATION OR PRACTICE OF PROSTITUTION (JUNE 2012)

N/A

RAA15. VOLUNTARY POPULATION PLANNING ACTIVITIES – SUPPLEMENTAL REQUIREMENTS (JANUARY 2009)

N/A

RAA16. CONSCIENCE CLAUSE IMPLEMENTATION (ASSISTANCE) (FEBRUARY 2012)

N/A

RAA17. CONDOMS (ASSISTANCE) (SEPTEMBER 2014)

N/A

RAA18. PROHIBITION ON THE PROMOTION OR ADVOCACY OF THE EGALIZATION OR PRACTICE OF PROSTITUTION OR SEX TRAFFICKING (ASSISTANCE) (SEPTEMBER 2014)

N/A

RAA 19.METRIC SYSTEM OF MEASUREMENT (AUGUST 1992)

N/A

RAA20. ACCESS TO USAID FACILITIES AND USAID's INFORMATION SYSTEMS (AUGUST 2013)

N/A

RAA21. LIMITATION ON SUBAWARDS TO NON-LOCAL ENTITIES (July 2014)

(*For use in all solicitations and resulting awards where eligibility is restricted to local or regional entities. This provision must be used for all awards financed fully or in part with FY14 funds. Please refer to ADS 303, section 303.3.6.6 a.(2), "Other Exceptions to Competition – Local Competition" for additional guidance.)*

302.3.5.17 Limitation on Sub-awards to Non-Local Entities (July 2014)

(a) By submission of an application and execution of the award, the applicant/recipient agrees that at least fifty (50) percent of the cost of award performance incurred for personnel must be expended for employees of the prime/local entity.

(b) By submission of an application and execution of the award, the Applicant/Recipient represents that it is an individual, a corporation, a nonprofit organization, or another body of persons that:

(1) Is legally organized under the laws of;

(2) Has as its principal place of business or operations in;

(3) Is majority owned by individuals who are citizens or lawful permanent residents of; and

(4) Is managed by a governing body the majority of who are citizens or lawful permanent residents of the country in which this award will be primarily performed.

(d) For purposes of this provision, "majority owned" and "managed by" include, without limitation, beneficiary interests and the power, either directly or indirectly, whether exercised or exercisable, to control the election, appointment, or tenure of the organization's managers or a majority of the organization's governing body by any means.

(END OF PROVISION)

[END OF THE STANDARD PROVISIONS]