



USAID | WEST BANK/GAZA

FROM THE AMERICAN PEOPLE

Subject: Request for Applications 294-2010-113 - USAID/West Bank and Gaza
Issuance Date: April 23, 2010
Deadline for Questions: May 17, 2010
Closing Date: June 11, 2010, 16:00, Tel-Aviv Time

Subject: USAID/West Bank and Gaza Request for Applications (RFA) Number 294-2010-113; Community Infrastructure Development (CID) Program

Dear Prospective Applicant:

The United States Agency for International Development (USAID) Mission to the West Bank and Gaza is seeking applications from qualified U.S. Non-Governmental Organizations (NGOs), U.S. Private Voluntary Organizations (PVOs), Public International Organizations (PIOs), and U.S. for profit firms (provided they forgo profit) to implement a program entitled "Community Infrastructure Development Program" in the West Bank and Gaza. The authority for the RFA is found in the Foreign Assistance Act of 1961, as amended.

The successful Applicant will be responsible for ensuring achievement of the program objectives. Please refer to the Program Description in Section C of this RFA for a complete statement of goals and expected results.

Subject to the availability of funds, USAID/West Bank and Gaza intends to provide approximately \$100,000,000 in total USAID funding for this activity to be allocated over a five- year period. USAID reserves the right to fund any or non of the applications submitted. Although it is planned to make an award of one Cooperative Agreement under this RFA, USAID/West Bank and Gaza in its discretion may make awards to more than one organization or no award.

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 program and are in accordance with applicable cost standards (22 CFR 226, OMB Circular A-122 for non-profit organizations, OMB Circular A-21 for universities and the Federal Acquisition Regulation Part 31 for for-profit organizations) may be paid under the award.

In accordance with ADS 304.3.1 (b), the principal purpose of the relationship with the Applicant under the subject program is to transfer funds to accomplish a public purpose of support or stimulation, which is authorized by Federal statute. Substantial involvement is anticipated between USAID and the Applicant during the performance of the CID program. The vital need for creativity and flexibility in the implementation of the CID program, in addition to the fluid nature of the political environment, necessitates substantial involvement between USAID and the Applicant. Therefore, a Cooperative Agreement instrument will ensure adherence to USAID policies and regulations and improve the efficiency of implementation of the program.

For the purposes of this program, this RFA is being issued and consists of this cover letter and the following:

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- Section A – Instructions to Applicants
- Section B – Evaluation Criteria
- Section C – Program Description
- Section D- Certifications and Assurances
- Section E – Standard Provisions

For the purposes of this RFA, the term "Grant" is synonymous with "Cooperative Agreement"; "Grantee" is synonymous with "Recipient"; and "Grant Officer" is synonymous with "Agreement Officer".

To be eligible for award, the Applicant must provide all required information in its application, including the requirements found in any attachments to this Grants.Gov opportunity. Applications that are submitted late, incomplete or are non-responsive will not be considered. Award will be made to the responsible applicant(s) whose application(s) best meet(s) the requirements of this RFA and the evaluation criteria contained herein.

The preferred method of distribution of USAID Requests for Application (RFA) is electronically via Grants.gov. This RFA and any future amendments can be downloaded from <http://www.grants.gov>. It is the responsibility of the recipient to ensure that it has received the RFA and any future amendments from <http://www.grants.gov> in its entirety. All interested parties are encouraged to register on <http://www.grants.gov> to receive automatic notification of amendments to this RFA.

Applicants may upload applications to <http://www.grants.gov>; however, USAID bears no responsibility for data errors resulting from transmission or conversion processes associated with electronic submissions. **Additionally, USAID/West Bank and Gaza requires that applications be submitted both electronically (e-mailed) AND in hard copy.**

If you decide to submit an application, it must be received by the closing date and time indicated at the top of this cover letter at the place designated below for receipt of applications. Hard copies of the technical application and the cost Application and modifications thereof shall be submitted in separate envelopes with the name and address of the Applicant as well as the RFA number and program title referenced above inscribed thereon, to:

By United States Mail

OR

Delivery by DHL/FEDEX/Hand-carrying

USAID c/o American Embassy
Attn: Mr. Ron Breen, Agreement Officer
Office of Acquisition and Assistance
9700 Tel Aviv Place
Washington DC 20521-9700

USAID/West Bank and Gaza
c/o American Embassy
Attn: Ms. Sandy Sakran, A&A Specialist
Office of Acquisition and Assistance
10th floor, 25 Hamered Street
Tel Aviv, Israel

OR

USAID c/o American Embassy
Attn: Mr. Ron Breen, Agreement Officer
Office of Acquisition and Assistance
71 Hayarkon Street, 63903
Tel Aviv, Israel

Applications sent via courier must be received by the due date mentioned above. Loss or misdirected courier packages received after the due date will be considered as late submission (see Section IV).

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Mailed applications should be sent by certified mail and received no later than the closing date at the time and place specified above. The USPS post mark will determine timeliness

Issuance of this RFA does not constitute an award commitment on the part of USAID, nor does it commit USAID to pay for any costs incurred in the preparation and submission of an application. Further, USAID reserves the right to reject any or all applications received. **In addition, final award of any resultant Cooperative Agreement(s) will not 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, and all preparation and submission costs are at the Applicant's own expense.

Applicants should take into account the expected delivery time required by the application transmission method they choose, and are responsible to ensure that applications are received at USAID by the due date and time specified above.

IMPORTANT: USAID requests that all questions regarding this RFA be submitted in writing to Ms. Sandy Sakran, Acquisition and Assistance Specialist, via internet at ssakran@usaid.gov no later than May 17, 2010. Answers to all questions will be provided through an amendment to the RFA.

Applicants should retain for their records one copy of all enclosures which accompany their application.

Thank you for your interest in USAID Programs.

Sincerely,



Ronald W. Breen
Agreement Officer
USAID/West Bank and Gaza

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SECTION A – INSTRUCTIONS TO APPLICANTS

I. PREPARATION GUIDELINES

1. Points of Contact:

Sandy Sakran, Acquisition and Assistance (A&A) Specialist
USAID/West Bank and Gaza
E-mail: ssakran@usaid.gov

2. Questions and Answers:

Any questions regarding this RFA should be submitted in writing to Ms. Sandy Sakran, A&A Specialist via e-mail to the address above.

Questions regarding this RFA should be submitted no later than 16:00 Tel Aviv local time on May 17, 2010 to provide sufficient time to address the questions and incorporate the questions and answers as an amendment to this solicitation. Verbal explanations or instructions given before award will no be binding. Any information given to a prospective applicant concerning this RFA will be furnished promptly to all other prospective applicants as an amendment to this RFA, if that information is necessary in submitting applications or if the lack of it would be prejudicial to any other prospective applicant.

3. Preparation of Applications:

- a. Applicants are expected to review, understand, and comply with all aspects of this RFA. Failure to do so will be at the applicant's risk.
- b. Each applicant shall furnish the information required by this RFA. The applicant must sign the application form (SF424) and print or type its name on the Cover Page of the technical and cost applications. Erasures or other changes must be initialed by the person signing the application. Applications signed by an agent shall be accompanied by evidence of that agent's authority, unless that evidence has been previously furnished to the issuing office.
- c. Applicants who include data that they do not want disclosed to the public for any purpose or used by the U.S. Government except for evaluation purpose, should:

- i. Mark the title page with the following legend:

"This application includes data that shall not be disclosed outside the U.S. Government and shall not be duplicated, used, or disclosed – in whole or in part – for any purpose other than to evaluate this application. If, however, a grant is awarded to this applicant as a result of – or in connection with – the submission of this data, the U.S. Government shall have the right to duplicate, use, or disclose the data to the extent provided in the resulting grant. This restriction does not limit the U.S. Government's right to use information contained in this data if it is obtained from another source without restriction. The data subject to this restriction are contained in sheets _____". and,

- ii. Mark each sheet of data it wished to restrict with the following legend:

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“Use or disclosure of data contained on this sheet is subject to the restriction on the title page of this application.”

- d. Applicants should retain for their records one copy of the application and all enclosures which accompany it.

II. TECHNICAL APPLICATION FORMAT

Technical applications should be specific, complete and presented concisely. Applications should demonstrate the applicant’s capabilities and expertise with respect to achieving the goals of this program. Applications shall take into account the technical evaluation criteria found in Section B.

Applicants are invited to present 1) an innovative technical approach and an effective implementation strategy to achieve the CID objectives set forth in Section C; 2) a well thought-out implementation plan with sound rationale for the proposed level of effort and scheduling of work; 3) a Performance Monitoring Plan (PMP) that identifies appropriate milestones, gender sensitive indicators and targets (including sex disaggregated targets), as well as plans to gather and utilize baseline data. The PMP is expected to reflect concern for results and include proper impact indicators; and 4) a sustainability plan and approach to ensure that the program results can be independently sustained after completion of the CID program.

1. Technical Approach

The technical approach must demonstrate an in-depth understanding of the development challenge in West Bank and Gaza, the approach should outline specific activities, , and explain how the proposed activities would help achieve the CID objectives. Applicants are encouraged to propose innovative yet realistic approaches that are most appropriate in the context of West Bank and Gaza. The technical approach must clearly address the factors outlined in the evaluation criteria in Section B of this RFA.

2. Management Plan and Proposed Personnel

Management Plan

- a. The applicants should propose a management plan and describe how the proposed plan will contribute towards achieving the objectives and results described in the program description. The proposed plan should specifically state and justify the composition and organizational structure of the entire project team. It should also describe how the technical expertise and experience of all staff members is most conducive to achieving expected results of the CID program. The plan should specify the role and estimated amount of time each staff member will devote to the program and/or specific components within the program. Delineation of roles, responsibilities, authority, and processes for decision making within applicant's in-country team and between the home office and the field must be spelled out clearly.
- b. Potential partners in the implementation of the award (if any) and the services to be provided by each partner Institution or organization (if any) shall be described. Applicants shall describe the process of identifying and supporting subgrantees, if any. Applicants must also specify the technical resources and expertise of proposed subcontract/subrecipient organizations, if any.
- c. The management plan should also describe how the applicant would coordinate its activities with other programs of USAID/West Bank and Gaza and other donors.

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Personnel

Applicants must propose which positions should be designated as Key Personnel and specify the qualifications and abilities of proposed key personnel that are suited to successfully implement the proposed technical approach. The applicant shall also include, in an annex, resumes for all key personnel candidates and any other personnel proposed for significant positions. Resumes may not exceed three pages in length and shall be in chronological order starting with most recent experience. Each resume shall be accompanied by a *signed Letter of Commitment from* each candidate indicating his/her: (a) availability to serve in the stated position, in terms of days after award; (b) intention to serve for a stated term of the service; and (c) agreement to the compensation levels which correspond to the levels set forth in the cost application.

4. Organizational Capability and Past Performance

Organizational Capability and Experience

Applicants must demonstrate technical and managerial expertise that would directly benefit CID implementation and reflect comparative advantages in implementing the proposed activities. Information in this section should include (but is not limited to) the following:

- (1) Brief description of organizational history/expertise;
- (2) Relevant experience with proposed approaches;
- (3) Institutional strength as represented by experience in managing successful programs of similar scope and complexity;
- (4) Sub-awardee or subcontractor capabilities and expertise;
- (5) Proposed field management structure; and
- (6) Home office backstopping and its purpose.

Past Performance

Applicants must provide evidence of pertinent past performance and clearly describe examples of successful development and implementation of programs similar to what is required under this RFA. Applicants must submit a list of the five most recent U.S. Government or other donor funded contracts, grants, cooperative agreements, etc. Include the following for each award:

- Name of awarding organization or agency;
- Address of awarding organization or agency;
- Place of performance of services or program;
- Award number;
- Amount of award;
- Period of Performance (begin and end dates of services/program);
- Name, current telephone number, current fax number, and email address (if one is available) of a responsible technical representative (project officer, activity manager or other contact person) of that organization or agency; and
- Brief description of the program.

Similar information should be provided for every partner organization that would represent 10% or more of the total proposed project cost.

6. The suggested outline for the technical application is:

- I. Table of Contents, listing all page numbers and attachments

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- II. Executive Summary
- III. Technical Approach
- IV. Management Plan and Proposed Personnel
- V. Organizational Capability and Experience
- VI. Past Performance
- VII. Annexes:
 - a. Mobilization Plan
 - b. Implementation Plan; Performance Monitoring Plan (PMP)
 - c. Relevant Past Performance Information (Recipient and Key Partner Organizations);
 - d. Curriculum Vitae for Key Personnel;

7. Marking Plan and Branding Strategy under Assistance Instruments

USAID's mandatory branding/marketing requirements became effective on January 2, 2006. The applicant may review and download the regulations, guidance, and graphics at www.usaid.gov/branding. Applicants selected for award will be required to provide a "Branding Strategy" and a "Marking Plan" for review and inclusion in the final award by the Agreement Officer. See Section E for the full text of the Branding and Marking provisions under Assistance Instruments.

III. COST APPLICATION FORMAT

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 the 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. There is no page limitation on the Cost Application.

The following sections describe the documentation that applicants for an assistance award must submit to USAID/West Bank and Gaza 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:

1. The budget must have an accompanying detailed budget narrative and justification that provides in detail the total program amount for implementation of the program your organization is proposing. The budget narrative should provide information regarding the basis of estimate for each line item, including reference to sources used to substantiate the cost estimate (e.g. organization's policy, payroll document, vendor quotes, etc.).

In addition to the detailed budget, a summary of the budget must be submitted using Standard Form 424 and 424A which can be downloaded from the following web site:

http://www.grants.gov/agencies/aapproved_standard_forms.jsp#1

2. The cost/business application should contain the following budget categories:

- a. Direct Labor -Direct salaries, wages and annual increases for all personnel proposed under the application shall be in accordance with the applicant's established personnel policies. To be considered adequate, the policies must be in writing, applicable to all employees of the organization, is subject to review and approval at a high enough organizational level to assure its uniform enforcement, and result in costs which are reasonable and allowable in accordance with applicable cost principles. The narrative should include a level of effort

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analysis specifying personnel, rate of compensation, and amount of time proposed. Anticipated salary increases during the period of the agreement should be included.

b. Fringe Benefits - Fringe benefits should be based on the applicant's audited fringe benefit rate, supported by a Negotiated Indirect Cost Rate Agreement (NICRA) or historical cost data. If the latter is used, the budget narrative should include a detailed breakdown comprised of all items of fringe benefits (e.g. unemployment insurance, workers compensation, health and life insurance, retirement, FICA, etc.) and the costs of each, expressed in dollars and as a percentage of salaries.

c. Supplies and Equipment -Differentiate between expendable supplies and nonexpendable equipment (NOTE: Equipment is defined as tangible nonexpendable personal property including exempt property charged directly to the award having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit, unless the applicant's established policy establishes nonexpendable equipment anticipated to be required to implement the program, specifying quantities and unit cost.)

d. Allowances-Allowances must be broken down by specific type and by person and must be in accordance with the applicant's established policies.

e. Travel and Per Diem -The narrative should indicate number of trips, domestic and international, and the estimated unit cost of each travel in accordance with the technical application. Proposed per diem rates must be in accordance with the applicant's established policies and practices that are uniformly applied to federally-financed and other activities of the applicant.

f. Other Direct Costs -This could include any miscellaneous costs such as office rents, communications, transportations, supplies and utilities, report preparation costs, passports, visas, medical exams and inoculations, insurance (other than the applicant's normal coverage), etc. The narrative, or supporting schedule, should provide a complete breakdown and support for each item of other direct costs.

g. Proposed Sub-contracts/agreements (if any) -Applicants who intend to utilize sub contractors or sub recipients should indicate the extent intended and a complete cost breakdown, as well as all the information required herein for the applicant. **Sub-contract/agreement cost applications should follow the same cost format as submitted by the applicant.**

3. A current Negotiated Indirect Cost Rate Agreement (NICRA) if your organization has such an agreement with an agency or department of the U.S. Government.
4. Applicants who do not currently have a Negotiated Indirect Cost Rate Agreement (NICRA) from their cognizant agency shall submit the following information:
 - a. 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;
 - b. projected budget, cash flow and an organizational chart for the applicant; and
 - c. a copy of the organization's accounting manual.
5. Required assurances, certifications and representations as indicated in 424 D entitled Assurances Construction Programs and the certifications identified in Section D.
6. Applicants should submit any additional evidence of responsibility deemed necessary for the Agreement

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Officer to make a determination of responsibility. The information submitted should substantiate that the applicant:

- a. has adequate financial resources or the ability to obtain such resources as required during the performance of the award;
 - b. has the ability to comply with the award conditions, taking into account all existing and currently prospective commitments of the applicant, nongovernmental and governmental;
 - c. 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.
 - d. has a satisfactory record of integrity and business ethics; and
 - e. is otherwise qualified and eligible to receive a grant under applicable laws and regulations (e.g., EEO).
7. 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.
1. Certificate of Compliance: Please submit a copy of your Certificate of Compliance if your organization's systems have been certified by USAID/Washington's Office of Acquisition and Assistance (M/OAA, formerly known as M/OP).
 2. Cost-Share: Cost sharing is encouraged but not required under this solicitation. However, if cost share is proposed, the applicants should estimate the amount of cost-sharing resources to be mobilized over the life of the agreement and specify the sources of such resources, and the basis of calculation in the budget narrative.

IV. APPLICATION SUBMISSION PROCEDURES

Applicants may upload applications to <http://www.grants.gov>. Additionally, a separate electronic (e-mail) **AND** a hard copy submission are still required by USAID/West Bank and Gaza. All applications received by the submission deadline will be reviewed for responsiveness to the specifications outlined in these guidelines and the application format. No addition or modifications will be accepted after the submission date.

1. Submission of Hard Copy Applications

Hard copies of applications and modifications thereof shall be submitted in **sealed envelopes or packages** (1) addressed to the office specified below, and (2) showing the date and time specified for receipt (i.e., the due date and time), the RFA number, and the name and address of the applicant.

Applications submitted via courier service or mail, shall be submitted in two separate parts and delivered in two separate envelopes: (a) technical and (b) cost or business application. The hard copy technical application shall consist of one original and five copies. The cost or business application shall consist of one original and two copies. Applications shall be submitted with the name and address of the applicant and RFA number (referenced *above*) inscribed thereon.

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Faxed applications are not acceptable.

Please be advised that in the past, some firms *have* experienced delays with international air courier services. Applications *received* after the closing date and time will be processed as late. Also, if you utilize the services of an independent agent in Israel or the West Bank and Gaza to *deliver* your application, please be certain that he/she understands that additional time may be needed to allow for security review of any packages, and the closing date and time are firm.

Note: Delivery to the air courier representative does not constitute meeting the statutory requirement that applications are received on time at the designated office. For purposes of recording the official receipt of applications, the date/time stamp of the Office of the Acquisition and Assistance at USAID/West Bank and Gaza will govern.

2. Submission of Electronic Applications:

Applications may be uploaded to <http://www.grants.gov>; however, separately submitted applications, e-mailed AND in hard copy, are still required by USAID/West Bank and Gaza. USAID/West Bank and Gaza bears no responsibility for data errors resulting from transmission or conversion processes associated with electronic submissions.

Applications shall be submitted with the name and address of the applicant and the RFA number (referenced above) inscribed thereon, to Sandy Sakran, A&A Specialist, via email to ssakran@usaid.gov.

For electronic submissions, your organization must ensure that the applications are received at USAID/West Bank and Gaza in its entirety. No addition or modifications will be accepted after the submission date. E-mail attachments should be formatted in Microsoft Word and/or Microsoft Excel format with 2 MB limit per e-mail. Please convert your documents to one of these formats before sending them to USAID/West Bank and Gaza, or provide scanned copies of pages if they include signatures or forms. USAID/West Bank and Gaza cannot accept .zip files, as they will be blocked by USAID's firewall.

In addition to the aforementioned guidelines, the applicant is requested to take note of the following:

- i. Applications submitted electronically must be in either Microsoft Word (for narrative text) or Excel (for tables), unless you are providing scanned copies of pages that include signatures or forms.
- ii. After you have sent your applications electronically, please immediately check your own email to confirm that the attachments you intended to send were indeed sent. If you discover an error in your transmission, please send the material again and note in the subject line of the email or indicate in the file name if submitted via grants.gov that it is a "corrected" submission.
- iii. Please do not send the same email more than once unless there has been a change, and if so, please note that it is a "corrected" email.
- iv. If you send your application by multiple emails, please indicate in the subject line of the email whether the email relates to the technical or cost application, and the desired sequence of multiple emails (if more than one is sent) and of attachments (e.g. "no. 1 of 4", etc.). For example, if your cost application is being sent in two emails, the first email should have a subject line which says: "[organization name], Cost Application, Part 1 of 2".

Our preference is that the technical application and the cost application be submitted as single email attachments,

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e.g. that you consolidate the various parts of a technical application into a single document before sending them. If this is not possible, please provide instructions on how to collate the attachments. USAID/West Bank and Gaza will not be responsible for errors in compiling electronic applications if no instructions are provided or are unclear.

3. Receipt of Applications:

Applications must be received at the place designated and by the date and time specified in the cover letter of this RFA. Applications which are submitted late or are incomplete run the risk of not being considered in the review process. Late applications will be considered for award if, in the sole discretion of the Agreement Officer, it is determined that it is in the U.S. Government's interest and if the evaluation process has not yet commenced.

The applicant must ensure that applications sent electronically are received at USAID/West Bank and Gaza in their entirety. Applicants shall confirm with Ms. Sandy Sakran that their electronic submissions (either via grants.gov or via email) were successfully received at USAID/West Bank and Gaza by the required due date.

V. AWARD AND ADMINISTRATION INFORMATION

1. **Award:** The Government may award one or more Cooperative Agreement(s) resulting from this RFA to the responsible applicant(s) whose application(s) best meet(s) the requirements of this RFA (see also Section B of this RFA for evaluation criteria). The Government may (a) reject any or all applications, (b) accept other than the lowest cost application, (c) accept more than one application, (d) accept alternate applications, and (e) waive informalities and minor irregularities in applications received.
2. **Authority to Obligate the Government:** The Agreement Officer is the only individual authorized to commit the U.S. Government to the expenditure of public funds. No costs chargeable to the proposed Cooperative Agreement may be incurred before receipt of either a fully executed Cooperative Agreement or a specific, written authorization from the Agreement Officer.
3. **Award Administration:** For U.S. organizations, the prospective award will be administered in accordance with 22 CFR 226, OMB Circulars and the Standard Provisions for U.S. Nongovernmental Recipients. For non-U.S. organizations, the prospective award will be administered in accordance with the Standard Provisions.
4. **Program Income:** Program income is not expected to be generated by the Recipient implementing the Cooperative Agreement. However, any program income that is generated under the resulting award will be in accordance with 22 CFR 226.24.

VI. SPECIAL CONSIDERATIONS

A. USAID DISABILITY POLICY - ASSISTANCE (DECEMBER 2004)

(i) The objectives of the USAID Disability Policy are (1) to enhance the attainment of United States foreign assistance program goals by promoting the participation and equalization of opportunities of individuals with disabilities in USAID policy, country and sector strategies, activity designs and implementation; (2) to increase awareness of issues of people with disabilities both within USAID programs and in host countries; (3) to engage other U.S. government agencies, host country counterparts, governments, implementing organizations and other donors in fostering a climate of nondiscrimination against people with disabilities; and (4) to support international advocacy for people with disabilities. The full text of the policy paper can be found at the following website: http://www.usaid.gov/about_usaid/disability/

(ii) USAID therefore requires that the recipient not discriminate against people with disabilities in the implementation of USAID funded programs and that it make every effort to comply with the objectives of the USAID Disability Policy in performing the program under this grant or Cooperative Agreement. To that end and to the extent it can accomplish this goal within the scope of the program objectives, the recipient should demonstrate a comprehensive and consistent approach for including men, women and children with disabilities.

B. STANDARDS FOR ACCESSIBILITY FOR THE DISABLED IN USAID ASSISTANCE AWARDS INVOLVING CONSTRUCTION (SEPTEMBER 2004)

(i) One of the objectives of the USAID Disability Policy is to engage other U.S. government agencies, host country counterparts, governments, implementing organizations and other donors in fostering a climate of nondiscrimination against people with disabilities. As part of this policy USAID has established standards for any new or renovation construction project funded by USAID to allow access by people with disabilities (PWDs). The full text of the policy paper can be found at the following website: http://pdf.dec.org/pdf_docs/PDABQ631.pdf

(ii) USAID requires the recipient to comply with standards of accessibility for people with disabilities in all structures, buildings or facilities resulting from new or renovation construction or alterations of an existing structure.

(iii) The recipient will comply with the host country or regional standards for accessibility in construction when such standards result in at least substantially equivalent accessibility and usability as the standard provided in the Americans with Disabilities Act (ADA) of 1990 and the Architectural Barriers Act (ABA) Accessibility Guidelines of July 2004. Where there are no host country or regional standards for universal access or where the host country or regional standards fail to meet the ADA/ABA threshold, the standard prescribed in the ADA and the ABA will be used.

(iv) New Construction. All new construction will comply with the above standards for accessibility.

(v) Alterations. Changes to an existing structure that affect the usability of the structure will comply with the above standards for accessibility unless the recipient obtains the Agreement Officer's advance approval that compliance is technically infeasible or constitutes an undue burden or both. Compliance is technically infeasible where structural conditions would require removing or altering a load-bearing member that is an essential part of the structural frame or because other existing physical or site constraints prohibit modification or addition of

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elements, spaces, or features that are in full and strict compliance with the minimum requirements of the standard. Compliance is an undue burden where it entails either a significant difficulty or expense or both.

(vi) Exceptions. The following construction related activities are excepted from the requirements of paragraphs (a) through (d) above:

(1) Normal maintenance, re-roofing, painting or wall papering, or changes to mechanical or electrical systems are not alterations and the above standards do not apply unless they affect the accessibility of the building or facility; and

(2) Emergency construction (which may entail the provision of plastic sheeting or tents, minor repair and upgrading of existing structures, rebuilding of part of existing structures, or provision of temporary structures) intended to be temporary in nature. A portion of emergency construction assistance may be provided to people with disabilities as part of the process of identifying disaster- and crisis-affected people as "most vulnerable."

VII. SPECIAL MANDATORY PROVISIONS

I. SUBCONTRACTING WITH GOVERNMENT OR QUASI-GOVERNMENT ENTITIES

No subcontracting with any government or quasi-government entity shall be conducted under this Agreement unless a specific waiver is approved for this purpose.

II. CAPITAL ASSISTANCE (611e REQUIREMENTS)

Prior to committing any USAID funds for capital assistance projects proposed under this Agreement, including mechanical items and other equipment that will be purchased for use by local partners, the Recipient will provide USAID with sufficient information to determine that Palestinian counterpart institutions and communities have the capacity to maintain and utilize the assistance effectively. Upon review and analysis of information provided, USAID West Bank and Gaza will advise the Recipient when and if all AID regulations for proceeding with capital assistance have been met.

III. PROHIBITION AGAINST SUPPORT FOR TERRORISM

- (a) The Contractor/Recipient is reminded that U.S. Executive Orders and U.S. law prohibit 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.
- (b) One of the applicable orders is Executive Order 13224, dated September 24, 2001. The website of the Office of Foreign Assets Control (OFAC) of the Department of Treasury contains the text of that order and a list of the individuals and entities designated thereunder. It also contains lists of individuals and entities designated under other anti-terrorism statutes, regulations and Executive Orders. See <http://www.treasury.gov/offices/enforcement/ofac/sdn/>.
- (c) USAID reserves the right to review, and either approve or reject, the following subawards if proposed under this contract/agreement: (i) any contract or subcontract in excess of \$25,000 with a non-U.S. organization or individual; and (ii) any grant or subgrant to a non-U.S. organization or individual, regardless of the dollar value. Furthermore, the written consent of USAID is required before certain

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other forms of assistance may be provided to a non-U.S. organization or individual. These include in-kind assistance such as renovation of an NGO's facilities, repair or replacement of a company's equipment, and certain training activities. The details of these requirements are described in notices issued by USAID/West Bank & Gaza from time to time. No approval (or failure to disapprove) by USAID shall relieve the Contractor/Recipient of its legal obligation to comply with applicable Executive Orders and laws.

- (d) USAID reserves the right to rescind approval for a subaward in the event that USAID subsequently becomes aware of information indicating that the subaward is contrary to U.S. law or policy prohibiting support for terrorism. In such cases, USAID's Contracting Officer will provide written instructions to the Contractor/Recipient to terminate the subaward.
- (e) USAID reserves the right to terminate this contract/agreement if USAID determines that the Contractor/Recipient is involved in or advocates terrorist activity or has failed to comply with any of the requirements of this provision.
- (f) This provision, including this paragraph (f), shall be included in all contracts, subcontracts, grants and subgrants issued under this contract/agreement. Upon request, the Contractor/Recipient shall promptly provide to USAID's Contracting/Agreement Officer a copy of the pages from each subaward that contain this provision
- (g) The Contractor/Recipient agrees to promptly notify USAID's Contracting Officer Technical Representative (COTR)/Agreement Officer Technical Representative (AOTR) in the event of any change in the identity of its "key individuals" or in the identity of "key individuals" of any recipient of a subaward described in paragraph (c). For purposes of this requirement, "key individuals" means (i) principal officers of the organization's governing body (e.g., chairman, vice chairman, treasurer and secretary of the board of directors or board of trustees); (ii) the principal officer and deputy principal officer of the organization (e.g., executive director, deputy director, president, vice president); (iii) the program manager or chief of party for the USAID-financed program; and (iv) any other person with significant responsibilities for administration of USAID-financed activities or resources. Note that this definition differs from the definition of "key personnel" under contracts and cooperative agreements.
- (h) Before awarding any grant or similar instrument providing [cash or in-kind assistance under this contract][cash assistance under this agreement], the Contractor/Recipient shall (1) obtain from the proposed subawardee the certification required under USAID's Acquisition and Assistance Policy Determination 04-14 (AAPD 04-14), "Certification Regarding Terrorist Financing Implementation E.O. 13224 (Revision 2)," and (2) provide a copy of the certification to USAID's Agreement/Contracting Officer.

IV. PROHIBITION AGAINST CASH ASSISTANCE TO THE PALESTINIAN AUTHORITY

U.S. legislation provides that none of the funding under this Award may be "obligated or expended with respect to providing funds to the Palestinian Authority." In accordance with that prohibition, the Recipient shall not provide any cash to the Palestinian Authority; to any ministry, agency or instrumentality of the Palestinian Authority; to any municipality or other local government unit; or to any full-time or part-time employee or official of any of the foregoing entities. This restriction applies to payments of any kind, including salaries, stipends, fees, honoraria, per diem, and so forth.

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This restriction does not prohibit the provision of in-kind assistance, such as technical assistance, training, equipment, supplies, or the construction of public works to the extent it is not otherwise prohibited by U.S. law or the terms of this Agreement.

This provision shall be included in all contracts, subcontracts, grants and subgrants or any other instruments or awards issued under this Agreement. The Recipient shall promptly provide to USAID's Agreement Officer a copy of the pages from each subaward that contains this provision.

V. RESTRICTION ON FACILITY NAMES

- (a) No assistance shall be provided under this contract/agreement for any school, community center or other facility that is named after any person or group of persons that has advocated, sponsored or committed acts of terrorism. This includes any facility that has "shuhada" or "shaheed" ("martyr" or "martyrs") in its name, unless an exception is approved by the USAID Mission Director. In any case where assistance is proposed for a facility that is named after, or is planned to be named after, a person or group of persons, the Contractor/Recipient shall provide to USAID's Contracting Officer Technical Representative (COTR)/Agreement Officer Technical Representative (AOTR) written information about the person(s) or group and shall not proceed with the assistance unless or until the COTR/AOTR has provided written approval therefore. This restriction applies to all forms of cash or in-kind assistance, including construction services, equipment, supplies, technical assistance, and training.
- (b) In case of any failure to comply with this restriction, USAID may disallow any or all costs incurred by the Contractor/Recipient with respect to the facility and, if necessary, issue a bill for collection for the amount owed. This is in addition to any other remedies that may be available to USAID for such noncompliance.
- (c) This provision, including this paragraph (c), shall be included in all contracts, subcontracts, grants and subgrants issued under this contract/agreement. Upon request, the Contractor/Recipient shall promptly provide to USAID's Contracting/Agreement Officer a copy of the pages from each subaward that contains this provision.

VI. VALUE ADDED TAX AND CUSTOMS DUTIES

Pursuant to agreements with the Palestinian Authority (PA) and the Government of Israel (GOI), all imports and expenditures under this award by the Recipient and by non-local subgrantees and subcontractors (as defined below) will be exempt from Value-Added Tax (VAT) and customs duties imposed by the PA and from customs duties imposed by the GOI. Therefore, in accordance with paragraph 51 of OMB Circular No. A-122, Attachment E, such VAT and customs duties shall not constitute allowable costs under this award. No exemptions from VAT imposed by the GOI are available through USAID. Therefore, Israeli VAT is an allowable cost under this award, except for VAT from which exemptions are available to the Grantee/Recipient directly.

The Recipient and any non-local subgrantees or subcontractors shall make reasonable efforts to avoid Palestinian VAT at the point of sale by obtaining 0% VAT exemption. USAID will assist the Recipient to obtain zero percent (0%) VAT status from the PA. The Recipient shall use this exemption to avoid paying any PA VAT to local subcontractors and vendors by obtaining approval from the PA VAT Department for suppliers to issue 0% VAT invoices.

In cases where Israeli and Palestinian VAT cannot be avoided, the Recipient shall obtain original VAT receipts from the vendors. Receipts must be submitted to USAID's Financial Management Office on a monthly basis to enable USAID to process refund claims with VAT authorities. The Recipient is responsible

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for ensuring that subgrantees or subcontractors comply with this requirement. All VAT claims for the subgrantees and subcontractors shall be submitted to USAID through Recipient. *(Please refer to VAT Guidance dated April 2, 2003 issued to USAID WBG Contractors and Grantees attached as Attachment D)*. Receipts for subgrantees and subcontractors must be addressed to the project name /Recipient to enable USAID to claim refunds.

Recipients that already have exemption mechanisms in place with the GOI and/or the PA should continue to follow those procedures. Any refund of taxes received directly by the Recipients which were allowed as award costs, should be credited either as a cost reduction or cash refund, as appropriate, to USAID.

"Non-local subgrantees and subcontractors" means subgrantees and subcontractors that are present in the West Bank or Gaza solely for the purpose of performing work financed by USAID or other tax-exempt foreign donors."

VII. REPORTING OF FOREIGN TAXES

- (a) The awardee must annually submit one report by April 6 of the next year. The reporting period will cover from October 1 to September 30.
- (b) Contents of Report. The reports must be in the format provided in attachment E and contain:
 - (i) Recipient name.
 - (ii) Contact name with phone, fax and email.
 - (iii) Award number(s); separate report needs to be provided for each award.
 - (iv) Amount of foreign taxes assessed by the Palestinian Authority on commodity purchase transactions valued at \$500 or more financed with U.S. foreign assistance funds under this agreement during the prior U.S. fiscal year.
 - (v) Only foreign taxes assessed by the foreign government in the country receiving U.S. assistance are to be reported. Foreign taxes by a third party foreign government are not to be reported. For example, if an assistance program for the Palestinian Authority involves the purchase of commodities in Israel using foreign assistance funds, any taxes imposed by Israel would not be reported.
 - (vi) Any reimbursements on the taxes reported in (iv) received by the recipient through March 31. Any refund from the Palestinian Authority that is received directly by the awardee should be reflected. For refunds processed by USAID, we will fill in the VAT refunded amount. If a VAT refund receipt was provided to USAID for refund processing the awardee will need to provide the month under which the claim was submitted to USAID and the serial number of the invoice as included in the claim.
 - (vii) Reports are required even if the recipient did not pay any taxes during the report period.
 - (viii) Cumulative reports may be provided if the recipient is implementing more than one program in a foreign country.
- (c) Definitions. For purposes of this clause:
 - (i) "Agreement" includes USAID direct and country contracts, grants, cooperative agreements and interagency agreements.
 - (ii) "Commodity" means any material, article, supply, goods, or equipment.
 - (iii) "Foreign government" includes only a Palestinian Authority entity.
 - (iv) "Foreign taxes" means value-added taxes and custom duties assessed by a foreign government on a commodity. It does not include foreign sales taxes.

(d) Where. Submit the reports by either of the following means:

email attachment (preferred): 579vat@usaid.gov or fax to 972-3-511-4888, attention Issa Hanna.

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- (e) Subagreements. The awardee must include this reporting requirement in all applicable subcontracts, subgrants and other subagreements.
- (f) For further information see <http://www.state.gov/m/rm/c10443.htm> .

VIII. PROHIBITION ON ASSISTANCE TO THE PALESTINIAN BROADCASTING CORPORATION

- a) U.S. legislation provides that none of USAID's funding "may be used to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation." In accordance with this prohibition, the Grantee shall not provide any assistance to the Palestinian Broadcasting Corporation.
- b) This provision, including this paragraph (b), shall be included in all contracts, subcontracts, grants and subgrants issued under this grant.

- END OF SECTION A -

SECTION B -EVALUATION CRITERIA

The criteria presented below have been tailored to the requirements of the CID RFA. 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 are requested to organize the narrative sections of technical applications according to the technical application format (Section A.II) in the Instructions to Applicant and the evaluation criteria set forth below.

The technical applications will be evaluated in accordance with the Technical Evaluation Criteria set forth below. Cost applications will be evaluated for general reasonableness, allowability, and allocability. Award will be made to the responsible applicant(s) whose application(s) best meets the requirements of the CID RFA. USAID reserves the right to determine the resulting level of funding for the agreement(s) award.

Upon completion of its initial review of applications, USAID may, as it deems necessary and appropriate, conduct written and/or oral discussions with those applicants whose applications remain in the competitive range. To the extent necessary, USAID may also request clarification and supplemental materials from applicants whose applications have a reasonable chance of being selected for award. The decision to conduct such discussions should not be considered a reflection of a final decision about which organizations will receive an award, but rather would be part of the evaluation process. Awards will be made to responsible applicants whose applications offer the greatest value, cost and other factors considered.

The criteria listed below are presented by major category, so that applicants will know which areas require emphasis in the preparation of the technical application. The selection will be based upon the following factors. To be selected for the award, the application must contain, at a minimum, these elements. The maximum point value that can be awarded in evaluating each element is provided below.

I. Technical Evaluation

Technical evaluation of applications will in accordance with the following criteria:

1. Soundness of Technical Approach (Maximum points = 50):

Viability of the proposed technical approach to produce the stated results. Applicants should describe how they propose to achieve the program objectives. Specifically, applicants should:

- Present innovative ideas, approaches and strategies to achieve the results of the program;
- Clearly define achievable and sustainable concepts including program results-oriented objectives, indicators, and planned approaches and strategies for implementing, monitoring and evaluating the potential impact of proposed interventions;
- Present mechanisms and approaches for prioritizing communities (e.g., based on income levels, quality of life indicators, survey of available services) and their respective infrastructure needs;
- Demonstrate the ability to coordinate with Palestinian ministries and institutions, other PA counterparts, donors, U.N. organizations, PVOs and NGOs, and with USAID implementation partners to meet program objectives;
- Describe approaches to maximize employment opportunities, and approaches to encourage community participation and empowerment in the planning, design, construction, and maintenance of infrastructure;
- Identify an implementation schedule which is feasible yet reflects a rapid mobilization and start-up and appropriately addresses issues such as management relationships, level of effort, and a plan for institution

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partnerships which appropriately divides responsibilities, and establishes arrangements for coordination; and

- Respond to the gender barriers and standards for accessibility for the disabled that constrain the achievement of project results if left unaddressed.

2. Management Plan and Proposed Personnel (Maximum points = 30):

Management Plan:

- Organization: the extent to which the proposed management structure and approach will ensure program effectiveness and efficiency in achieving maximum benefits and results. The Management Plan must consist of a clear and concise description of how internal management plans, organizational structures, lines of communication and authority, and partnerships are conducive to effective project implementation.
- Aptitudes and Effort: the composition and organizational structure of the entire project team must be justified. The roles and estimated Level of Effort (LOE) for each staff member must also be clearly explained. Applicants should also explain how the sum of technical expertise and experiences of all staff members is compatible with the technical and operational strategies of CID.
- Operational Capacity: as indicated by 1) appropriate systems to manage and integrate activities of the various objectives of the CID program; 2) capacity for rapid deployments; and 3) level of in-country and field presence proportionate to the activities proposed and consistent with CID's objective.

Qualification of proposed key personnel to manage and to implement strategies and activities proposed. Specifically:

- The Project Director has the breadth and depth of background (education and experience), expertise and skills to manage the program proposed in similar work environments;
- Other key personnel have relevant and complementary qualifications, skills and experience to implement, monitor and evaluate the program and program activities;
- Identified staff based on their relevant experience/accomplishments and appropriate academic credentials;
- Proposed staff whose collective skills, expertise, and experience match the requirements of the proposed program; and
- A well thought out overall staffing plan (organizational chart) that incorporates and justifies clearly articulated roles and responsibilities for all key staff with clear lines of management and supervisory authority and technical responsibility.

3. Record of Organizational Capability and Past Performance (Maximum points = 20):

Experience and performance of the primary Applicant (as well as any partners substantially involved in implementation) in managing and implementing similar or related programs. Specifically:

- Demonstrated capability of implementing small- to- medium scale community infrastructure design, planning, implementation, monitoring, and reporting.
- Relevant and successful organizational experience in the types of interventions being proposed in developing countries.
- Previous experience planning and implementing similar donor-funded projects.
- Familiarity with the situation in the West Bank and Gaza.

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II. Cost Evaluation:

Cost has not been assigned a weight but will be evaluated for realism, reasonableness, allowability, allocability, and cost effectiveness. Applications that have more efficient operational systems that reduce operation costs will be more favorably considered. Cost sharing will be evaluated on the level of financial participation proposed and the added value it represents to the program. As technical scores converge, applications that maximize direct activity costs -- including cost sharing -- and that minimize administrative costs will be more favorably considered. Other considerations are the completeness of the application adequacy of budget detail and consistency with elements of the technical application. In addition, the organization must demonstrate adequate financial management capability, to be measured by a responsibility determination. While cost may be a determining factor in the final decision of an awardee, especially between closely ranked applicants, the technical merit of applications is substantially more important under this RFA.

III. Cost Sharing:

Although there is no requirement that applicants propose a specific cost share, USAID policy is that cost sharing is an important element of the USAID-recipient relationship. USAID/West Bank and Gaza encourages applicants to demonstrate their commitment to program success by addressing the issue of cost-sharing. The amount of cost sharing, i.e. cash and/or in-kind contributions, will be evaluated in accordance with 22 CFR 226.23.

IV. Best Value Procurement

Award will be made to the Applicant whose application offers the best value to the Government. Best value is defined as the expected outcome of a procurement that, in the Government's estimation, provides the greatest overall benefit in response to the requirement.

For this RFA, technical proposal merits are considered significantly more important than cost relative to deciding which Applicant best might perform the work. Cost realism and reasonableness, as well as the amount of cost sharing, will however be important criteria and may be the determining factor in the event that the applications receiving the highest ratings are closely ranked. Therefore, after the final evaluation of the applications, the Agreement Officer will make the award to the Applicant whose application offers the best value to the Government considering both technical and cost factors.

V. Rating Methodology

Applications for the activity will be evaluated based on numerical ranking for overall application and each section of the application, respectively. The following ratings will be used in assessing the criteria set forth:

91-100 points: The application fully meets the RFA's requirements and the expectations of USAID. The Applicant has convincingly demonstrated that the requirements have been analyzed, evaluated, and should result in an outstanding, effective, efficient, and economical performance.

81-90 points: The application demonstrates a level of effort that substantially meets the RFA's requirements and the expectations of USAID. The application specified performance or

capability requirements necessary for acceptable performance and could produce results which should prove to be substantially beneficial.

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71-80 points: The application does not meet some specified performance or capability requirements necessary for acceptable performance, but inadequacies are correctable. The application demonstrates good understanding and ability to fulfill the requirements and weaknesses should not seriously affect the Applicant's performance if measures are taken to correct them.

0-70 points: The application fails to meet specified minimum performance and capability requirements and contains major deficiencies. It is incomplete and vague and deficiencies are uncorrectable without a major revision of the application. Applications scoring within this range will not be considered for award.

II. Branding Strategy and Marking Plan

In accordance with ADS 303.3.6.3.f and 22 CFR 226.91, the apparent successful applicant must submit a Branding Strategy and a Marking Plan for evaluation and approval by the Agreement Officer before an award under this solicitation will be made.

-End of Section B-

SECTION C – PROGRAM DESCRIPTION

Community Infrastructure Development (CID) Program

1. BACKGROUND

Increased access to improved public infrastructure is a critical foundation for social and economic development. Existing infrastructure in Palestine perpetuates poor and deteriorating public services and slows economic growth. Based on the Palestinian Authority (PA) Bureau of the Census and Statistics, about 10% of Palestinian households still have no access to running water -- this represents about 123 localities, villages and communities. Health facilities have degraded rapidly since 2000 and there is a continuous need for rehabilitation of hospitals and clinics and construction of new facilities. Almost 45% of the road network in the West Bank is in poor or failed condition. Furthermore, the PA needs about 50 schools (1000 classrooms) in the West Bank every year just to accommodate the increase in student population. This situation has developed over many years of economic and political stagnation, rapid population growth, lack of proper maintenance and inadequate investment. Most affected are marginalized Palestinians living in remote and rural communities.

Faced with aging infrastructure and public demand for better services, the PA has struggled to allocate sufficient resources to fully support the maintenance of existing infrastructure. With the current economic crisis, the PA's revenues have been reduced to the point where funding for even minimal levels of infrastructure upkeep, repair, or expansion, is extremely difficult. Nonetheless, the PA recognizes the need to address such infrastructure deficiencies immediately. In the August 2009 "Program of the Thirteenth Government," the development of infrastructure plays a central role in the social and economic requirements for a Palestine State.

In the past, the donor community has played a critical role in assisting the PA to provide basic infrastructure services. Basic infrastructure services are those that households and businesses tend to use every day. The primary components are roads, water and sanitation systems and other public facilities such as health clinics and classrooms. International donors such as the European Union, Sweden and Japan responded to urgent assistance requests by international organizations, especially United Nations agencies, active in the West Bank and Gaza. France and Japan co-financed large-scale infrastructure while the International Red Cross, Oxfam and the Spanish Cooperation typically funded smaller-scale projects. Other funds were channeled through local and international NGOs. However, in spite of donor efforts, there remains a vast, unmet need for infrastructure rehabilitation and expansion, especially at the community level.

To assist with these efforts, the United States Agency for International Development (USAID) has programmed significant levels of funds for infrastructure activities in the West Bank and Gaza in order to address the critical shortage of infrastructure. To respond to the September 2000 Intifada's deleterious impact on Palestinians, USAID amended its strategy to include a community development objective that provided assistance to rural villages. Under this Village Services Program, USAID awarded \$45 million to U.S. PVOs who in turn improved a wide range of community services and small-scale infrastructure in 85 villages. Over 400,000 Palestinians received benefits from this program, which included construction and/or renovation of educational rooms, playgrounds, health units, youth centers and 145 kilometers of access roads. In March 2001, USAID issued a Request for Applications to improve infrastructure and respond to high levels of unemployment resulting from the Intifada and border closures in the West Bank and Gaza. In 2001, USAID also provided \$22 million through the United Nations Relief and Works Agency for Palestine Refugees to support an emergency appeal for community service programming to assist Palestinian refugees.

Recognizing that local job creation and access to basic infrastructure was still critical, in 2002 USAID issued an Annual Program Statement -- the Job Opportunities through Basic Services Program -- to provide development of infrastructure and create severely needed employment opportunities for a struggling Palestinian economy. This

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program resulted in the renovation and rehabilitation of educational, youth and health facilities, upgrading of interior roads, construction of public parks and community centers, and restoration of cultural heritage sites. Work was completed in more than 370 communities.

Following the approval of the Secretary of State's humanitarian assistance plan in July 2006, USAID initiated the Emergency Water and Sanitation (EWAS) program to address small-scale infrastructure needs in the West Bank and Gaza. The program increased access to better quality water, sanitation and other small scale infrastructure for a total of 1.6 million Palestinians. The program met all established targets and operated effectively in conflict zones and under complicated policy constraints. To continue addressing water, sanitation and other infrastructure sectors in the West Bank and Gaza, in September 2008 USAID awarded a second phase of EWAS to complete quick response, emergency small-scale projects mainly in the water and sanitation sectors. This program is still ongoing. And in September 2007, USAID initiated the Emergency Jobs Program to create short-term job opportunities by providing poor households access to infrastructure. This program is scheduled to end in September 2010.

Building upon work accomplished since 2000, USAID intends to continue delivering similar assistance to marginalized Palestinians through provision of infrastructure in critical areas such as education, health, roads, water and other community facilities. Clear evidence shows that infrastructure investment is crucial to the process of economic development. In the Palestinian context, restorative, small-scale and community-directed infrastructure development remains one the most effective interventions for strengthening basic service delivery and meeting communities' basic needs. Such investments are also critical to diminishing the underlying conditions that seed terrorism and lay the groundwork for a viable Palestinian economy and democracy.

2. PROBLEM STATEMENT

Past community and small-scale infrastructure efforts were, in part, aimed at providing temporary employment opportunities and income support in a humanitarian crisis. Consequently, these projects addressed emerging needs by allocating program benefits across a wide range of communities. Such a format created the paradigm of small-scale limited intervention rather than substantially impacting entire communities. Meeting long-term development challenges faced by Palestinian communities, however, will require a shift in the approach.

In order to make a lasting impact, an integrated approach that targets whole communities and provides them with an integrated package of infrastructure interventions is needed. Such an approach would be multi-sectorial and integrated in nature and would aim to meet the basic infrastructure needs of whole communities rather than count as dispersed efforts in an unplanned manner. Consequently, the Community Infrastructure Development Program aims to first prioritize communities according to the most in need, then assess the specific infrastructure requirements, and finally provide direct assistance to respond to the specific needs identified. The result would be a development package that includes water, health, education, and other public infrastructure designed to achieve development objectives within a given budget and period of time. Such an assistance package would simultaneously address multiple infrastructure needs of whole communities in a prioritized manner.

The central concept of such a model is the notion that integrated planning and development of infrastructure at the community level will substantially change the quality of lives for impoverished Palestinian communities and bring them up to a basic standard of living. This approach is founded on the premise that the lack of access to basic infrastructure is one of the primary obstacles to building a better life.

Furthermore, the success of USAID programs across all sectors relies on the existence of sufficient infrastructure. For example, USAID's health programs rely on functioning health clinics and hospitals for success; education goals rely on schools and classrooms; and private sector development and trade relies on border crossing facilities and good roads. To support U.S. Government and PA goals of building an independent, sovereign, viable Palestinian

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state, the Water Resources and Infrastructure office requires a mechanism that will support the underlying infrastructure needs of all USAID development sectors. The Community Infrastructure Development Program would respond to small to medium scale infrastructure needs identified by the PA and the USAID/West Bank and Gaza Mission to support improved physical infrastructure. Activities considered under this program will include, but not be limited to, the construction and renovation of schools and kindergartens; upgrade of vocational education schools facilities; rehabilitation and development of youth/women and recreational centers; rehabilitation and development of roads, sidewalks and public parks; and upgrading and renovation of NGO/private health facilities.

3. OBJECTIVE

The objectives of the Community Infrastructure Development Program are to:

- Provide basic multi-sector infrastructure packages to remote communities in order to raise their standard of living;
- Support requests to increase the impact of USAID-funded programs in health, democracy and governance, education and the private sector by addressing underlying infrastructure needs which may be limiting the impact of those programs; and
- To the full extent practicable, provide employment opportunities to Palestinian communities, enhance local government capacity to respond to urgent infrastructure needs, and encourage community participation and empowerment in the planning, design, construction, and maintenance of public infrastructure.

Contingent upon the availability of funds, USAID/West Bank Gaza will award an assistance instrument (cooperative agreement) to support this initiative. USAID anticipates awarding one assistance instrument which merges all program objectives described above. The resulting program is intended to operate despite the problems of constrained access and mobility, and other difficulties associated with the current tense political and security situation in the West Bank and Gaza.

4. EXPECTED OUTCOMES AND RESULTS

Primary outcomes for this program will be measured in terms of actual physical facilities built or rehabilitated, number of communities and residents with improved quality of life with concentration on women and children, and in terms of sector specific indicators such as the kilometers of roads built or renovated, number of classrooms built or renovated and number of health clinics and private sector facilities built or renovated. Outcomes will also be measured in terms of sustainable facilities built or rehabilitated, the types of social and economic benefits such facilities will be expected to provide, and the capacity for beneficiaries to operate and maintain such facilities.

5. BENEFICIARIES

USAID intends to assist the most vulnerable Palestinian communities that are most adversely affected by the current economic downturn. Priority should be given to marginalized communities that are suffering from the lack of access to basic infrastructure. Applicants are encouraged to identify short-term and long-term employment and wider development opportunities expected to result from proposed activities.

6. MONITORING AND EVALUATION

The Recipient is expected to demonstrate how its project will contribute toward these outcomes through developing a Performance Management Plan (PMP) that will show how you will manage performance including developing appropriate base lines and targets for the life of the program as per ADS 203.

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Such a plan is important for assessing program performance, gauging the extent to which the Community Infrastructure Development program is contributing to desired Mission outcomes. USAID encourages recipients to consider including several monitoring and evaluation approaches to assess outcomes:

- Qualitative data gathering such as periodic focus groups to understand issues and impacts of the program.
- Rapid, low-cost, community-based monitoring and impact assessments.

The submission of the PMP is required to accompany all applications and then within the initial three months of the program implementation. A complete PMP should be finalized in close coordination with USAID, incorporated in to USAID's Geographic Management Information System (Geo-MIS) and updated by the Recipient on a regular basis.

7. RELATIONSHIPS AND RESPONSIBILITIES

The Recipient will be responsible for implementing activities for USAID, and will manage planning, procurement, construction, and close-out responsibilities. The Recipient will also monitor and assess the implementation processes and adhere to all of the requirements specified in the Cooperative Agreement. USAID expects that the Recipient will seek as many opportunities as possible for enlisting Palestinian participation in the development of project activities and subsequent implementation. Consequently, applicants should clearly describe their proposed mechanism for ensuring such meaningful participation when these opportunities arise.

USAID and the Recipient will agree to prioritized lists of communities and their respective infrastructure needs based on stakeholder input and on field assessments.

The Recipient is expected to coordinate closely with Palestinian ministries and institutions, donor organizations, non-profit organizations, and USAID implementation partners to develop, on a regular basis, priority lists of communities that are in need of improved physical infrastructure, such as education, health, and other public facilities.

The Recipient will work closely with other project stakeholders to ensure that projects are strategic and thus have a greater impact, and coordinate with other PA ministries, donor organizations, non-profit organizations, and USAID programs to avoid duplication and to receive guidance on site-specific issues, concerns, and approaches. USAID will play an active role by assisting in, but not assuming the primary responsibility for, developing a coordination mechanism among these different stakeholders; this responsibility falls to the Recipient. The Recipient will be responsible to present to USAID, in their application and subsequent work plans, the methods of coordination.

8. PROGRAM SUSTAINABILITY

While the immediate impact of infrastructure provision is a primary consideration, sustainability issues will be addressed where activities are implemented. Infrastructure to be constructed under the Community Infrastructure Development program must either have a sustainability plan, or be of such nature that maintenance and sustainability is not a major issue. Consequently, the Recipient will develop and execute a program of activities that provides the correct balance between immediate needs (e.g., based on income levels, impact of closures, quality of life indicators, available services) and the potential for effectively maintaining interventions once completed. However, pursuant to section 611(e) of the Foreign Assistance Act, as amended, for a capital assistance package to a selected village, town or municipality, estimated to cost in excess of \$1,000,000, the recipient will first assess and document the capability of the Palestinian partner (the selected village, town or municipality) to

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effectively maintain and utilize the infrastructure once it is completed. Under such a scenario, no assistance shall be furnished to the selected community unless a written approval is cleared by the head of the USAID.

9. FUNDING

The anticipated estimated maximum life-of-project funding for this requirement is \$100,000,000 subject to the availability of funds for such purpose. The resultant award is expected to be initially funded at a level of \$15,000,000. Additional funds over the \$15,000,000 may be made available contingent upon the availability of funding and successful achievement of results.

Specifically, no award or obligation will be made until funds are available and have been fully allocated and committed through USAID internal procedures for this specific activity. Accordingly, this request does not constitute a commitment on the part of the Government nor USAID to make an award or to obligate funds, and bid and proposal costs (to include all preparation and submission costs) are assumed by the Applicant/Recipient at its own risk.

10. ENVIRONMENTAL GUIDELINES

1. The Recipient will perform the work in accordance with the approved Initial Environmental Examination (IEE) and its subsequent amendment(s), USAID's environmental regulations at 22 CFR 216, and in accordance with applicable local environmental laws and regulations.
2. For each proposed activity under the this program, the Recipient will perform an environmental assessment screening to identify potential adverse impacts on the environment and develop appropriate mitigation and control measures to mitigate those negative impacts. The mitigation and control measures shall be approved by the Mission Environmental Officer prior to any construction.
3. Should the environmental assessment screening process conclude that a project or an activity will have a "significant" effect on the environment, a Scoping Statement and an Environmental Assessment (EA) shall be prepared by the Recipient in accordance with the procedures outlined under 22 CFR 216. The Scoping Statement and the EA must be approved by the Mission Environmental Officer and the Bureau Environmental Officer prior to construction.

11. REPORTING REQUIREMENTS

The Recipient will be responsible for submitting for USAID approval:

1. Financial Reporting

Financial reporting shall be in accordance with the requirements of 22 CFR 226.52.

2. Performance Monitoring Reporting

The Recipient will submit reports to the USAID AOTR as described below:

- a. A detailed Annual Implementation Plan and schedule of activities will be submitted to USAID/WBG for review and approval within thirty (30) days of signing a Cooperative Agreement.

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- b. A Performance Monitoring and Evaluation Plan for all program activities, specifying indicators and baseline data and targets -- and requisite monitoring arrangements -- to measure and report progress toward meeting the program objectives will be submitted to USAID/WBG within thirty (30) days of signing of the award.
- c. Quarterly reports (original and two copies) will be provided to USAID/WBG in a format to be agreed upon with USAID/WBG, including a budget report and a report on project activities. These reports shall identify progress, problems, remedial action and resources/costs associated with specific sub-activities.
- d. Final Report - Within 90 calendar days after the completion date of this Cooperative Agreement the recipient shall submit a Final Report which includes an executive summary of the recipient's accomplishments in achieving results and recommendations about areas in need of future assistance; an overall description of the recipient's activities and attainment of results, as appropriate during the life of the Cooperative Agreement; an assessment of the progress made toward accomplishing the objective and expected results and significance of these activities; important research finding, comments and recommendations, and a fiscal report that describes how the recipient's funds were used. See 22 CFR 226.51.

12. OTHER REPORTING REQUIREMENTS

i. Geographic Management Information System (Geo-MIS)

In support of USAID/WBG's Geo-MIS initiative, the Recipient will report and provide Geo-MIS related information on all USAID-funded activities.

- a. An initial Geo-MIS report shall be submitted within 30 days from approval of the Implementation Plan with follow-on reports following every thirty (30) days (monthly) thereafter. Those monthly reports shall be submitted **via e-mail** to AOTR and Geo-MIS manager; and include a summary of actions taken by the recipient in regard to data entry and updates in the Geo-MIS system over the internet, and a list of Geo-MIS activities added, updated or closed.
- b. Recipient regular quarterly reports/annual reports shall include a section on Geo-MIS actions taken in that period as well as a list of activities added, updated or closed.
- c. The Final Report will reflect that all activities have been fully Geo-MIS reported. Close out actions will not be concluded until such reporting has been completed. Geo-MIS reporting shall be submitted through the internet application available at your office via accessing the Mission Geo-MIS domain URL: www.usaidgiswbg.com
- d. The Recipient is required to report activity related fields of data and list of output indicators on monthly basis, and program related fields/narratives, PMP indicators and OP indicators on quarterly basis.[1];
- e. Details as to the reporting form and format are published at URL: www.usaidgiswbg.com. Registration for access to and questions regarding the use of the Geo-MIS web site and reporting are to be directed to USAID/WBG/PPDO and the COTR. The COTR will arrange for Geo-MIS training, lead the PMP development efforts and data quality assessments/verifications of Geo-MIS data.
- f. The Recipient staff will be provided Geo-MIS training by USAID/WBG/PPDO, This training will be directed toward basic functions of the Geo-MIS and enabling the Recipient to report its work through the system and to use it as a Management Information System (MIS tool) including how to add/update and

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verify activities and program related info on a monthly and quarterly basis. The Recipient will appoint a member of its staff for training, as responsible for executing the Geo-MIS reports, to serve as liaison with USAID, and participate in GIS working groups.

ii. TraiNet Reporting (Mandatory reporting of training):

The Applicant shall meet all **TraiNet** reporting requirements for reporting to TraiNet of the Agency's participant training data system for any in-country training programs or sub-programsof more than three consecutive class days in duration, or 15 contact hours scheduledintermittently, in accordance with ADS 253.3.3. In addition, the Applicant will report on trainingexpenditures under the three cost categories captured by TraiNet: Instruction, Participant, andTravel in accordance with ADS 253.3.6.

All the above reports should be submitted to USAID electronically and in hard copies.

13. GENDER

Applicants are encouraged to include women among project staff and to encourage the participation of women in community meetings and discussions. The Recipient should also involve women community members whenever applicable in design, follow-up and supervision of activities. USAID encourages applicants to demonstrate how they intend to implement activities that will enhance skills and/or participation of women and men in various aspects of program implementation. In addition, the Mission encourages applicants to address employment opportunities for women, especially those at-risk and vulnerably situated women such as female heads-of-household. USAID will monitor the Recipient to ensure that gender quality concerns are met in all aspects of the program.

14. PEOPLE WITH DISABILITIES

The West Bank and Gaza Mission follows USAID's Standards for Accessibility for the Disabled in Cooperative Agreements (http://pdf.usaid.gov/pdf_docs/PDACG011.pdf). These standards promote a universal design over an accessible design. Accessible design means products and buildings that are accessible and usable by people with disabilities. Universal design means products and buildings that are accessible and usable by everyone, including people with disabilities. Furthermore, in order to stimulate sustainable, developmentally sound attention to the needs of people with disabilities, the first preference is to use local or regional standards for universal access in construction, if they exist. These standards must result in at least substantially equivalent accessibility and usability as the standard provided in the Americans Disabilities Act of 1990 (ADA) and Architectural Barriers Act (ABA) Accessibility Guidelines. In the absence of a local or regional standard that meets the ADA/ABA threshold, the standard prescribed in the ADA and ABA Accessibility Guidelines must be used. The Recipient of this program must also coordinate with the General Union of Palestinian Disabled Persons to ensure accessibility to sites, facilities, buildings, and elements for people with disabilities.

15. SUBSTANTIAL INVOLVEMENT

USAID/WGB anticipates a close working partnership with the implementing partner. USAID's substantial involvement in this program will extend to those items identified below. The Agreement Officer herein delegates the following approvals list to the Agreement Officer's Technical Representative (AOTR) in accordance with the ADS Chapter 303.3.11:

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- a. Review and Approval of the Recipient's implementation plans. The Recipient will submit an implementation plan for USAID's review and approval within thirty (30) days from the award of the Agreement. Plans are required no more than annually. Annual review of implementation plans will provide USAID an opportunity to update information and provide collaborative input as appropriate on specific activities, sites of operation, expected results and milestones for each 12-month period. This information is an essential element of effective USAID project and program management. These plans will form the basis for an annual management review by USAID and program staff to review program directions, achievements and the prior year implementation plan objectives and major management and implementation issues, and to make recommendations for any changes as appropriate. Approval of the implementation plan will also provide USAID an opportunity to ensure that proposed activities are in conformance with statutory requirements. The implementation plan will include the list of activities to be implemented during that year. Any changes to the list of approved activities will require additional approval.
- b. Review and approval of the Performance Monitoring and Evaluation Plan. The Recipient should work closely with the AOTR in order to develop relevant indicators for measuring and reporting on outputs and impacts of the activities described in the section _____ of the Agreement. The Performance Monitoring and Evaluation Plan will specify indicators and baseline data and target -- and requisite monitoring arrangements -- to measure and report progress toward meeting the program objectives. This plan will be submitted to USAID/WBG within thirty (30) days of signing the award.
- c. Review and approval of the Final Report. The final report will be provided to USAID/WBG in a format to be agreed upon with the AOTR and will address the implementation and achievements under the program.
- d. Approval of specified Key Personnel. USAID may designate as Key Personnel only those positions that are essential to the successful implementation of the award. USAID's policy limits this to a reasonable number of positions, generally no more than five positions or five percent of recipient employees working under the award, whichever is greater. The Key Personnel under this Agreement are identified in Section _____ of the Agreement.
- e. Collaborative involvement between the AOTR and the Recipient where USAID's technical knowledge would benefit the Recipient's successful accomplishment of stated program objectives.
- f. Review and approval of the detailed engineering plans for construction activities over \$500,000 and to halt any particular construction activity where the identified specifications are not met.
- g. Due to the extremely fluid nature of the operational environment in the West Bank/Gaza, it is expected that the Recipient will remain in close contact and collaboration with the AOTR and other appropriate USAID Officers. This collaborative involvement will address informational needs such as analyses, evaluations, assessments, and responses to public information requests in order to maintain flexibility for program success.

16. AWARD ADMINISTRATION

The resulting Cooperative Agreement shall be subject to 22 CFR 226, OMB Circulars, and the Standard Provisions for U.S. Non-Governmental Recipients. These documents may be accessed through the world-wide website at: <http://www.usaid.gov/business/regulations/>

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17. AUTHORIZED GEOGRAPHIC CODE

The authorized geographic code for procurement of goods and services under this award is 000 (U.S.). However, local procurement is authorized within the parameters specified in 22 CFR 228.40, "Local Procurement".

- END OF SECTION C-

SECTION D – CERTIFICATIONS & ASSURANCES

CERTIFICATIONS, ASSURANCES AND OTHER STATEMENTS OF THE RECIPIENT (MAY 2006)

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

(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

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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 was 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 sub awards at all tiers (including subcontracts, sub-grants,

and contracts under grants, loans, and Cooperative Agreements) and that all sub-recipients 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.

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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 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 certifications are required for Key Individuals or Covered Participants.

If there are COVERED PARTICIPANTS: USAID reserves the right to terminate assistance to 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.

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/tl1sdn.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.

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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 subnational 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):

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As applicable:

RFA/APS No.: _____

Application: _____

Date of Application: _____

Name of Recipient: _____

Typed Name and Title: _____

Signature: _____

Date: _____

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PART II - 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.

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PART III -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.

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PART IV - SURVEY ON ENSURING EQUAL OPPORTUNITY FOR APPLICANTS

Applicability: All RFA's must include the attached Survey on Ensuring Equal Opportunity for Applicants as an attachment to the RFA package. Applicants under unsolicited applications are also to be provided the survey. (While inclusion of the survey by Agreement Officers in RFA packages is required, the Applicant's completion of the survey is voluntary, and must not be a requirement of the RFA. The absence of a completed survey in an application may not be a basis upon which the application is determined incomplete or non-responsive. Applicants who volunteer to complete and submit the survey under a competitive or non-competitive action are instructed within the text of the survey to submit it as part of the application process.)

PLEASE REFER TO AAPD 04-08 - "Ensuring Equal Opportunity for Faith-Based and Community Organizations" At The Following Website:

http://www.usaid.gov/business/business_opportunities/cib/pdf/aapd04_08.pdf

PART V - 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:

<u>Name</u>	<u>Title</u>	<u>Telephone Number</u>	<u>Facsimile Number</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

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 Applicant's/grantee'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.

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(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.dnb.com>. If an offeror 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. 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.

6. PAST PERFORMANCE REFERENCES

On a continuation page, please provide past performance information requested in the RFA.

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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.

8. 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 sub-grant or sub-agreement) to a sub-grantee or sub-recipient in support of the sub-grantee's or sub recipient'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. Non-expendable 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.

<u>Type/Description (Generic)</u>	<u>Quantity</u>	<u>Estimated Unit Cost</u>

(d) Source, Origin, and Component of Goods. If the recipient plans to purchase any goods/commodities which are not of U.S. source and/or U.S. origin, and/or does not contain at least 50% component entry which are not at least 50% U.S. source and 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, to include the probable source and/or origin of the components if less than 50% U.S. components will be contained in the commodity. "Source" means the country from which a commodity is shipped to the cooperating country or the cooperating country itself

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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.

<u>Type/Description</u> <u>(Generic)</u>	<u>Estimated</u> <u>Quantity</u>	<u>Probable</u> <u>Unit Cost</u>	<u>Source of</u> <u>Goods</u>	<u>Probable Origin of</u> <u>Components</u>	<u>Goods</u>	<u>Components</u>
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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.

<u>Type/Description</u> <u>(Generic)</u>	<u>Estimated</u> <u>Quantity</u>	<u>Probable</u> <u>Unit Cost</u>	<u>Probable</u> <u>Intended Use</u>	<u>Source</u>	<u>Origin</u>
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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

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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.

<u>Type/Description</u> <u>(Generic)</u>	<u>Estimated</u> <u>Quantity</u>	<u>Probable</u> <u>Unit Cost</u>	<u>Supplier Nationality</u> <u>(Non-U.S. Only)</u>	<u>Rationale</u> <u>for Non-U.S.</u>

(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.

<u>Type/Description (Generic)</u>	<u>Quantity</u>	<u>Estimated Unit Cost</u>	<u>Proposed Disposition</u>

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PART VI – ASSURANCES

Please sign SF 424V entitled Assurances – Construction Programs. This form can be downloaded from the following URL:

http://www.grants.gov/agencies/aapproved_standard_forms.jsp#1

END OF CERTIFICATIONS, ASSURANCES AND OTHER STATEMENTS OF RECIPIENT

Name and Title: _____

Name of Organization: _____

Date: _____

- END OF SECTION D-

SECTION E – STANDARD PROVISIONS

I. All applicable standard provisions shall be incorporated into the resultant award. The standard provisions for U.S. Nongovernmental and Public International Organizations may be accessed at the following location:

1. Standard Provisions for U.S. Nongovernmental recipients can be accessed through following URL:

<http://www.usaid.gov/policy/ads/300/303maa.pdf>

2. Standard Provisions for PIO recipients can be accessed through the following URL:

<http://www.usaid.gov/policy/ads/300/308mab.pdf>

II. The following Standard Provisions which are indicated below in full text should be specially noted by the prospective applicants.

1. MARKING UNDER ASSISTANCE INSTRUMENTS:

I. BRANDING STRATEGY -ASSISTANCE (December 2005)

(a) Definitions

Branding Strategy means a strategy that is submitted at the specific request of a USAID Agreement Officer by an Apparently Successful Applicant after evaluation of an application for USAID funding, describing how the program, project, or activity is named and positioned, and how it is promoted and communicated to beneficiaries and host country citizens. It identifies all donors and explains how they will be acknowledged.

Apparently Successful Applicant(s) means the applicant(s) for USAID funding recommended for an award after evaluation, but who has not yet been awarded a grant, cooperative agreement or other assistance award by the Agreement Officer. The Agreement Officer will request that the Apparently Successful Applicants submit a Branding Strategy and Marking Plan. Apparently Successful Applicant status confers no right and constitutes no USAID commitment to an award.

USAID Identity (Identity) means the official marking for the Agency, comprised of the USAID logo and new landmark, which clearly communicates that our assistance is from the American people. The USAID Identity is available on the USAID website and is provided without royalty, license, or other fee to recipients of USAID-funded grants or cooperative agreements or other assistance awards or subawards.

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(b) Submission

The Apparently Successful Applicant, upon request of the Agreement Officer, will submit and negotiate a Branding Strategy. The Branding Strategy will be included in and made a part of the resulting grant or cooperative agreement. The Branding Strategy will be negotiated within the time that the Agreement Officer specifies. Failure to submit and negotiate a Branding Strategy will make the applicant ineligible for award of a grant or cooperative agreement. The Apparently Successful Applicant must include all estimated costs associated with branding and marking USAID programs, such as plaques, stickers, banners, press events and materials, and the like.

(c) Submission Requirements

At a minimum, the Apparently Successful Applicant's Branding Strategy will address the following:

(1) Positioning

What is the intended name of this program, project, or activity?

Guidelines: USAID prefers to have the U SAID Identity included as part of the program or project name, such as a "title sponsor," if possible and appropriate. It is acceptable to "co-brand" the title with USAID's and the Apparently Successful Applicant's identities. For example: "The USAID and [Apparently Successful Applicant] Health Center."

If it would be inappropriate or is not possible to "brand" the project this way, such as when rehabilitating a structure that already exists or if there are multiple donors, please explain and indicate how you intend to show case USAID's involvement in publicizing the program or project.

For example: School #123, rehabilitated by USAID and [Apparently Successful Applicant]/ [other donors]. Note: the Agency prefers "made possible by (or with) the generous support of the American People" next to the USAID Identity in acknowledging our contribution, instead of the phrase "funded by." USAID prefers local language translations.

Will a program logo be developed and used consistently to identify this program? If yes, please attach a copy of the proposed program logo.

Note: USAID prefers to fund projects that do NOT have a separate logo or identity that competes with the USAID Identity.

(2) Program Communications and Publicity

Who are the primary and secondary audiences for this project or program?

Guidelines: Please include direct beneficiaries and any special target segments or influencers.

For Example: Primary audience: schoolgirls age 8-12, Secondary audience: teachers and parents-specifically mothers. What communications or program materials will be used to explain or market the program to beneficiaries?

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Guidelines: These include training materials, posters, pamphlets, Public Service Announcements, billboards, websites, and so forth.

What is the main program message(s)?

Guidelines: For example: "Be tested for HIV-AIDS" or "Have your child inoculated." Please indicate if you also plan to incorporate USAID's primary message -this aid is "from the American people" -into the narrative of program materials. This is optional; however, marking with the USAID Identity is required.

Will the recipient announce and promote publicly this program or project to host country citizens? If yes, what press and promotional activities are planned?

Guidelines: These may include media releases, press conferences, public events, and so forth. Note: incorporating the message, "USAID from the American People", and the USAID Identity is required.

Please provide any additional ideas about how to increase awareness that the American people support this project or program.

Guidelines: One of our goals is to ensure that both beneficiaries and host-country citizens know that the aid the Agency is providing is "from the American people." Please provide any initial ideas on how to further this goal.

(3) Acknowledgements

Will there be any direct involvement from a host-country government ministry? If yes, please indicate which one or ones. Will the recipient acknowledge the ministry as an additional cosponsor?

Note: it is perfectly acceptable and often encouraged for USAID to "co-brand" programs with government ministries.

Please indicate if there are any other groups whose logo or identity the recipient will use on program materials and related communications.

Guidelines: Please indicate if they are also a donor or why they will be visibly acknowledged, and if they will receive the same prominence as USAID.

(d) **Award Criteria.** The Agreement Officer will review the Branding Strategy for adequacy, ensuring that it contains the required information on naming and positioning the USAID-funded program, project, or activity, and promoting and communicating it to cooperating country beneficiaries and citizens. The Agreement Officer also will evaluate this information to ensure that it is consistent with the stated objectives of the award; with the Apparently Successful Applicant's cost data submissions; with the Apparently Successful Applicant's project, activity, or program performance plan; and with the regulatory requirements set out in 22 CF R 226.91. The Agreement Officer may obtain advice and from technical experts while performing the evaluation.

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II. MARKING PLAN – ASSISTANCE (December 2005)

(a) Definitions

Marking Plan means a plan that the Apparently Successful Applicant submits at the specific request of a USAID Agreement Officer after evaluation of an application for USAID funding, detailing the public communications, commodities, and program materials and other items that will visibly bear the USAID Identity. Recipients may request approval of Presumptive Exceptions to marking requirements in the Marking Plan.

Apparently Successful Applicant(s) means the Applicant(s) for USAID funding recommended for an award after evaluation, but who has not yet been awarded a grant, Cooperative Agreement or other assistance award by the Agreement Officer. The Agreement Officer will request that Apparently Successful Applicants submit a Branding Strategy and Marking Plan. Apparently Successful Applicant status confers no right and constitutes no USAID commitment to an award, which the Agreement Officer must still obligate.

USAID Identity (Identity) means the official marking for the Agency, comprised of the USAID logo and new brandmark, which clearly communicates that our assistance is from the American people. The USAID Identity is available on the USAID website and USAID provides it without royalty, license, or other fee to recipients of USAID-funded grants, Cooperative Agreements, or other assistance awards or subawards.

A **Presumptive Exception** exempts the Applicant from the general marking requirements for a *particular* USAID-funded public communication, commodity, program material or other deliverable, or a *category* of USAID-funded public communications, commodities, program materials or other deliverables that would otherwise be required to visibly bear the USAID

Identity. The Presumptive Exceptions are: Presumptive Exception (i). USAID marking requirements may not apply if they would

compromise the intrinsic independence or neutrality of a program or materials where independence or neutrality is an inherent aspect of the program and materials, such as election monitoring or ballots, and voter information literature; political party support or public policy advocacy or reform; independent media, such as television and radio broadcasts, newspaper articles and editorials; and public service announcements or public opinion polls and surveys (22 C.F.R. 226.91(h)(1)).

Presumptive Exception (ii). USAID marking requirements may not apply if they would diminish the credibility of audits, reports, analyses, studies, or policy recommendations whose data or findings must be seen as independent (22 C.F.R. 226.91(h)(2)).

Presumptive Exception (iii). USAID marking requirements may not apply if they would undercut host-country government “ownership” of constitutions, laws, regulations, policies, studies, assessments, reports, publications, surveys or audits, public service announcements, or other communications better positioned as “by” or “from” a cooperating country ministry or government official (22 C.F.R. 226.91(h)(3)).

Presumptive Exception (iv). USAID marking requirements may not apply if they would impair the functionality of an item, such as sterilized equipment or spare parts (22 C.F.R. 226.91(h)(4)).

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Presumptive Exception (v). USAID marking requirements may not apply if they would incur substantial costs or be impractical, such as items too small or otherwise unsuited for individual marking, such as food in bulk (22 C.F.R. 226.91(h)(5)).

Presumptive Exception (vi). USAID marking requirements may not apply if they would local cultural or social norms, or be considered inappropriate on such items as condoms, toilets, bed pans, or similar commodities (22 C.F.R. 226.91(h)(6)).

Presumptive Exception (vii). USAID marking requirements may not apply if they would conflict with international law (22 C.F.R. 226.91(h)(7)).

(b) **Submission.** The Apparently Successful Applicant, upon the request of the Agreement Officer, will submit and negotiate a Marking Plan that addresses the details of the public communications, commodities, program materials that will visibly bear the USAID Identity. The marking plan will be customized for the particular program, project, or activity under the resultant grant or Cooperative Agreement. The plan will be included in and made a part of the resulting grant or Cooperative Agreement. USAID and the Apparently Successful Applicant will negotiate the Marking Plan within the time specified by the Agreement Officer. Failure to submit and negotiate a Marking Plan will make the Applicant ineligible for award of a grant or Cooperative Agreement. The Applicant must include an estimate of all costs associated with branding and marking USAID programs, such as plaques, labels, banners, press events,

promotional materials, and so forth in the budget portion of its application. These costs are subject to revision and negotiation with the Agreement Officer upon submission of the Marking Plan and will be incorporated into the Total Estimated Amount of the grant, Cooperative Agreement or other assistance instrument.

(c) Submission Requirements.

The Marking Plan will include the following:

(1) A description of the public communications, commodities, and program materials that the recipient will be produced as a part of the grant or Cooperative Agreement and which will visibly bear the USAID Identity. These include:

(i) program, project, or activity sites funded by USAID, including visible infrastructure projects or other programs, projects, or activities that are physical in nature;

(ii) technical assistance, studies, reports, papers, publications, audio-visual productions, public service announcements, Web sites/Internet activities and other promotional, informational, media, or communications products funded by USAID;

(iii) events financed by USAID, such as training courses, conferences, seminars, exhibitions, fairs, workshops, press conferences, and other public activities; and (iv) all commodities financed by USAID, including commodities or equipment provided under humanitarian assistance or disaster relief programs, and all other equipment, supplies and other materials funded by USAID, and their export packaging.

(2) A table specifying:

(i) the program deliverables that the recipient will mark with the USAID Identity,

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(ii) the type of marking and what materials the Applicant will be used to mark the program deliverables with the USAID Identity, and

(iii) when in the performance period the Applicant will mark the program deliverables, and where the Applicant will place the marking.

(3) A table specifying:

(i) what program deliverables will not be marked with the USAID Identity, and (ii) the rationale for not marking these program deliverables.

(d) Presumptive Exceptions.

(1) The Apparently Successful Applicant may request a Presumptive Exception as part of the overall Marking Plan submission. To request a Presumptive Exception, the Apparently Successful Applicant must identify which Presumptive Exception applies, and state why, in light of the Apparently Successful Applicant's technical proposal and in the context of the program description or program statement in the USAID Request For Application or Annual Program Statement, marking requirements should not be required.

(2) Specific guidelines for addressing each Presumptive Exception are:

(i) For Presumptive Exception (i), identify the USAID Strategic Objective, Interim Result, or program goal furthered by an appearance of neutrality, or state why the program, project, activity, commodity, or communication is 'intrinsically neutral.' Identify, by category or deliverable item, examples of program materials funded under the award for which you are seeking exception 1.

(ii) For Presumptive Exception (ii), state what data, studies, or other deliverables will be produced under the USAID funded award, and explain why the data, studies, or deliverables must be seen as credible.

(iii) For Presumptive Exception (iii), identify the item or media product produced under the USAID funded award, and explain why each item or product, or category of item and product, is better positioned as an item or product produced by the cooperating country government.

(iv) For Presumptive Exception (iv), identify the item or commodity to be marked, or categories of items or commodities, and explain how marking would impair the item's or commodity's functionality.

(v) For Presumptive Exception (v), explain why marking would not be cost-beneficial or practical.

(vi) For Presumptive Exception (vi), identify the relevant cultural or social norm, and explain why marking would violate that norm or otherwise be inappropriate.

(vii) For Presumptive Exception (vii), identify the applicable international law violated by marking.

(3) The Agreement Officer will review the request for adequacy and reasonableness.

In consultation with the Cognizant Technical Officer and other agency personnel as necessary, the Agreement Officer will approve or disapprove the requested Presumptive Exception. Approved exceptions will be made part of the approved Marking Plan, and will apply for the term of the award, unless provided otherwise.

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(e) **Award Criteria:** The Agreement Officer will review the Marking Plan for adequacy and reasonableness, ensuring that it contains sufficient detail and information concerning public communications, commodities, and program materials that will visibly bear the USAID Identity. The Agreement Officer will evaluate the plan to ensure that it is consistent with the stated objectives of the award; with the Applicant's cost data submissions; with the Applicant's actual project, activity, or program performance plan; and with the regulatory requirements of 22 C.F.R.226.91. The Agreement Officer will approve or disapprove any requested Presumptive Exceptions (see paragraph (d)) on the basis of adequacy and reasonableness. The Agreement Officer may obtain advice and recommendations from technical experts while performing the evaluation.

III. MARKING UNDER USAID-FUNDED ASSISTANCE INSTRUMENTS (December 2005)

(a) Definitions

Commodities mean any material, article, supply, goods or equipment, excluding recipient offices, vehicles, and non-deliverable items for recipient's internal use, in administration of the USAID funded grant, Cooperative Agreement, or other agreement or subagreement.

Principal Officer means the most senior officer in a USAID Operating Unit in the field, e.g., USAID Mission Director or USAID Representative. For global programs managed from Washington but executed across many countries, such as disaster relief and assistance to internally displaced persons, humanitarian emergencies or immediate post conflict and political crisis response, the Cognizant Principal Officer may be an Office Director, for example, the Directors of USAID/W/Office of Foreign Disaster Assistance and Office of Transition Initiatives. For non-presence countries, the Cognizant Principal Officer is the Senior USAID officer in a regional USAID Operating Unit responsible for the non-presence country, or in the absence of such a responsible operating unit, the Principal U.S Diplomatic Officer in the non-presence country exercising delegated authority from USAID.

Programs mean an organized set of activities and allocation of resources directed toward a common purpose, objective, or goal undertaken or proposed by an organization to carry out the responsibilities assigned to it.

Projects include all the marginal costs of inputs (including the proposed investment) technically required to produce a discrete marketable output or a desired result (for example, services from a fully functional water/sewage treatment facility).

Public communications are documents and messages intended for distribution to audiences external to the recipient's organization. They include, but are not limited to, correspondence, publications, studies, reports, audio visual productions, and other informational products;

applications, forms, press and promotional materials used in connection with USAID funded programs, projects or activities, including signage and plaques; Web sites/Internet activities; and events such as training courses, conferences, seminars, press conferences and so forth.

Subrecipient means any person or government (including cooperating country government) department, agency, establishment, or for profit or nonprofit organization that receives a USAID subaward, as defined in 22 C.F.R. 226.2.

Technical Assistance means the provision of funds, goods, services, or other foreign assistance, such as loan guarantees or food for work, to developing countries and other USAID recipients, and through such recipients to subrecipients, in direct support of a

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development objective – as opposed to the internal management of the foreign assistance program.

USAID Identity (Identity) means the official marking for the United States Agency for International Development (USAID), comprised of the USAID logo or seal and new brandmark, with the tagline that clearly communicates that our assistance is “from the American people.” The USAID Identity is available on the USAID website at www.usaid.gov/branding and USAID provides it without royalty, license, or other fee to recipients of USAID-funded grants, or Cooperative Agreements, or other assistance awards.

(b) Marking of Program Deliverables

(1) All recipients must mark appropriately all overseas programs, projects, activities, public communications, and commodities partially or fully funded by a USAID grant or Cooperative Agreement or other assistance award or subaward with the USAID Identity, of a size and prominence equivalent to or greater than the recipient’s, other donor’s, or any other third party’s identity or logo.

(2) The Recipient will mark all program, project, or activity sites funded by USAID, including visible infrastructure projects (for example, roads, bridges, buildings) or other programs, projects, or activities that are physical in nature (for example, agriculture, forestry, water management) with the USAID Identity. The Recipient should erect temporary signs or plaques early in the construction or implementation phase. When construction or implementation is complete, the Recipient must install a permanent, durable sign, plaque or other marking.

(3) The Recipient will mark technical assistance, studies, reports, papers, publications, audio-visual productions, public service announcements, Web sites/Internet activities and other promotional, informational, media, or communications products funded by USAID with the USAID Identity.

(4) The Recipient will appropriately mark events financed by USAID, such as training courses, conferences, seminars, exhibitions, fairs, workshops, press conferences and other

public activities, with the USAID Identity. Unless directly prohibited and as appropriate to the surroundings, recipients should display additional materials, such as signs and banners, with the USAID Identity. In circumstances in which the USAID Identity cannot be displayed visually, the recipient is encouraged otherwise to acknowledge USAID and the American people’s support.

(5) The Recipient will mark all commodities financed by USAID, including commodities or equipment provided under humanitarian assistance or disaster relief programs, and all other equipment, supplies, and other materials funded by USAID, and their export packaging with the USAID Identity.

(6) The Agreement Officer may require the USAID Identity to be larger and more prominent if it is the majority donor, or to require that a cooperating country government’s identity be larger and more prominent if circumstances warrant, and as appropriate depending on the audience, program goals, and materials produced.

(7) The Agreement Officer may require marking with the USAID Identity in the event that the recipient does not choose to mark with its own identity or logo.

(8) The Agreement Officer may require a pre-production review of USAID-funded public communications and program materials for compliance with the approved Marking Plan.

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(9) Subrecipients. To ensure that the marking requirements “flow down” to subrecipients of subawards, recipients of USAID funded grants and Cooperative Agreements or other assistance awards will include the USAID-approved marking provision in any USAID funded subaward, as follows: *“As a condition of receipt of this subaward, marking with the USAID Identity of a size and prominence equivalent to or greater than the recipient’s, subrecipient’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 subrecipient, USAID may, at its discretion, require marking by the subrecipient with the USAID Identity.”*

(10) Any ‘public communications’, as defined in 22 C.F.R. 226.2, funded by USAID, 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.”*

(11) The recipient will provide the Cognizant Technical Officer (CTO) or other USAID personnel designated in the grant or Cooperative Agreement with two copies of all program and communications materials produced under the award. In addition, the recipient will

submit one electronic or one hard copy of all final documents to USAID’s Development Experience Clearinghouse.

(c) Implementation of marking requirements.

(1) When the grant or Cooperative Agreement contains an approved Marking Plan, the recipient will implement the requirements of this provision following the approved Marking Plan.

(2) When the grant or Cooperative Agreement does not contain an approved Marking Plan, the recipient will propose and submit a plan for implementing the requirements of this provision within N/A after the effective date of this provision. The plan will include:

(i) A description of the program deliverables specified in paragraph (b) of this provision that the recipient will produce as a part of the grant or Cooperative Agreement and which will visibly bear the USAID Identity.

(ii) the type of marking and what materials the Applicant uses to mark the program deliverables with the USAID Identity,

(iii) when in the performance period the Applicant will mark the program deliverables, and where the Applicant will place the marking,

(3) The recipient may request program deliverables not be marked with the USAID Identity by identifying the program deliverables and providing a rationale for not marking these program deliverables. Program deliverables may be exempted from USAID marking requirements when:

(i) USAID marking requirements would compromise the intrinsic independence or neutrality of a program or materials where independence or neutrality is an inherent aspect of the program and materials;

(ii) USAID marking requirements would diminish the credibility of audits, reports, analyses, studies, or policy recommendations whose data or findings must be seen as independent;

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(iii) USAID marking requirements would undercut host-country government “ownership” of constitutions, laws, regulations, policies, studies, assessments, reports, publications, surveys or audits, public service announcements, or other communications better positioned as “by” or “from” a cooperating country ministry or government official;

(iv) USAID marking requirements would impair the functionality of an item;

(v) USAID marking requirements would incur substantial costs or be impractical;

(vi) USAID marking requirements would offend local cultural or social norms, or be considered inappropriate;

(vii) USAID marking requirements would conflict with international law.

(4) The proposed plan for implementing the requirements of this provision, including any proposed exemptions, will be negotiated within the time specified by the Agreement Officer after receipt of the proposed plan. Failure to negotiate an approved plan with the time specified by the Agreement Officer may be considered as noncompliance with the requirements of this provision.

(d) Waivers.

(1) The recipient may request a waiver of the Marking Plan or of the marking requirements of this provision, in whole or in part, for each program, project, activity, public communication or commodity, or, in exceptional circumstances, for a region or country, when USAID required marking would pose compelling political, safety, or security concerns, or when marking would have an adverse impact in the cooperating country. The recipient will submit the request through the Cognizant Technical Officer. The Principal Officer is responsible for approvals or disapprovals of waiver requests.

(2) The request will describe the compelling political, safety, security concerns, or adverse impact that require a waiver, detail the circumstances and rationale for the waiver, detail the specific requirements to be waived, the specific portion of the Marking Plan to be waived, or specific marking to be waived, and include a description of how program materials will be marked (if at all) if the USAID Identity is removed. The request should also provide a rationale for any use of recipient’s own identity/logo or that of a third party on materials that will be subject to the waiver.

(3) Approved waivers are not limited in duration but are subject to Principal Officer review at any time, due to changed circumstances.

(4) Approved waivers “flow down” to recipients of subawards unless specified otherwise. The waiver may also include the removal of USAID markings already affixed, if circumstances warrant.

(5) Determinations regarding waiver requests are subject to appeal to the Principal Officer’s Cognizant Assistant Administrator. The recipient may appeal by submitting a written request to reconsider the Principal Officer’s waiver determination to the Cognizant Assistant Administrator.

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(e) Non-retroactivity.

The requirements of this provision do apply to any materials, events, or commodities produced prior to January 2, 2006. The requirements of this provision do not apply to program, project, or activity sites funded by USAID, including visible infrastructure projects

(For example, roads, bridges, buildings) or other programs, projects, or activities that are physical in nature (for example, agriculture, forestry, water management) where the construction and implementation of these are complete prior to January 2, 2006 and the period of the grant does not extend past January 2, 2006.

[END OF PROVISION]

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2. EQUAL PROTECTION OF THE LAWS FOR FAITH-BASED AND COMMUNITY ORGANIZATIONS (December 2009)

- (a) All the requirements of 22 CFR Part 205, Participation By Religious Organizations In USAID Programs, are applicable to the recipient and to subrecipients which meet the definition of "Recipient" in 22 CFR Part 226. The requirements of 22 C FR Part 205 apply to both religious and secular organizations.
- (b) If the recipient makes subawards under this agreement, faith-based organizations must be eligible to participate on the same basis as other organizations, and must not be discriminated for or against on the basis of their religious character or affiliation.
- (c) The recipient must not engage in inherently religious activities, such as worship, religious instruction, or proselytization, as part of the programs or services directly funded with financial assistance from USAID. If the recipient engages in inherently religious activities, such as worship, religious instruction, and proselytization, 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. These restrictions do not apply to programs where USAID funds are provided to chaplains to 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.
- (d) 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. 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 in accordance with applicable cost accounting principles. Sanctuaries, chapels, or other rooms that the recipient uses as its principal place of worship are ineligible for acquisition, construction, rehabilitation, or improvements using USAID funds.
- (e) The recipient may not discriminate against any beneficiary or potential beneficiary under this award on the basis of religion or religious belief. Accordingly, in providing services supported in whole or in part by this agreement or in its outreach activities related to such services, the recipient may not discriminate against current or prospective program beneficiaries on the basis of religion, a religious belief, a refusal to hold a religious belief, or a refusal to actively participate in a religious practice.
- (f) When the recipient is a religious organization, the recipient
- (1) 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, such as worship, religious instruction, or proselytization.
 - (2) retains its authority over its internal governance and 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.
 - (3) retains its 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.
 - (4) may use space in its facilities, without removing religious art, icons, scriptures, or other religious symbols.

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- (g) The Secretary of State may waive the requirements of this provision 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]

- END OF SECTION E-

SECTION F – OTHER RELEVANT INFORMATION

I. USAID/WEST BANK AND GAZA MISSION NOTICES

For your reference, please note the link to all USAID West Bank and Gaza notices to Contractors and Grantees. In particular, Applicants should take note of the following notices that are posted on the USAID/West Bank Gaza website under Partners resources <http://www.usaid.gov/wbg/business.htm>.

II. STATUTORY AND REGULATORY CERTIFICATIONS

Applicants are advised that, pursuant to ADS 303.5.8, an executed set of Certifications and Representations must be provided prior to award of an Agreement. Should negotiations commence, the Agreement Officer will request the requisite documentation from the successful Applicant at that time.

III. POTENTIAL REQUEST FOR ADDITIONAL DOCUMENTATION

Upon consideration of award or during the negotiations leading to an award, Applicants may be required to submit additional documentation deemed necessary for the Agreement Officer to make an affirmative determination of responsibility.

IMPORTANT NOTE

Applicants should **not** submit the information below with their applications! The information in this section is provided so that Applicants may become familiar with additional documentation that may be requested by the Agreement Officer:

Applicants should submit any 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. Audited financial statements for the past three years that have been audited by a certified public accountant or other auditor satisfactory to USAID;
2. Bylaws, constitution, and articles of incorporation, if applicable;
3. Copies of organizational travel, procurement, financial management, accounting manual and personnel policies and procedures, especially regarding salary, promotion, leave, differentials, etc., and indicate whether such policies and procedures have been reviewed and approved by any agency of the Federal Government. If so, provide the name, address, and phone number of the cognizant reviewing official;
4. Other documentation, as required by the Agreement Officer, to substantiate that the Applicant:
 - Has adequate financial resources or the ability to obtain such resources as required during the performance of the Cooperative Agreement;
 - Has the ability to comply with the award's terms and conditions, taking into account all existing and currently prospective commitments of the Applicant, nongovernmental and governmental;
 - 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;

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- Has a satisfactory record of integrity and business ethics;
- Is otherwise qualified and eligible to receive a Cooperative Agreement under applicable laws and regulations (e.g., Equal Employment Opportunity Laws).

IV. APPLICABLE REGULATIONS AND REFERENCES

- Mandatory Standard Provisions for U.S., Nongovernmental Recipients
<http://www.usaid.gov/pubs/ads/300/303maa.pdf>
- 22 CFR 226
http://www.access.gpo.gov/nara/cfr/waisidx_02/22cfr226_02.html
- OMB Circular A-122
<http://www.whitehouse.gov/omb/circulars/a122/a122.html>
- ADS Series 300 Acquisition and Assistance
<http://www.usaid.gov/pubs/ads/>
- SF-424 Downloads
http://www.grants.gov/agencies/aapproved_standard_forms.jsp

SECTION G – VAT GUIDANCE

07/30/2002

NOTICE FOR USAID CONTRACTORS AND GRANTEEES
Subject: VAT GUIDANCE

As discussed at previous meetings with contractors and grantees, VAT is an extremely sensitive and important issue for our Mission. Careful attention must be paid to avoiding VAT whenever possible and, failing that, obtaining valid VAT receipts so that USAID may seek VAT refunds from tax authorities. Failure to do so could put the Mission's programs in jeopardy and possibly lead to a USAID determination that VAT costs are unallowable.

The Mission is continuing its dialogue with Palestinian VAT authorities to effect broad implementation of a 0% VAT procedure whereby VAT expenses would be avoided at the point of sale. In the meantime, for both Israeli and Palestinian VAT, USAID will reimburse contractors and grantees for incurred costs in accordance with the payment provisions of their agreements; provided, however, that the following procedures are followed:

1. Reasonable efforts must be made to avoid Israeli and Palestinian VAT at the point of sale whenever possible. Those contractors and grantees that have exemption mechanisms in place should continue to follow those.
2. In cases where Israeli or Palestinian VAT cannot be avoided at the point of sale, original VAT receipts must be obtained from all vendors that are legally authorized to issue such receipts. To be considered valid and acceptable, receipts must conform to the requirements stated in the checklist attached to this notice. Receipts shall be submitted to USAID's Financial Management Office on a monthly basis, no later than the fifteenth day after the end of the month. This will enable USAID to process refund claims with VAT authorities on a timely basis.

Failure to comply with both of these requirements may result in a determination that the VAT costs in question are unallowable under your contract or grant, in which case those costs would be financed from your organization's own funds.

Since USAID will be reimbursing VAT expenses in contractor and grantee billings, the refunds, when received, will be deposited to the account of USAID.

In addition to submitting original VAT receipts to USAID, contractors and grantees must retain on file copies of receipts and related documentation reflecting their VAT submissions to USAID. This is needed to avoid the risk that VAT costs may be questioned during an audit and possibly disallowed.

The requirements discussed in this notice apply to not just prime contracts and grants, but also subcontracts and subgrants with non-local entities - that is, entities that are present in the West Bank or Gaza solely for the purpose of performing work financed by USAID or other tax-exempt donors.

If you have any questions, please contact Robert Bonaffon (03-511-4880) or Leonel Pizarro (03-511-4852)

Attachment: a/s

VAT INVOICES REQUIRED ATTRIBUTES

ISRAELI VAT INVOICES

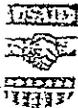
The following information is required on Israeli VAT invoices in order for them to be accepted for purposes tax refunds:

- Vendor's name
- Invoice date
- Vendor's tax identification number (TIN)
- Tax invoice number
- Document must be an original, copies are not accepted
- The document must indicate on its face that it is a tax invoice... a hishbunit mas, or in Hebrew: **השבונית מס**

PALESTINIAN VAT INVOICES

The following information is required on Palestinian VAT invoices in order for them to be accepted for purposes of tax refunds:

- The purchaser's name and address
- Name of the vendor
- The document must state "Authorized Dealer" and then the dealer number. For example:
- The document must state on its face that it is a "Tax Invoice" and an invoice number. For example: فاتورة ضريبية
- The invoice must state on its face "Original".
For example: النسخة الاصلية



U.S. AGENCY FOR
INTERNATIONAL
DEVELOPMENT

APRIL 2, 2003

NOTICE FOR USAID CONTRACTORS AND GRANTEES

SUBJECT: VAT GUIDANCE

As per the guidance provided to all contractors and grantees in our letter of July 30th, 2002, VAT is an extremely sensitive and important issue for our Mission. Careful attention must be paid to avoiding VAT whenever possible and, failing that, obtaining valid VAT receipts so that USAID may seek VAT refunds from tax authorities. Failure to do so could put the Mission's programs in jeopardy and possibly lead to a USAID determination that VAT costs are unallowable.

USAID will reimburse contractors and grantees for Israeli and Palestinian VAT if and only if the following procedures are followed:

1. For Grantees, reasonable efforts must be made to avoid Israeli and Palestinian VAT at the point of sale whenever possible. This includes taking all reasonable steps to obtain a 0% VAT exemption from the Palestinian Authority before making any further purchases. Grantees that already have exemption mechanisms in place with Israel and/or the PA should continue to follow those procedures.
2. For grantees that recently received a 0% VAT exemption from the Palestinian VAT department, they are required to pass these exemptions to their partners (i.e. suppliers, vendors, and contractors), by sending a letter to the VAT Department notifying it about the partner. Description of the transaction and the amount of the transaction before the purchase is completed.
3. For both Contractors and Grantees, in cases where Israeli or Palestinian VAT cannot be avoided at the point of sale, original VAT receipts must be obtained from all vendors that are legally authorized to issue such receipts. To be considered valid and acceptable, receipts must conform to the requirements stated in the checklist attached to this notice. Receipts shall be submitted to USAID's Financial Management Office on a monthly basis, no later than the fifteenth day after the end of the month. This will enable USAID to process refund claims with VAT authorities on a timely basis.

Financial Management Office
Att. VAT Coordinator, USAID
c/o American Embassy
71 Hayarkon Street,
Tel Aviv 63903

c/o American Embassy
71 Hayarkon Street,
Tel Aviv 63903

Failure to comply with both of these requirements may result in a determination that the VAT costs in question are unallowable under your contract or grant, in which case those costs would be financed from your organization's own funds.

Given that USAID will be reimbursing VAT expenses in contractor and grantee billings that are charged as disbursement to the contracts/grants, the refunds, once received, will be recorded as off sets to the applicable contract or grant by USAID.

Please note that separate procedures will be provided for processing refunds for contractors and grantees under Letter of Credit (LOC) method of payment.

Please submit the original VAT receipts and one copy to USAID. In addition, contractors and grantees must retain on file copies of receipts and related documentation reflecting their VAT submissions to USAID. This is needed to avoid the risk that VAT costs may be questioned during an audit and possibly disallowed.

In addition, we have attached for your use 2 matrixes, one for the Israeli and one for Palestinian VAT submissions. Please keep the following guidance in mind when submitting this document to USAID.

1. Report the VAT invoices in the correct chronological order, i.e. start from the first of the month through to the 30th.
2. Provide a hard and electronic copy of the form with the respective receipts attached to each one in order to avoid confusion.
3. The electronic copy has to be sent to haevat@usaid.gov.
4. Attach all related supporting documents to each receipt with that invoice.
5. Submit this form, receipts and supporting documents no later than the 15th of the following month.
6. You will notice that we have entered some figures already on the matrix. This is just to provide you with an example and to activate the formulas. Kindly replace those with your own figures.
7. For any specific issues with regards to the VAT, please contact Ms. Abeer Odeh, our Supervisor Financial Analyst, at 03-511-4806, 056 259407, and 059 246777 or at e-mail aodeh@usaid.gov.

The requirements discussed in this notice apply to not just prime contracts and grants, but also subcontracts and sub-grants with non-local entities - that is, entities that are present in the West Bank or Gaza solely for the purpose of performing work financed by USAID or other tax-exempt donors.

USAID provided some guidance with regards to this issue in July 2002. However, some partners have failed to report their VAT in a timely manner. Therefore, we hereby request that all Contractors and Grantees report to us by COB noon April 21st, 2003, all pending invoices from January 1st, 2002 until the present.

We thank you for your cooperation in this matter.

Attachments:

1. VAT Invoices Required Attributes
 2. VAT Refund Sheet - Includes 2 documents for the Israeli and the Palestinian VAT respectively.
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