



USAID

FROM THE AMERICAN PEOPLE

Issuance Date: July 29, 2008
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Subject: The USAID/Washington/Middle East Bureau 2008 Annual Program Statement (APS)
APS number: OAA-GRO-MEB-08-001-APS
Support for Civil Society and Rule of Law in Iran

The United States Agency for International Development (USAID) is seeking applications from eligible institution as described in Section A.1.e., that promote democracy, human rights, and the rule of law in Iran. Applications should advance one or more of the following objectives: strengthening civil society organization and advocacy; increasing awareness of and strengthening the rule of law; and expanding freedom of information.

Under this 2008 APS, the term "Grant" is synonymous with "Cooperative Agreement"; "Grantee" is synonymous with "Recipient"; and "Grant Officer" is synonymous with "Agreement Officer".

The Recipient will be responsible for ensuring achievement of the program objective to give the Iranian people the means and tools to pursue their basic human and civic rights. Please refer to the Program Description in Section A for a complete statement of goals, objectives, and expected results.

Due to current sanctions on Iran, United States Government funds may not be used for activities involving the Government of Iran. Organizations receiving an award under this APS must comply with all applicable U.S. laws and regulations related to Iran. Failure to comply with applicable U.S. law and regulations may result in forfeiture/termination of an award. Grantees who sign awards will be subject to the terms of the OFAC license granted for the program, which authorizes them to engage in transactions necessary to advance democracy and human rights in Iran.

Awards may be made to eligible U.S. nongovernmental organizations (501(c)3 NGOs) and accredited U.S. colleges and universities in accordance with 22 CFR 226 and USAID's Standard Provisions for U.S. Nongovernmental Recipients. Awards may also be made to eligible private firms and non-U.S. organizations.

The authority for the RFA is found in Foreign Assistance Act of 1961, as amended. Pursuant to 22 CFR 226.81, it is USAID policy not to award profit under assistance instruments. However, all reasonable, allocable, and allowable expenses, both direct and indirect, which are related to the grant program and are in accordance with applicable cost standards (22 CFR 226, OMB Circular A-122 for non-profit organization, OMB Circular A-21 for universities, and the Federal Acquisition Regulation (FAR) Part 31 for-profit organizations), may be paid under the grant.

USAID intends to make several awards under this APS for a total of up to \$20 million. Applicants can request \$100,000 to \$3,000,000 for expenditure for a maximum of two years. Applications will be reviewed on a rolling basis and all applications must be submitted by June 30, 2009. USAID reserves the right to fund any or none of the applications submitted.

This Iran Program APS consists of this cover letter and the following:

1. Section A – Program Description;
2. Section B – Selection Criteria;
3. Section C – Grant Application Format;
4. Section D – Certifications, Assurances, and Other Statements of Applicant/Grantee.

The preferred method of distribution of USAID APS and the submission/receipt of applications is electronically via Grants.gov, which provides a single source for federal government-wide competitive grant opportunities. This APS and any future amendments can be downloaded from <http://www.grants.gov>. In order to use this method, an applicant must first register on-line with Grants.gov. If you have difficulty registering or accessing the APS, please contact the Grants.gov Helpdesk at 1-800-518-4726 or via e-mail at support@usaid.gov for technical assistance. Receipt of this APS through Grants.gov must be confirmed by electronic or written notification to the contact person noted below. **Applicants may upload applications to www.grants.gov; however, hard copy submissions are still accepted at the address of the person noted below.** It is the responsibility of the Applicant to ensure that complete document has been received from the website Grants.gov in its entirety and USAID bears no responsibility for data errors resulting from transmission or conversion processes. To be eligible for award, the applicant must provide all required information in its application, including the requirements found in any attachments to the Grants.gov opportunity.

If you decide to submit an application, USAID must receive the application by one of the two methods indicated below:

- (i) electronically via www.Grants.gov, by the closing date indicated at the top of this cover letter; or
- (ii) in hard copy at the submission address of the contact person.

Please note that Technical Application and Cost proposal, as instructed in Section C, must be submitted under a separate covers. Applications can be submitted at any time before the closing date. The Applicant **must** notify the USAID contact person noted below by e-mail (kgurung@usaid.gov) or written notification as soon as the application is submitted, but no later than the closing date so that the electronic application can be retrieved by USAID.

Application should be clearly marked as follows:

Technical Application or Cost proposal
APS No. OAA-GRO-MEB-08-001-APS

“Support for Civil Society and Rule of Law”

(By U.S. Mail)

Name: Mr. Khem Gurung, Agreement Officer
Office of Acquisition and Assistance, RRB Room 7.09-124
United States Agency for International Development
1300 Pennsylvania Ave., N.W.
Washington, D.C. 20523-7900

(By All Other Means of Delivery)

Name: Mr. Khem Gurung, Agreement Officer
United States Agency for International Development
1300 Pennsylvania Ave., N.W.
Ronald Reagan Bldg, 14th Street Entrance
Washington, D.C. 20523-7900

Please use the phone at the visitor’s desk (14th street lobby) to contact Mr. Khem Gurung at Ext.2-5188.

Issuance of this APS does not constitute an award commitment on the part of the Government, nor does it commit the Government to pay for costs incurred in the preparation and submission of an application. Final award of any resultant grant(s) cannot be made until funds have been fully appropriated, allocated, and committed through internal USAID procedures. While it is anticipated that these procedures will be successfully completed, potential Applicants are hereby notified of these requirements and conditions for

award. Applications are submitted at the risk of the Applicant; should circumstances prevent award of a cooperative agreement, all preparation and submission costs are at the Applicant's expense.

In the event of an inconsistency between the documents comprising this APS, it shall be resolved by the following descending order of precedence:

- (a) Section A - Program Description;
- (b) Section B - Selection Criteria;
- (c) Section C - Grant Application Format;
- (d) Section D - Certifications, Assurances, and Other Statements of Applicant/Grantee.
- (e) This Cover Letter.

Any questions concerning this APS should be submitted in writing to Khem Gurung at the above address or via internet at kgurung@usaid.gov.

Sincerely,

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Khem Gurung
Agreement Officer
M/OAA/GRO/ALPS

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SECTION A

PROGRAM DESCRIPTION

A.1. PROGRAM SUMMARY

The U.S. Government's Iran programs are a long-term effort to strengthen independent voices in Iran and expand ties between the people of Iran and the United States. Projects are funded to provide greater access to multiple sources of information, strengthen Iran's civil society, increase awareness and respect for human rights, and promote the rule of law. Iran democracy programming, which is only one piece of this broader effort, has the overarching goal of strengthening the ability of the Iranian people to organize themselves around policy and social issues and advocate for their views within their society and with their government. This program seeks to increase Iranian government adherence to democratic provisions of their constitution and laws and international human rights standards, and to strengthen the responsiveness of officials and elected representatives to the people. It also aims to decrease the isolation of the Iranian people and increase their access to information and ability to communicate with the global community.

By achieving these goals, this program will promote freedom in Iran and the ability of Iranians to make choices about their own government and lives.

USAID, represented by the Bureau for the Middle East, and the Department of State's Bureau of Near Eastern Affairs (NEA) have developed a Memorandum of Agreement that outlines joint management of this program. USAID will be administering this program in close partnership with State/NEA.

A.1.a. PROGRAM OBJECTIVES

This APS covers Iran democracy programming. The purpose of the proposed program is to promote democracy, human rights, and the rule of law in Iran. Applicants should submit applications that address one or more of the following three objectives. Information technology is a cross-cutting theme and should be applied throughout all objectives. Overall, programs that involve regional partners or examine Iranian issues in the Islamic or regional context are encouraged.

Objective 1: Strengthening Civil Society Organization and Advocacy

Iran has a diverse and vibrant non-state sector. Iranian NGOs are active, but can face difficulties obtaining resources or face repression from the government. Official corruption and a lack of government transparency are rampant.

This objective aims to strengthen the mechanisms available to Iranians to advocate for transparency, accountability, service delivery or policy issues. The program seeks to increase the capacity of NGOs to effectively manage, operate, and inform their key stakeholders on key policy and social issues, including, but not limited to those surrounding corruption, economic and environmental management, the empowerment of disenfranchised members of society, and social service delivery. The goal of these programs is to increase civil society's work to build awareness on the importance of transparency, accountability, service delivery and to advocate on key policy issues.

Illustrative examples of activities include but are not limited to:

- Building capacity of Iranian NGOs to better organize and/or to enable policy advocacy on key issues, including those related to environment, health, education, and youth.
- Improving education and awareness on the impact of corruption and providing a vehicle for information sharing among key actors. Projects may include training for NGOs, journalists, academics, opinion-makers, and other key actors.
- Addressing corruption, including the misuse of public resources for private gain via the privatization process. Projects may include promoting transparent and accountable business

- practices, corporate governance, government practices, the Uniform Commercial Code, and tackling cronyism/nepotism.
- Providing training and support to organizations active in economic empowerment, including NGOs and small-scale, grassroots businesses to address corruption and improve their capacity to operate.

Objective 2: Increasing Awareness of and Strengthening the Rule of Law

Iran's government severely restricts civil liberties, including the freedoms of speech, press, assembly, and religion. Individuals are subject to arbitrary arrest and detention by security services. Iran's constitution, existing laws, and agreement to international human rights conventions, however, provide de jure protections against some of the government's worst abuses. Assisting those who seek the enforcement of statutory legal protections (such as the right to a fair trial) and defenders of those rights increases the likelihood of respect the rights of Iranian citizens.

Under this APS, the USG will focus on rule of law and legal defense and training to address this issue. The goals of this program are the creation of legal assistance programs inside Iran, increased awareness of and debate on the rule of law inside Iran, and increased advocacy inside Iran for adherence to existing democratic provisions of its constitution and laws.

In addition to the legal arena, an additional emphasis for the USG is to facilitate a greater understanding of the rights of Iranian citizens to genuine elections as embodied in the UN Universal Declaration of Human Rights.

Some illustrative examples of activities that could be supported through this APS include but are not limited to the following:

- Professional and other training and information-sharing programs for lawyers. Training should include on-line courses and professional opportunities to increase knowledge, skills, and capacity.
- Raising public awareness about the importance of rule of law, including increasing Iranians' awareness of existing legal rights under their current system of government.
- Supporting legal clinics that increase Iranians' ability to access their legal rights.
- Providing resources and information to help Iranians better advocate for legal reform.
- Increasing public awareness of international election standards and democratic political practice.
- Highlighting election transparency best practices, including internal and external election monitoring and issues surrounding electronic voting.

Objective 3: Expanding Freedom of Information

Iranians are well-connected to the Internet – around 30% of the population has regular access - but the Iranian government attempts to block many media, political, and cultural sites – isolating the Iranian people from access to international dialogues, information exchange and state of the art knowledge.

This objective aims to provide greater access to multiple sources of information.

Some illustrative examples of activities that could be supported through this APS include but are not limited to the following:

- Using new media creatively to engage youth – a critical segment of the population – to exert leadership and volunteerism on key policy issues, including legitimate and participatory electoral processes.
- Training journalists in international standards of journalism as well as improving Iranian journalists' knowledge of key policy debates on issues such as economics, human rights, and international affairs.

- Providing Iranians access to unbiased and/or unfiltered sources of information; and/or promoting respect for freedom of expression, speech, and association.
- Increasing public awareness of the importance of independent media in a democratic society, and other areas of civic education.
- Supporting research, surveys, and evaluations related to the Persian on-line community and to better understand attitudes as debated on-line.

A.1.b. PROGRAM REQUIREMENTS

- Programs that have a strong academic or research focus will not be considered.
- Programs that support individual political parties or attempt to advance a political party agenda in Iran will not be considered.
- The period of performance for programs funded under this APS should not exceed twenty-four (24) months.
- Applications requesting USAID funding of less than \$100,000 or more than \$3,000,000 will not be eligible for award.
- Applicants are encouraged to keep costs reasonable in relation to the scope of their proposed activities and must explain and/or support the costs in their application, which shall be subject to the USG's cost analysis, including cost realism analysis (see full details below).

A.1.c. MULTIPLE AWARDS, AWARD AMOUNT, AWARD TYPE, AVAILABILITY OF FUNDS

USAID anticipates making several awards for a total up to \$20 million under this APS. Applications can address one or more of the following objectives: Objective 1 – strengthening civil society organization and advocacy; Objective 2 – increasing awareness of and strengthening the rule of law; Objective 3 – expanding freedom of information.

USAID reserves the right to determine the actual assistance award type, including a Fixed Obligation Grant (FOG).

Issuance of this APS does not constitute an award or commitment on the part of the U.S. Government to make any awards, nor does it commit the U.S. Government to pay for costs incurred in the preparation and submission of an application. Note that funds are not currently available for this APS. The issuance of this APS, or the submission of any application, does not assure any award(s).

A.1.d. ENVIRONMENTAL PROTECTION AND COMPLIANCE

The Foreign Assistance Act of 1961, as amended, Section 117 requires that the impact of USAID's activities on the environment be considered and that USAID include environmental sustainability as a central consideration in designing and carrying out its development programs. This mandate is codified in Federal Regulations (22 CFR 216) and in USAID's Automated Directives System (ADS) Parts 201.5.10g and 204 (<http://www.usaid.gov/policy/ADS/200/>), which, in part, require that the potential environmental impacts of USAID-financed activities are identified prior to a final decision to proceed and that appropriate environmental safeguards are adopted for all activities.

No activity funded hereunder will be implemented unless an environmental threshold determination, as defined by 22 CFR 216, has been reached for that activity, as documented in a Request for Categorical Exclusion (RCE), Initial Environmental Examination (IEE), or Environmental Assessment (EA) duly signed by the Bureau Environmental Officer (BEO). (Hereinafter, such documents are described as

“approved Regulation 216 environmental documentation.”) Subsequently, over the Life of the Activity (LOA), these environmental mitigation measures are to be a standard component of program management.

A.1.e. ELIGIBILITY INFORMATION

Potential partners include but are not necessarily limited to: private voluntary organizations, foundations, colleges and universities, civic groups, faith-based and community institutions, international organizations, private businesses and associations, regional organizations, philanthropic organizations, and advocacy groups. For-profit applicants should note that USAID policy prohibits the payment of fee/profit to the prime recipient under grants and cooperative agreements. Forgone profit does not qualify as cost-sharing or leveraging. USAID encourages applications from potential new partners.

USAID encourages applications from partnerships or consortia directed by or including local organizations. In this context, partnerships are defined as a negotiated arrangement among organizations that provides for a substantive, collaborative role for each of the partners in the planning and implementation of the project. Applicants intending to represent a coalition of providers should be prepared to provide, if requested, a signed partnership agreement stating:

- An intent to commit or receive resources from the prospective partner(s) contingent upon receipt of funds;
- How the partnership arrangement advances the objectives of the project;
- Supporting documentation identifying the resources, experience, and expertise of the partner(s);
- Evidence that the partner(s) has been involved in the planning of the project; and
- Clarification of the role of the partner(s) in the implementation of the project, evaluation, and sustainability.

A.2. RECIPIENT RESPONSIBILITIES

A.2.a. RECIPIENT RESPONSIBILITIES: OVERVIEW

The Recipients will retain overall management responsibility for all aspects of the program including all sub-grants, if any. In addition to USAID assistance award and other country-specific regulations and laws, Recipient responsibilities are outlined below:

- General program management including financial management, reporting and provision of assistance to Iranian counterparts.
- In consultation with USAID, determine appropriate working and coordination relationships with other USAID Iran program grantees and other U.S. and third country NGOs working in Iran.
- In consultation with USAID, finalize action, implementation, and monitoring and evaluation plans covering all program components within 30 days of an award.
- Design and carry out technical assistance programs.
- Identify, manage and support other essential programs and communications.
- Carry out reporting, monitoring and evaluation responsibilities as described below.

A.2.b. RECIPIENT RESPONSIBILITIES: SPECIAL PROVISIONS

Office of Foreign Asset Control Compliance: Applicants are advised that U.S. sanctions against Iran restrict certain financial and technology (equipment, some software, etc. transfers to Iran and to Iranian citizens.) However, awards must fall within a license issued by the Office of Foreign Asset Control (OFAC). Appropriate reporting will be required to comply with OFAC regulations. Prior to award, applicants must provide information (name, date of birth, place of birth, and nationality) for all individuals and groups that will receive or that will have direct oversight of U.S. government funds through this program; this restriction also applies to sub-grantees and sub-contractors. Failure to comply with applicable U.S. laws and regulations may result in termination of award.

A.2.c. REPORTS

In accordance with the CFR 22, parts 226.50 and 226.51, the Recipient shall submit performance and financial reports in English on a quarterly basis (covering in detail all activities) to the designated staff of the USAID Iran Program. Reporting requirements, such as the format, number of copies, information to be included, due dates and distribution will be developed in consultation with the ME Technical Support Office during the award negotiation process. Given the importance of this program, the volume and detail of reporting may be greater than for other similar program activities. The Recipient will participate in regular implementation reviews with the ME Technical Support Office; the frequency and scope of such reviews will be developed in consultation with the ME Technical Support Office.

A.2.d. MONITORING, RESULTS AND INDICATORS

Applicants are responsible for developing and tracking activity targets, outputs and impact, and overall activity indicators in their applications which gauge individual program activities and program effectiveness. Applicants will be expected to submit complete implementation plans outlining proposed activities and timelines. In conjunction with and corresponding to stated objectives of the implementation plan, Applicants shall submit a monitoring and evaluation plan in their application. Upon award, these two plans will be reviewed in consultation with the ME Technical Support Office, with revised plans submitted to the Office for final written approval within 30 days of the award date.

Upon award, USAID will consult with selected Recipients to ensure Recipients' monitoring, evaluation, results tracking, and reporting of activities and indicators are realistic, feasible, and contribute to overall Program objectives. Recipients will routinely monitor, track, evaluate, and report on program activities using the agreed upon indicators. As appropriate, USAID encourages Applicants to differentiate between gender and age when collecting indicator data.

A.2.e. EVALUATION

Recipients are responsible for following their approved implementation and monitoring and evaluation plans throughout the life of their award. These plans should provide the basis for Recipient's reporting to USAID during the life of the award. USAID will utilize these plans (including the approved budget plan) to monitor, assess, and evaluate a Recipient's program and program operations. USAID understands the difficult operating environment in Iran, and if necessary, will work with a Recipient to revise plans if mid-program corrections and adjustments are required. However, it is the Recipient's responsibility to inform the USAID CTO if implementation issues arise which may affect approved plans.

A.3. SPECIAL PROVISIONS

A.3.a. ACCOUNTABILITY

The Recipient will be fully responsible for all funds disbursed to it under the award. Funds will be denominated and disbursed in the U.S. dollars. All funds are subject to audit.

The Recipient will be responsible for all financial reporting, end-use verification, and sub-grant management. Recipients and subrecipients that are institutions of higher education or other non-profit organizations shall be subject to the audit requirements contained in the Single Audit Act Amendment of 1996 (31 U.S.C. 7501-7507) and revised OMB Circular A-133, Audits of States, Local Governments and Non-Profit Organizations" (or equivalent audit requirements if non-U.S. organization) if they incur expenditures of Federal funds that total \$500,000 (\$300,000 for a non-U.S. organization) or more during a fiscal year. Sub-awards must be submitted to USAID for prior written approval.

Due to current sanctions on Iran, United States Government funds may not be used for activities involving the Government of Iran. Organizations receiving an award under this APS must comply with all applicable U.S. laws and regulations related to Iran. Failure to comply with applicable U.S. law and regulations may result in termination of award.

A.3.b. NGO FINANCIAL PARTNERSHIP/COST-SHARING

USAID recognizes that, due to the nature of the Iran Program, assistance recipients are likely to be sufficiently invested in the programmatic objectives without pledging their own resources. Therefore, USAID does not require cost share under this APS. Nonetheless, USAID recognizes that cost share may be an important element of the USAID-recipient relationship. Accordingly, USAID welcomes applicants who will pledge their own resources towards the activities for which they seek USAID funding.

If a cost share application is accepted and made part of an award, contributions must be supported by adequate documentation, be allowable under the applicable cost principles and meet the criteria set forth in 22 CFR 226.23. Cost sharing contributions may include volunteer services provided by professional and technical personnel and un-recovered indirect costs. Funds that are paid by the Federal Government through another source, such as funds that are paid by the Federal Government through the National Endowment for Democracy (NED), may **not** be used by an organization in cost share calculations (see 22 CFR 226.23). Cost share contributions must be reported on a periodic basis on payment forms, and USAID has the right to reduce its share of funding if the cost share reported is less than the agreed upon percentage or amount contained in the award. Grantees should be prepared to distinguish in their reporting the outputs and outcomes that result from cost share contributions versus USAID monies. Finally, if a difference remains after an award has expired, the recipient may be required to refund the difference to USAID.

A.3.c. FACILITIES AND IMAGE

Accommodations and facilities for all activities and staff are expected to be commensurate with and appropriate to the objectives being pursued.

A.3.d. LENGTH OF GRANTS AND COOPERATIVE AGREEMENTS

Cooperative agreements or grants resulting from this APS will be for a period not to exceed two years. Program performance, available funding, and competing program priorities will determine whether a cooperative agreement, at USAID's discretion, can be extended beyond two years.

A.3.e. USAID MANAGEMENT

USAID management will be provided by the USAID/ME Technical Support Office.

A.3.f. SUBSTANTIAL INVOLVEMENT

USAID will have substantial involvement in cooperative agreements through approval of all sub-awards, key personnel, implementation plans, and monitoring/evaluation plans. Substantial involvement is in accordance with ADS 303.3.11.

A.3.g. TIMING

Applicants must be prepared to have key personnel, as approved by the USAID Cognizant Technical Officer, in place within 30 days after award. All other staff should be hired no later than 75 days after award. All contracts with consultants and other non-direct staff are subject to advance approval in accordance with the provisions of the agreement.

SECTION B

SELECTION CRITERIA

B.1. OVERVIEW

The criteria presented below have been tailored to the requirements of this particular APS. Applicants should note that these criteria serve to (a) identify the significant matters which Applicants should address in their applications, and (b) set the standard against which all applications will be evaluated. To facilitate the review of applications, Applicants shall organize the narrative sections of their applications in the same order as the selection criteria.

The technical applications will be evaluated in accordance with the Technical Evaluation Criteria set forth below. Thereafter, the cost proposal of all Applicants submitting a technically acceptable application will be opened and costs will be evaluated for general reasonableness, allowability, and allocability. While technical concerns are paramount, cost and USAID budget limitations will be considered as a factor for award.

To the extent necessary (if award is made based on initial applications), negotiations will be conducted with all Applicants whose application, after discussion and negotiation, has a reasonable chance of being selected for award. Awards will be made to responsible Applicants whose applications offer the greatest value, cost, and other factors considered.

The technical application will be the most important item of consideration in selection for these assistance awards. It should be specific, complete, and presented concisely. Applicants should review all information in this APS in depth prior to preparing applications, especially program description, eligibility, and evaluation criteria.

The technical application should be directly responsive to the terms, conditions, guidelines and provisions of this APS to be assured of consideration. Applications not conforming to this APS may be categorized as not meeting the minimum requirements of the Government, thereby eliminating them from further consideration.

The technical application must set forth in detail the conceptual approach, methodology, and techniques for accomplishment of the stated program objectives. The application must define results and benchmarks for monitoring progress in achieving the results.

Applicants are reminded that the Government is not obligated to make an award on the basis of lowest proposed cost or to the Applicant with the highest technical evaluation score. Applications will be evaluated on a rolling basis as they are received. The Agreement Officer will make award(s) to the Applicant(s) whose application(s) is/are judged to be the most advantageous in accomplishing the objectives of the program. Technical factors combined are more important than cost/price factors.

B.2. COST EVALUATION CRITERIA

The cost proposal will not be scored. However, the cost proposal will be evaluated for cost realism. This will consist of a review of the cost portion of an application for the work to be performed, to determine whether the costs reflect the Applicant's understanding of the requirements, and whether the costs are consistent with the technical application.

The cost realism analysis is intended to meet the three goals outlined below.

- (1) Verify the Applicant's understanding of the requirement.

- (2) Assess the degree to which the cost proposal reflects the approaches in the technical application.
- (3) Assess the degree to which the costs included in the cost proposal accurately represent the work effort included in the technical application.

B.3. TECHNICAL EVALUATION CRITERIA: TOTAL POINTS POSSIBLE – 100

Submissions under this announcement should include information addressing the following criteria. Each application will be evaluated and rated on the basis of these evaluation criteria, which are designed to assess the quality of the proposed project and determine the likelihood of its success.

B.3.a. TECHNICAL SOLUTION –APPROACH AND METHODOLOGY – 40 Points

- The extent to which the applicant clearly and convincingly describes how the program will advance democracy in Iran by strengthening civil society organization and advocacy, increasing awareness of and strengthening the rule of law, and/or expanding freedom of information. 20 Points
- The extent to which the application incorporates convincingly the use of internationally recognized best practices and lessons learned in democracy promotion, as illustrated by one or more of the following: the proposed methodology and activities build upon best practices and lessons learned developed by the Applicant under similar programs; the proposed methodology and activities build upon best practices and lessons learned from successful programs implemented by other organizations in the same country, region, or globally; or the application refers to research conducted by research institutions, universities and/or advocacy groups in the field of democracy promotion in order to demonstrate how the proposed methodology and activities build upon best practices and lessons learned. 10 Points
- The extent to which the application clearly and convincingly describes how the proposed interventions will be implemented, managed, and sequenced. 10 Points

B.3.b. IMPACT AND SUSTAINABILITY – 20 Points

- The extent to which the application convincingly articulate how the expected results will be achieved within the proposed grant period.
- The extent to which the application convincingly presents an approach or methodology that is sustainable beyond the life of the project.

B.3.c. MANAGEMENT PLAN and PERSONNEL QUALIFICATIONS – 20 Points

- The extent to which the overall management and staffing plan and the proposed key personnel demonstrate the applicant's ability to effectively achieve program objectives.

B.3.d. ORGANIZATIONAL QUALIFICATIONS – 10 Points

- The extent to which the applicant demonstrates an ability to promptly launch and implement similar activities while operating in similar contexts.

B.3.e. PAST PERFORMANCE – 10 Points

- The extent to which the applicant demonstrates the successful implementation of programs similar in magnitude, complexity, objectives and contexts.

All Applicants are subject to past performance review before Award. Applicants shall supply the names of organizations from which they have received assistance awards or contracts for similar activities over the past three years. Reference information should include addresses, current telephone numbers, current points of contact, award numbers if available, and brief descriptions of the work performed. USAID will contact the named references and use past performance data along with other information. USAID reserves the right to obtain past performance information from other sources including those not named by the Applicant.

SECTION C

GRANT APPLICATION FORMAT

C.1. PREPARATION GUIDELINES

All applications received by the deadline will be reviewed for responsiveness to the specifications outlined in these guidelines and the application format. Applications may be submitted at any time prior to the deadline. Applicants must notify USAID immediately in accordance with the instructions in the Cover Letter of this APS so that the electronic application can be retrieved by USAID. Section B addresses technical evaluation application criteria.

USAID anticipates multiple awards under this APS, subject to the availability of funds. USAID will review applications on a rolling basis.

Acknowledgement of Amendments to the APS - Applicants shall acknowledge receipt of any amendment to this APS by signing and returning a copy of the amendment by e-mail, fax or mail. The Government must receive the acknowledgement by the time specified for receipt of applications.

LIMITED USE OF DATA STATEMENT

An application may include data that the applicant does not want disclosed for any purpose other than evaluation. The Government's determination to withhold or disclose a record will be based upon the particular circumstances involving the record in question and whether the record may be exempted from disclosure under the Freedom of Information Act. If the applicant wishes to restrict the data in the application, the title page must be marked with the following legend:

'USE AND DISCLOSURE OF DATA

Unless disclosure is required by the Freedom of Information Act, 5 U.S.C. 552, as amended, (the Act) as determined by Freedom of Information (FOI) officials of the U.S. Agency for International Development, data contained in the portions of this application which have been specifically identified by page number, paragraph, etc. by the applicant as containing restricted information shall not be used or disclosed except for evaluation purposes.

The applicant acknowledges that the Agency may not be able to withhold a record (data, document, etc.) nor deny access to a record requested pursuant to the Act and that the Agency's FOI officials must make that determination. The applicant hereby agrees that the Government is not liable for disclosure if the Agency has determined that disclosure is required by the Act.

If a cooperative agreement is awarded to the applicant as a result of, or in connection with, the submission of this application, the Government shall have the right to use or disclose the data to the extent provided in the cooperative agreement. Applications not resulting in a cooperative agreement remain subject to the Act.

The applicant also agrees that the Government is not liable for disclosure or use of unmarked data and may use or disclose the data for any purpose, including the release of the information pursuant to requests under the Act.

The data subject to this restriction are contained in pages _____ (insert page numbers, paragraph designations, etc. or other identification).'

In addition, the applicant should mark each page of data it wishes to restrict with the following statement:

'Use or disclosure of data contained on this page is subject to the restriction on the cover sheet of this application.'

Applicants must clearly identify the person authorized as the official point of contact, the legal mailing and street addresses, phone and fax numbers and e-mail address.

Applicants are expected to review, understand, and comply with all aspects of this APS. Failure to do so shall be at the Applicant's risk.

Explanation to Prospective Applicants - Any prospective Applicant desiring an explanation or interpretation of this APS must request it in writing within three weeks of receipt of the application to allow a reply to reach all prospective Applicants before the submission of their applications. Oral explanations or instructions given before award of a grant or a cooperative agreement will not be binding. Any information given to a prospective Applicant concerning this APS will be made available to all other prospective Applicants through an amendment of this APS posted on Grants.gov, if that information is necessary in submitting applications or if the lack of it would be prejudicial to any other prospective Applicants.

USAID Branding Requirements

USAID's mandatory branding/marketing requirements for all U.S. NGO's became effective on January 2, 2006. The Recipient can review and download the regulations, guidance, and graphics at www.usaid.gov/branding.

EXCEPTIONAL NOTE: A blanket waiver for all USAID Branding and Marking requirements for organizations granted awards for Iran programs has been approved. Branding and marking will not be required under activities described within this APS. USAID reserves the right to cancel or change the waiver at any time. In addition, publications and other materials intended for distribution in Iran are not to be branded.

C.2. TECHNICAL APPLICATION FORMAT (Volume 1)

The technical application is the critical item of consideration in selection for award of this APS. Technical applications should be specific, complete and presented concisely. The applications should demonstrate the Applicant's capabilities, understanding of, and expertise with respect to achieving the Program Objectives described in detail in Section A. The applications should take into account the technical evaluation criteria found in Section B of this APS.

Applicants should retain for their records one copy of the application including the detailed budget. To facilitate the competitive review of the applications, USAID may consider only applications conforming to the format prescribed below.

Applications are limited to **20 pages**, plus one attachment for the key personnel resumes and one attachment for past performance information (which we prefer in the form of a matrix). An executive summary (not to exceed two pages) must be included in the twenty-page application. Applications must be written in Times New Roman font, size 12, with one inch margins. USAID requests that applications follow the general format described below:

C.2.a. EXECUTIVE SUMMARY

Provide a clear summary of overall objectives, the results to be achieved, the resources and steps required to meet them in an identifiable period of time, and benchmark measures of progress towards achievement.

C.2. b. PROGRAM SUMMARY

Succinctly provide a description of how you will approach the key areas outlined in Section A, bearing in mind the expected results outlined and identified program indicators that will be used by USAID to measure program performance. For each of your activity areas, describe the following: strategy, methodology, ideas for including stakeholders in setting the agenda, expected results, schedule of activities,

programming of human resources, and performance indicators. Applicants should include in their program and activity description objective analyses of past program results and accomplishments, how proposed activities account for any lessons learned from past programs, and the direct impact of program activities in Iran.

The application should include a brief analysis of the problem and make the case for the proposed approach's relevance/resonance in the Iranian context. Applicants must demonstrate knowledge of conditions, needs, and opportunities within Iran and be able to identify areas of relative opening and opportunity for engagement.

The Implementation Plan sets out a realistic outline of tasks and deliverables, anticipated timeframes and due dates, and persons responsible for achieving each task. Monitoring and evaluation methods proposed are specific, measurable, realistic and applicable to the stated goals and objectives.

Applications should describe how the activities undertaken under the Award can be expected to meet overall USAID goals and continue after USAID support is no longer available. A key aspect of this is discussing how Iranians will be involved either by participating in activities, or being engaged via the Internet or other technologies. Applications shall specifically describe the Iranian groups and individuals with whom Applicants wish to work, showing that they demonstrate independence from Iranian government leadership, policies and financial support.

C.2. c. MANAGEMENT PLAN and PERSONNEL QUALIFICATIONS

Clearly present your management and administrative arrangements to include: your management approach for the overall execution of the proposed activities; organizational structure; administrative arrangements; logistical support; personnel management plan which subscribes functions and responsibilities of key personnel and other staff including sub-awards to consultants; procurement plan detailing all non-commodity aid equipment and services to be procured, including method of selection and estimated cost and technical specifications for all equipment; operational arrangements for collaboration and coordination with USAID and the Department of State and other development partner institutions; and management and evaluation of USAID award compliance.

The Applicant includes a brief description of the organizational history and experience of the Applicant and partner organizations. The Application must demonstrate an ability to work with a range of counterparts or sub-grantees in the U.S. and in third countries including not-for-profits, educational institutions, and governmental organizations. Applicant must demonstrate ability to work in a repressive environment and demonstrate successful experience in supporting democracy promotion and/or positive experience working with the proposed target population in Iran. Description demonstrates ability of Applicant to (1) provide and support key personnel, (2) mount effective and efficient field operations, and (3) quickly initiate and maintain quality programs and activities.

Applicant demonstrates capacity to design and manage activities of multiple sub-grant programs (if relevant). Where partners are proposed, the applicant describes the rationale for the consortia, each partner's respective role, and how the coalition will enhance the accomplishment of the project goals. In all cases, the applicant describes joint planning consultation efforts undertaken.

C.2. d. PROGRAM IMPLEMENTATION PLAN

Provide a complete and detailed monthly implementation plan outlining proposed activities and timelines for the first year of the program. Applicants proposing to send any items to Iran must also separately include a complete list of all commodity aid items the Applicant proposes to send; the procurement plan detailing commodities and equipment to be procured, including method of selection and estimated cost; and technical specifications for all equipment. Applicants shall also describe in detail the proposed commodity aid delivery method and the proposed frequency. All commodity shipments must conform to the applicable OFAC, Commerce, and other U.S. regulations as applicable.

C.2. e. MONITORING AND EVALUATION PLAN (MEP)

In conjunction with and corresponding to the stated objectives of the Implementation Plan, provide a monitoring and evaluation plan explaining how you will monitor and subsequently evaluate the detailed monthly implementation of the program, and the proposed progress. Activity outputs or proposed activities to be carried out (with output level targets and indicators) and outcomes of activities (with outcome indicators and outcome level targets) should correspond to the overall program level impact and/or outcome indicators. For each output and input indicator, Applicants must describe data collection methods, data quality assurances (if applicable), and indicator reporting timeline.

The Applicant must also include a separate detailed description of how you will (1) actively monitor and evaluate compliance with USAID, Department of Treasury, and Department of Commerce policies on commodities to Iran, and (2) actively monitor, track, and evaluate the procurement, delivery, and impact of commodity items sent to Iran. Applicants may include a separate commodity tracking sheet as an attachment. USAID policy regarding Commodity Eligibility Requirements and Pharmaceuticals can be found in ADS section 312, www.usaid.gov/policy/ads/300/. If Applicants propose to send items that are considered ineligible under USAID policy, the application should clearly and in detail describe the materials proposing to be sent and why the materials are crucial to, and improve the impact of the overall program. Applicants may not propose items that are ineligible under Department of Treasury regulations. Please see <http://www.treas.gov/offices/enforcement/ofac/programs/iran/iran.shtml> for details.

C.2. f. ORGANIZATION QUALIFICATIONS; PAST PERFORMANCE ATTACHMENT (Matrix)

Provide a concise summary of your organization's qualifications. Include a description of your present and on-going programs that have a direct relationship to the proposed activities under the Award. Include a description of relevant collaborative efforts your organization has undertaken jointly or in coordination with other institutions with a focus on developing and/or transitional countries. Provide a description of any publications or reports that demonstrate any special qualification and experience that your organization has the related directly to the proposed activities.

In the Past Performance Attachment Matrix, Applicants shall supply the names of organizations from which they have received assistance awards or contracts for similar activities over the past three years. Reference information should include addresses, current telephone numbers, current points of contact, award numbers if available, and brief descriptions of the work performed.

C.2. g. KEY PERSONNEL; KEY PERSONNEL ATTACHMENT

Identify a maximum of three key persons (those whose participation in the proposed activities is considered essential) by name and position, and quantified according to the level of effort planned under each activity area presented in the application. Applicants shall identify the individual key personnel and submit a complete and current resume for each detailing the individual's qualifications and experience. Résumés may not exceed four pages in length, and shall be in chronological order starting with most recent experience. Each résumé shall be accompanied by a SIGNED letter of commitment from each individual indicating his/her (a) availability to serve in the stated position and for the stated term of service; and (b) agreement to the compensation levels as set forth in the Cost Proposal. **Applicants shall also submit not less than three (3) references of professional contacts, with complete contact information (current), including e-mail addresses and telephone numbers, for each proposed individual.**

Key Personnel shall include, at a minimum, the Chief of Party and Financial Officer. USAID shall approve all Key Personnel.

C.3. COST PROPOSAL FORMAT (Volume 2)

The Cost or Business Application is to be submitted under separate cover from the technical application. Certain documents are required to be submitted by an Applicant in order for an Agreement Officer to make

a determination of responsibility. However, it is USAID policy not to burden Applicants with undue reporting requirements if that information is readily available through other sources.

The following sections describe the documentation that Applicants for Assistance award must submit to USAID prior to award. While there is no page limit for this portion, Applicants are encouraged to be as concise as possible, but still provide the necessary detail to address the following:

C.3.a. SF 424 & 424A

The budget and budget summary shall be submitted using the Face Sheet-Cost Volume of Application (OMB Standard Form 424) and the Budget Summary (OMB Standard Form 424A), which can be downloaded from the USAID web site, <http://www.usaid.gov/forms/sf424.pdf>.

C.3. b. DETAILED BUDGET AND BUDGET NARRATIVE

The cost volume of the application must be completely separate from the technical application. It must include a detailed budget with an accompanying budget narrative which provides the total proposed costs for implementation of the program described in this APS.

Include a detailed budget in Excel with an accompanying narrative which provides the total budget estimates for implementation of the program your organization is proposing.

The Budget narrative must provide sufficient information to adequately support and explain all proposed costs, i.e. the actual cost basis for the line items in the detailed budget.

The cost proposal shall also include whatever schedules are necessary to adequately support and explain proposed costs, including any proposed cost share. Other necessary details include:

- The breakdown of all costs associated with the program according to costs of, if applicable, headquarters, regional and/or country offices.
- The breakdown of all costs according to each partner organization involved in the program.
- The costs associated with external, expatriate technical assistance and those associated with local in-country technical assistance.
- The breakdown of the financial and in-kind (cost share) contributions of all organizations involved in implementing this Cooperative Agreement.
- Potential contributions of non-USAID or private commercial donors to this Cooperative Agreement.

C.3.b(1) LEVEL OF EFFORT

A detailed chart of the level of effort including specific personnel, determination of and rates of compensation, and the amount of time proposed.

C.3.b(2) OTHER DIRECT COSTS

Include details of all other direct cost items such as supplies, equipment, travel and per diem, consultants, subcontracts, and sub-awards.

C.3.c. COST SHARE

The ME Technical Support Office recognizes that, due to the nature of the Iran Program, assistance recipients are likely to be sufficiently invested in the programmatic objectives without pledging their own resources. Therefore, USAID does not require cost share under this APS. Please refer to section A.3.b.

C.3.d. NEGOTIATED INDIRECT COST RATE AGREEMENT OR ACCOUNTING MANUAL

Include your most recent Negotiated Indirect Cost Rate Agreement (NICRA) from the cognizant Government Audit Agency stating the latest audited indirect cost rates, the base to which such rates are applied and the method of application. If a NICRA is unavailable, submit sufficient information to allow USAID to determine the reasonableness of the rates. (For example, a breakdown of labor bases and overhead pools, the method of determining the rate, annual financial statements, etc.)

Applicants who do not currently have a Negotiated Indirect Cost Rate Agreement (NICRA) from their cognizant agency shall also submit the following information:

- (1) Copies of the Applicant's financial reports for the previous 3-year period, which have been audited by a certified public accountant or other auditor satisfactory to USAID.
- (2) Projected budget, cash flow and organizational chart.
- (3) A copy of the organization's accounting manual.

C.3.d(1) Applicants that have never received a grant, cooperative agreement or contract from the U.S. Government are required to submit a copy of their accounting manual. If a copy has already been submitted to the U.S. Government, the Applicant should advise which Federal Office has a copy. USAID regulations require that USAID conduct a pre-award audit of new Applicants selected for award.

C.3.e. Completed and signed “**CERTIFICATIONS, ASSURANCES, AND OTHER STATEMENTS OF APPLICANT/GRANTEE**” in Section D.

C.3.f. A copy of your **ORGANIZATION CHART**.

C.3.g. EVIDENCE OF RESPONSIBILITY

USAID reserves the right to seek additional evidence of responsibility deemed necessary for the Agreement Officer to make a determination of responsibility. The information submitted should substantiate that the Applicant:

- (1) Has access to adequate resources or the ability to obtain such resources as required to complete the program as described.
- (2) Has the ability to comply with the assistance conditions, taking into account all existing and currently prospective commitments of the Applicant, nongovernmental and governmental.
- (3) Has a satisfactory record of performance. Past relevant unsatisfactory performance is ordinarily sufficient to justify a finding of non-responsibility, unless there is clear evidence of subsequent satisfactory performance.
- (4) Has a satisfactory record of integrity and business ethics.
- (5) Is otherwise qualified and eligible to receive an award under applicable laws and regulations (e.g., EEO).

C.4. SUBMISSION OF APPLICATIONS

Receipt of Applications - The preferred method of submission is electronically via Grants.gov. However, hard copy submissions are still accepted. Applications received through Grants.gov must be certified by Grants.gov by the date specified in the cover letter of this APS. To be eligible for award, the applicant must provide all required information in its application, including the requirements found in any attachments to the Grants.gov opportunity. When submitting via Grants.gov, the Applicant **must** notify the USAID contact person by e-mail or in writing as soon as submitted, but no later than the closing date **so that the electronic application can be retrieved by USAID**. Please refer to the submission instructions in the cover letter to this APS.

C.5. GRANT AWARD

The Government may award one or more Grants resulting from this APS to the responsible Applicant(s) whose application(s) conforming to this APS offers the best value. The Government may (a) reject any or all applications, (b) accept other than the lowest cost proposal, (c) accept more than one application (see Section B, Selection Criteria), (d) accept alternate applications, and (e) waive informalities and minor irregularities in applications received.

The Government may award one or more Grant(s) on the basis of initial applications received, without discussions. Therefore, each initial application should contain the Applicant's best terms from a cost and technical standpoint.

Neither financial data submitted with an application nor representations concerning facilities or financing, will form a part of the resulting Grant(s).

Authority to Obligate the Government - The Grant Officer is the only individual who may legally commit the Government to the expenditure of public funds. No costs chargeable to the proposed Grant may be incurred before receipt of either a fully executed Grant or a specific, written authorization from the Grant Officer.

Executive Order on Terrorism Financing – “The Contractor/Recipient is reminded that U.S. Executive Orders and U.S. law prohibits transactions with, and the provision of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of the contractor/Recipient to ensure compliance with these Executive Orders and laws. This provision must be included in all subcontracts/sub-awards issued under this contract/agreement.”

Foreign Government Delegations to International Conferences - Funds in this agreement, may not be used to finance the travel, per diem, hotel expenses, meals, conference fees or other conference costs for any member of a foreign government's delegation to an international conference sponsored by a public international organization, except as provided in ADS Mandatory Reference "Guidance on Funding Foreign Government Delegations to International Conferences [<http://www.info.usaid.gov/pubs/ads/300/refindx3.htm>] or as approved by the Agreement Officer.

SECTION D

U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT CERTIFICATIONS, ASSURANCES, AND OTHER STATEMENTS OF RECIPIENT [1][2]

NOTE: [1] When these Certifications, Assurances, and Other Statements of Recipient are used for cooperative agreements, the term "Grant" means "Cooperative Agreement." [2] The recipient must obtain from each identified sub-grantee and (sub) contractor, and submit with its application/proposal, the Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Transactions, set forth in Attachment A hereto. The Recipient should reproduce additional copies as necessary.

PART I - CERTIFICATIONS AND ASSURANCES

1. ASSURANCE OF COMPLIANCE WITH LAWS AND REGULATIONS GOVERNING NON-DISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS

Note: This certification applies to Non-U.S. organizations if any part of the program will be undertaken in the United States.

(a) The recipient hereby assures that no person in the United States shall, on the bases set forth below, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under, any program or activity receiving financial assistance from USAID, and that with respect to the grant for which application is being made, it will comply with the requirements of:

- (1) Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352, 42 U.S.C. 2000-d), which prohibits discrimination on the basis of race, color or national origin, in programs and activities receiving Federal financial assistance;
- (2) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), which prohibits discrimination on the basis of handicap in programs and activities receiving Federal financial assistance;
- (3) The Age Discrimination Act of 1975, as amended (Pub. L. 95-478), which prohibits discrimination based on age in the delivery of services and benefits supported with Federal funds;
- (4) Title IX of the Education Amendments of 1972 (20 U.S.C. 1681, et seq.), which prohibits discrimination on the basis of sex in education programs and activities receiving Federal financial assistance (whether or not the programs or activities are offered or sponsored by an educational institution); and
- (5) USAID regulations implementing the above nondiscrimination laws set forth in Chapter II of Title 22 of the Code of Federal Regulations.

(b) If the recipient is an institution of higher education, the Assurances given herein extend to admission practices and to all other practices relating to the treatment of students or clients of the institution, or relating to the opportunity to participate in the provision of services or other benefits to such individuals, and shall be applicable to the entire institution unless the recipient establishes to the satisfaction of the USAID Administrator that the institution's practices in designated parts or programs of the institution will in no way affect its practices in the program of the institution for which financial assistance is sought, or the beneficiaries of, or participants in, such programs.

(c) This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts, or other Federal financial assistance extended after the date hereof to the recipient by the Agency, including installment payments after such date on account of applications for Federal financial assistance which were approved before such date. The recipient recognizes and agrees that such Federal financial assistance will be extended in reliance on the

representations and agreements made in this Assurance, and that the United States shall have the right to seek judicial enforcement of this Assurance. This Assurance is binding on the recipient, its successors, transferees, and assignees, and the person or persons whose signatures appear below are authorized to sign this Assurance on behalf of the recipient.

2. CERTIFICATION REGARDING LOBBYING

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, United States Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that: If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

3. PROHIBITION ON ASSISTANCE TO DRUG TRAFFICKERS FOR COVERED COUNTRIES AND INDIVIDUALS (ADS 206)

USAID reserves the right to terminate this Agreement, to demand a refund or take other appropriate measures if the [Grantee/ Contractor] is found to have been convicted of a narcotics offense or to have been engaged in drug trafficking as defined in 22 CFR Part 140. The undersigned shall review USAID ADS 206 to determine if any certification are required for Key Individuals or Covered Participants.

If there are COVERED PARTICIPANTS: USAID reserves the right to terminate assistance to, or take or take other appropriate measures with respect to, any participant approved by USAID who is found to have

been convicted of a narcotics offense or to have been engaged in drug trafficking as defined in 22 CFR Part 140.

KEY INDIVIDUAL CERTIFICATION NARCOTICS OFFENSES AND DRUG TRAFFICKING

I hereby certify that within the last ten years:

1. I have not been convicted of a violation of, or a conspiracy to violate, any law or regulation of the United States or any other country concerning narcotic or psychotropic drugs or other controlled substances.
2. I am not and have not been an illicit trafficker in any such drug or controlled substance.
3. I am not and have not been a knowing assistor, abettor, conspirator, or colluder with others in the illicit trafficking in any such drug or substance.

Signature: _____

Date: _____

Name: _____

Title/Position: _____

Organization: _____

Address: _____

Date of Birth: _____

NOTICE:

1. You are required to sign this Certification under the provisions of 22 CFR Part 140, Prohibition on Assistance to Drug Traffickers. These regulations were issued by the Department of State and require that certain key individuals of organizations must sign this Certification.
2. If you make a false Certification you are subject to U.S. criminal prosecution under 18 U.S.C. 1001.

PARTICIPANT CERTIFICATION NARCOTICS OFFENSES AND DRUG TRAFFICKING

1. I hereby certify that within the last ten years:

- a. I have not been convicted of a violation of, or a conspiracy to violate, any law or regulation of the United States or any other country concerning narcotic or psychotropic drugs or other controlled substances.
- b. I am not and have not been an illicit trafficker in any such drug or controlled substance.
- c. I am not or have not been a knowing assistor, abettor, conspirator, or colluder with others in the illicit trafficking in any such drug or substance.

2. I understand that USAID may terminate my training if it is determined that I engaged in the above conduct during the last ten years or during my USAID training.

Signature: _____

Name: _____

Date: _____

Address: _____

Date of Birth: _____

NOTICE:

1. You are required to sign this Certification under the provisions of 22 CFR Part 140, Prohibition on Assistance to Drug Traffickers. These regulations were issued by the Department of State and require that certain participants must sign this Certification.

2. If you make a false Certification you are subject to U.S. criminal prosecution under 18 U.S.C. 1001.

4. CERTIFICATION REGARDING TERRORIST FINANCING IMPLEMENTING EXECUTIVE ORDER 13224

By signing and submitting this application, the prospective recipient provides the certification set out below:

1. The Recipient, to the best of its current knowledge, did not provide, within the previous ten years, and will take all reasonable steps to ensure that it does not and will not knowingly provide, material support or resources to any individual or entity that commits, attempts to commit, advocates, facilitates, or participates in terrorist acts, or has committed, attempted to commit, facilitated, or participated in terrorist acts, as that term is defined in paragraph 3.
2. The following steps may enable the Recipient to comply with its obligations under paragraph 1:
 - a. Before providing any material support or resources to an individual or entity, the Recipient will verify that the individual or entity does not (i) appear on the master list of Specially Designated Nationals and Blocked Persons, which list is maintained by the U.S. Treasury's Office of Foreign Assets Control (OFAC) and is available online at OFAC's website: <http://www.treas.gov/offices/eotffc/ofac/sdn/t11sdn.pdf>, or (ii) is not included in any supplementary information concerning prohibited individuals or entities that may be provided by USAID to the Recipient.
 - b. Before providing any material support or resources to an individual or entity, the Recipient also will verify that the individual or entity has not been designated by the United Nations Security (UNSC) sanctions committee established under UNSC Resolution 1267 (1999) (the "1267 Committee") [individuals and entities linked to the Taliban, Usama bin Laden, or the Al Qaida Organization]. To determine whether there has been a published designation of an individual or entity by the 1267 Committee, the Recipient should refer to the consolidated list available online at the Committee's website: <http://www.un.org/Docs/sc/committees/1267/1267ListEng.htm>.
 - c. Before providing any material support or resources to an individual or entity, the Recipient will consider all information about that individual or entity of which it is aware

and all public information that is reasonably available to it or of which it should be aware.

- d. The Recipient also will implement reasonable monitoring and oversight procedures to safeguard against assistance being diverted to support terrorist activity.
3. For purposes of this Certification-
- a. "Material support and resources" means currency or monetary instruments or financial securities, financial services, lodging, training, expert advice or assistance, safehouses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel, transportation, and other physical assets, except medicine or religious materials."
 - b. "Terrorist act" means-
 - (i) an act prohibited pursuant to one of the 12 United Nations Conventions and Protocols related to terrorism (see UN terrorism conventions internet site: <http://untreaty.un.org/English/Terrorism.asp>); or
 - (ii) an act of premeditated, politically motivated violence perpetrated against noncombatant targets by sub national groups or clandestine agents; or
 - (iii) any other act intended to cause death or serious bodily injury to a civilian, or to any other person not taking an active part in hostilities in a situation of armed conflict, when the purpose of such act, by its nature or context, is to intimidate a population, or to compel a government or an international organization to do or to abstain from doing any act.
 - c. "Entity" means a partnership, association, corporation, or other organization, group or subgroup.
 - d. References in this Certification to the provision of material support and resources shall not be deemed to include the furnishing of USAID funds or USAID-financed commodities to the ultimate beneficiaries of USAID assistance, such as recipients of food, medical care, micro-enterprise loans, shelter, etc., unless the Recipient has reason to believe that one or more of these beneficiaries commits, attempts to commit, advocates, facilitates, or participates in terrorist acts, or has committed, attempted to commit, facilitated or participated in terrorist acts.
 - e. The Recipient's obligations under paragraph 1 are not applicable to the procurement of goods and/or services by the Recipient that are acquired in the ordinary course of business through contract or purchase, e.g., utilities, rents, office supplies, gasoline, etc., unless the Recipient has reason to believe that a vendor or supplier of such goods and services commits, attempts to commit, advocates, facilitates, or participates in terrorist acts, or has committed, attempted to commit, facilitated or participated in terrorist acts.

This Certification is an express term and condition of any agreement issued as a result of this application, and any violation of it shall be grounds for unilateral termination of the agreement by USAID prior to the end of its term.

5. CERTIFICATION OF RECIPIENT

By signing below the recipient provides certifications and assurances for (1) the Assurance of Compliance with Laws and Regulations Governing Non-Discrimination in Federally Assisted Programs, (2) the

Certification Regarding Lobbying, (3) the Prohibition on Assistance to Drug Traffickers for Covered Countries and Individuals (ADS 206) and (4) the Certification Regarding Terrorist Financing Implementing Executive Order 13224 above):

As applicable:

APS No.: _____

Application: _____

Date of Application: _____

Name of Recipient: _____

Typed Name and Title: _____

Signature: _____

Date: _____

PART II - OTHER STATEMENTS OF RECIPIENT

1. AUTHORIZED INDIVIDUALS

The recipient represents that the following persons are authorized to negotiate on its behalf with the Government and to bind the recipient in connection with this application or grant:

Name	Title	Telephone No.	Facsimile No.
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

2. TAXPAYER IDENTIFICATION NUMBER (TIN)

If the recipient is a U.S. organization, or a foreign organization which has income effectively connected with the conduct of activities in the U.S. or has an office or a place of business or a fiscal paying agent in the U.S., please indicate the recipient's TIN:

TIN: _____

3. CONTRACTOR IDENTIFICATION NUMBER - DATA UNIVERSAL NUMBERING SYSTEM (DUNS) NUMBER

(a) In the space provided at the end of this provision, the recipient should supply the Data Universal Numbering System (DUNS) number applicable to that name and address. Recipients should take care to report the number that identifies the recipient's name and address exactly as stated in the proposal.

(b) The DUNS is a 9-digit number assigned by Dun and Bradstreet Information Services. If the recipient does not have a DUNS number, the recipient should call Dun and Bradstreet directly at 1-800-

333-0505. A DUNS number will be provided immediately by telephone at no charge to the recipient. The recipient should be prepared to provide the following information:

- (1) Recipient's name.
- (2) Recipient's address.
- (3) Recipient's telephone number.
- (4) Line of business.
- (5) Chief executive officer/key manager.
- (6) Date the organization was started.
- (7) Number of people employed by the recipient.
- (8) Company affiliation.

(c) Recipients located outside the United States may obtain the location and phone number of the local Dun and Bradstreet Information Services office from the Internet Home Page at <http://www.dbisna.com/dbis/customer/custlist.htm>. If an applicant is unable to locate a local service center, it may send an e-mail to Dun and Bradstreet at globalinfo@dbisma.com.

The DUNS system is distinct from the Federal Taxpayer Identification Number (TIN) system.

DUNS: _____

4. LETTER OF CREDIT (LOC) NUMBER

If the recipient has an existing Letter of Credit (LOC) with USAID, please indicate the LOC number:

LOC: _____

5. PROCUREMENT INFORMATION

(a) Applicability. This applies to the procurement of goods and services planned by the recipient (i.e., contracts, purchase orders, etc.) from a supplier of goods or services for the direct use or benefit of the recipient in conducting the program supported by the grant, and not to assistance provided by the recipient (i.e., a subgrant or subagreement) to a subgrantee or subrecipient in support of the subgrantee's or subrecipient's program. Provision by the recipient of the requested information does not, in and of itself, constitute USAID approval.

(b) Amount of Procurement. Please indicate the total estimated dollar amount of goods and services which the recipient plans to purchase under the grant:

\$ _____

(c) Nonexpendable Property. If the recipient plans to purchase nonexpendable equipment which would require the approval of the Agreement Officer, please indicate below (using a continuation page, as necessary) the types, quantities of each, and estimated unit costs. Nonexpendable equipment for which the Agreement Officer's approval to purchase is required is any article of nonexpendable tangible personal property charged directly to the grant, having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit.

TYPE/DESCRIPTION (Generic)	QUANTITY	ESTIMATED UNIT COST
_____	_____	_____
_____	_____	_____

(d) Source, Origin, and Componentry of Goods. If the recipient plans to purchase any goods/commodities which are not of U.S. source and/or U.S. origin, please indicate below (using a continuation page, as necessary) the types and quantities of each, estimated unit costs of each, and probable source and/or origin. "Source" means the country from which a commodity is shipped to the cooperating country or the cooperating country itself if the commodity is located therein at the time of purchase. However, where a commodity is shipped from a free port or bonded warehouse in the form in which received therein, "source" means the country from which the commodity was shipped to the free port or bonded warehouse. Any commodity whose source is a non-Free World country is ineligible for USAID financing. The "origin" of a commodity is the country or area in which a commodity is mined, grown, or produced. A commodity is produced when, through manufacturing, processing, or substantial and major assembling of components, a commercially recognized new commodity results, which is substantially different in basic characteristics or in purpose or utility from its components. Merely packaging various items together for a particular procurement or relabeling items does not constitute production of a commodity. Any commodity whose origin is a non-Free World country is ineligible for USAID financing. "Components" are the goods which go directly into the production of a produced commodity. Any component from a non-Free World country makes the commodity ineligible for USAID financing.

TYPE/QUANTITY DESCRIPTION (Generic)	EST. UNIT COST	GOODS COMPONENTS	PROBABLE SOURCE	GOODS COMPONENTS	PROBABLE ORIGIN
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(e) Restricted Goods. If the recipient plans to purchase any restricted goods, please indicate below (using a continuation page, as necessary) the types and quantities of each, estimated unit costs of each, intended use, and probable source and/or origin. Restricted goods are Agricultural Commodities, Motor Vehicles, Pharmaceuticals, Pesticides, Rubber Compounding Chemicals and Plasticizers, Used Equipment, U.S. Government-Owned Excess Property, and Fertilizer.

TYPE/QUANTITY DESCRIPTION (Generic)	ESTIMATED UNIT COST	PROBABLE SOURCE	PROBABLE ORIGIN	INTENDED USE
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(f) Supplier Nationality. If the recipient plans to purchase any goods or services from suppliers of goods and services whose nationality is not in the U.S., please indicate below (using a continuation page, as necessary) the types and quantities of each good or service, estimated costs of each, probable nationality of each non-U.S. supplier of each good or service, and the rationale for purchasing from a non-U.S. supplier. Any supplier whose nationality is a non-Free World country is ineligible for USAID financing.

TYPE/QUANTITY DESCRIPTION (Generic)	ESTIMATED UNIT COST	PROBABLE SUPPLIER (Non-US Only)	NATIONALITY	RATIONALE for NON-US
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(g) Proposed Disposition. If the recipient plans to purchase any nonexpendable equipment with a unit acquisition cost of \$5,000 or more, please indicate below (using a continuation page, as necessary) the proposed disposition of each such item. Generally, the recipient may either retain the property for other uses and make compensation to USAID (computed by applying the percentage of federal participation in the cost of the original program to the current fair market value of the property), or sell the property and reimburse USAID an amount computed by applying to the sales proceeds the percentage of federal participation in the cost of the original program (except that the recipient may deduct from the federal share \$500 or 10% of the proceeds, whichever is greater, for selling and handling expenses), or donate the property to a host country institution, or otherwise dispose of the property as instructed by USAID.

TYPE/DESCRIPTION (Generic)	QUANTITY	ESTIMATED UNIT COST	PROPOSED DISPOSITION
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6. TYPE OF ORGANIZATION

The recipient, by checking the applicable box, represents that -

(a) If the recipient is a U.S. entity, it operates as a corporation incorporated under the laws of the State of _____, an individual a partnership, a non-governmental nonprofit organization, a state or local governmental organization, a private college or university, a public college or university, an international organization, or a joint venture; or

(b) If the recipient is a U.S. entity, it is, is not a Gray Amendment entity, as defined below.

(c) If the recipient is a Gray Amendment Entity, it is a business concerns (as defined in 48 CFR 19.001) owned and controlled by socially and economically disadvantaged individuals (as defined in 48 CFR 726.101), an institution designated by the Secretary of Education, pursuant to 34 CFR 608.2, as a historically black college or university (HBCU), a college or university having a student body in which more than 40% of the students are Hispanic American, or a private voluntary organization which is controlled by individuals who are socially and economically disadvantaged (as defined in 48 CFR 726.101).

(d) If the recipient is a non-U.S. entity, it operates as a corporation organized under the laws of _____ (country), an individual, a partnership, a nongovernmental nonprofit organization, a nongovernmental educational institution, a governmental organization, an international organization, or a joint venture.

7. ESTIMATED COSTS OF COMMUNICATIONS PRODUCTS

The following are the estimate(s) of the cost of each separate communications product (i.e., any printed material [other than non-color photocopy material], photographic services, or video production services) which is anticipated under the grant. Each estimate must include all the costs associated with preparation and execution of the product. Use a continuation page as necessary.

CERTIFICATION REGARDING MATERIAL SUPPORT AND RESOURCES

As a condition of entering into the referenced agreement, _____ hereby certifies that it has not provided and will not provide material support or resources to any individual or entity that it knows, or has reason to know, is an individual or entity that advocates, plans, sponsors, engages in, or has engaged in terrorist activity, including but not limited to the individuals and entities listed in the Annex to Executive Order 13224 and other such individuals and entities that may be later designated by the United States under any of the following authorities: § 219 of the Immigration and Nationality Act, as amended (8 U.S.C. § 1189), the International Emergency Economic Powers Act (50 U.S.C. § 1701 et seq.), the National Emergencies Act (50 U.S.C. § 1601 et seq.), or § 212(a)(3)(B) of the Immigration and Nationality Act, as amended by the USA Patriot Act of 2001, Pub. L. 107-56 (October 26, 2001)(8 U.S.C. §1182).

_____ further certifies that it will not provide material support or resources to any individual or entity that it knows, or has reason to know, is acting as an agent for any individual or entity that advocates, plans, sponsors, engages in, or has engaged in, terrorist activity, or that has been so designated, or will immediately cease such support if an entity is so designated after the date of the referenced agreement.

For purposes of this certification, "material support and resources" includes currency or other financial securities, financial services, lodging, training, safe houses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel, transportation, and other physical assets, except medicine or religious materials.

For purposes of this certification, "engage in terrorist activity" shall have the same meaning as in section 212(a)(3)(B)(iv) of the Immigration and Nationality Act, as amended (8 U.S.C. § 1182(a)(3)(B) (iv)).

For purposes of this certification, "entity" means a partnership, association, corporation, or other organization, group, or subgroup.

This certification is an express term and condition of the agreement and any violation of it shall be grounds for unilateral termination of the agreement by USAID prior to the end of its term.

Signature: _____

Name: _____

Date: _____

Address: _____

NOTICE:

If you make a false Certification you are subject to U.S. criminal prosecution under 18 U.S.C. 1001.

END OF CERTIFICATIONS, ASSURANCES AND OTHER STATEMENTS OF RECIPIENT

Name and Title: _____

Name of Organization: _____

Date: _____