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Closing Time: 4:00pm DRC time
Place of Performance: Democratic Republic of Congo

Subject: Request for Application (RFA) Number SOL-660-11-000003 – Developing and Strengthening Services and Systems that Support Family Cohesion and Respond to the Separation of Children in Democratic Republic of Congo (DRC)

The United States Agency for International Development (USAID) is seeking applications to fund a five (5) year program entitled **Developing and Strengthening Services and Systems that Support Family Cohesion and Respond to the Separation of Children** in the Democratic Republic of the Congo (DRC) as described in Section A of this RFA. The authority for the RFA is found in the Foreign Assistance Act of 1961, as amended. USAID/EA is seeking applications from qualified U.S. and non U.S. organizations and institutions, in the form of partnerships or consortia that include DRC organizations, interested in providing the services described in this solicitation. This is full and open competition, under which any type of organization, large or small, commercial (for profit) firms, faith-based, and non-profit organizations in partnerships or consortia from geographical code 935, are eligible to compete. In accordance with the Federal Grants and Cooperative Agreement Act, USAID encourages competition in order to identify and fund the best possible applications to achieve program objectives.

An applicant under consideration for an award that has never received funding from USAID may be subject to a pre-award audit to determine fiscal responsibility, ensure adequacy of financial controls and establish an indirect cost rate.

USAID intends to provide approximately **\$6,000,000 – \$8,000,000** over five years, **subject to the availability of funds**. USAID reserves the right to fund any or none of the applications submitted, and expects one award as a result of this solicitation.

Award will be made to that responsible applicant whose application best meets the requirements of this RFA and the selection criteria contained herein. Issuance of this RFA does not constitute an award commitment on the part of the Government, nor does it commit the Government to pay for costs incurred in the preparation and submission of an application. In addition, final award of any resultant cooperative agreement(s) cannot be made until funds have been fully appropriated, allocated, and committed through internal USAID procedures. While it is anticipated that these procedures will be successfully completed, potential applicants are hereby notified of these requirements and conditions for award.

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".

Applicants are requested to submit both Technical and Cost Proposals of their applications in separate volumes. Award will be made to that responsible applicant whose application offers the greatest value.

Please note however that, Technical proposals will be significantly more important than the Cost proposals.

If you decide to submit an application, please note that electronic submission is required. Applications should be sent as email attachments to Regional Agreement Officer, Ms. Linda McElroy at LMcElroy@USAID.Gov with a copy to JDamian@USAID.Gov and SBamaka@USAID.Gov, before 4:00pm on November 30, 2011. **The Technical Proposal should be no more than 25 pages**, but there is no page limit for the cost application (please see page 43 for details).

Any questions concerning this RFA should be submitted in writing to Acquisition and Assistance Specialist Ms. Salome Bamaka-Safi, via email at SBamaka@USAID.Gov and Senior Acquisition and Assistance Specialist Mr. Johnny Damian at JDamian@USAID.Gov. Questions sent to any other e-mail address will not be responded to. The e-mail transmitting the questions must reference the RFA number and title on the subject line of the e-mail. The deadline for receiving questions is **4:00pm DRC time October 27, 2011**. If there are problems in downloading the RFA from the Internet, please contact the Grants.gov help desk at 1.800.518.4726 or support@grants.gov for technical assistance.

Issuance of this RFA does not constitute an award commitment on the part of the Government, nor does it commit the Government to pay for costs incurred in the preparation and submission of an application. Further, the Government reserves the right to reject any or all applications received. In addition, final award of any resultant grant cannot be made until funds have been fully appropriated, allocated, and committed through internal USAID procedures. While it is anticipated that these procedures will be successfully completed, potential applicants are hereby notified of these requirements and conditions for award. Applications are submitted at the risk of the applicant. Should circumstances prevent USAID from making an award, all preparation and submission costs are at the applicant's expense.

The required method of distribution of USAID RFA's is electronically via Grants.gov which provides a single source for Federal government-wide competitive grant opportunities. Any future amendments to this RFA can be downloaded from this website. The World Wide Web Address is <http://www.grants.gov>. In order to use this method, an applicant must first register on-line with Grants.gov.

Applications must be received by the closing date and time indicated at the top of this cover letter. Late applications will not be considered for award. Applications must be directly responsive to the terms and conditions of this RFA. Telegraphic or fax applications (entire proposal) are not authorized for this RFA and will not be accepted.

Sincerely,



Linda McElroy
Regional Agreement Officer

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SECTION A – PROGRAM DESCRIPTION

I. BACKGROUND

I.1. Country Context

The Democratic Republic of Congo (DRC) is the third largest country in Africa in land area and the fourth largest in population, with an estimated population of more than 64 million, over half of whom are children¹. Thirty-four percent of the population is urban. Despite having vast areas of uncultivated, arable land and significant mineral resources, the DRC ranked 168 out of 169 countries in the 2010 Human Development Index.² Life expectancy in the DRC is only 46.³ Services for the population are inadequate, as suggested by findings of the 2007 Demographic and Health Survey: an infant mortality rate⁴ of 92, a child mortality rate of 148, a maternal mortality rate of 549, only 23 percent of children have a birth certificate, and net primary school attendance of 74 percent in urban areas and 51 percent in rural areas. An estimated 32 percent of the DRC's children ages 5-14 are working.⁵

The DRC suffers a high level of poverty. The 2006 poverty assessment showed that 71 percent of Congolese households lived below the poverty line.⁶ Macroeconomic data suggests that the situation has not improved much since then. The country's GDP per capita is one of the lowest in the world. The annual gross national income per capita is \$150, far below the average of \$1,109 for Sub-Saharan Africa as a whole and \$833 for West and Central Africa.⁷ The global financial crisis negatively impacted Congo's already poor economic situation with real GDP growth falling from 6.2 percent in 2008 to 2.8 percent in 2009.⁸ The situation did not improve much in 2010 with the estimated growth rate remaining at about 3 percent.⁹

Such statistics in the context of a richly endowed physical environment reflect a history of foreign exploitation and state kleptocracy, a relatively low level of current state functioning, and the effects of the ongoing conflict in the east. A recent project appraisal document of the World Bank summed up key issues in the DRC with the observation that, "[i]mpoverishment, violence, human rights abuses and large-scale displacements have caused untold suffering and deep deterioration of the social fabric, overburdening or breaking up families and traditional social safety nets."¹⁰

There is strong protective legislation for children in place in the DRC. In ratifying the United Nations Convention on the Rights of the Child, the Government of the DRC obligated itself to address the full range of children's rights. The national constitution in two articles mandates action to protect children.¹¹

¹ *State of the World's Children*, Special Edition, 2009, UNICEF.

² UNDP, Human Development report, 2010.

³ http://www.usaid.gov/locations/sub-saharan_africa/countries/drcongo/

⁴ Per 100,000

⁵ *State of the World's Children*, Special Edition, p. 40.

⁶ "Democratic Republic of the Congo: Poverty reduction Strategy paper – Progress Report – Joint Staff Advisory Note," International Monetary Fund, October 2010, IMF Country Report No. 10/327

⁷ *State of the World's Children* Special Edition, 2009, pp. 32&35.

⁸ "Democratic Republic of the Congo: Poverty reduction Strategy paper – Progress Report – Joint Staff Advisory Note," International Monetary Fund, October 2010, IMF Country Report No. 10/327.

⁹ <https://www.cia.gov/library/publications/the-world-factbook/geos/cg.html>

¹⁰ "Project Appraisal Document" *op. cit.*, p. 9.

¹¹ Article 41: A child means every human being, without distinction between male and female, who has not yet reached 18 years of age. All children have the right to know the name of their father and mother. It is also the right of children to enjoy their protection of their family, of society, and of public authorities. The abandonment and mistreatment of children, notably pedophilia, sexual abuse, as well as accusations of sorcery, are prohibited and punishable by law. Parents have a duty to care for their children and to assure their protection against all acts of

These are reinforced by the 2009 national Child Protection Law, which provides for wide-ranging protection. While these instruments are laudable and significant, governmental capacity and budgetary allocations for their effective implementation are very limited, and the situation of the majority of children is precarious.

A constellation of factors contribute to the weakening and breakdown of families in the country and the separation of children who may seek alternative survival strategies on the street or through dangerous labor or armed groups. As of 2007, an estimated 4.5 million children globally had lost one or both parents to AIDS and other causes.¹² The 2007 Demographic and Health Survey found that 13.1 percent of children in DRC did not live with either of their biological parents.¹³ UNICEF estimated in 2006 that there were 40,000 street children in the country, 14,000 of whom were living in Kinshasa.¹⁴ Poverty remains a major underlying cause of separation. Other factors include losing one or both parents and other vulnerabilities due to the HIV/AIDS pandemic and other causes, significant levels of marriage dissolution, teenage pregnancy, sexual exploitation, and abuse. In addition, a 2006 study by Javier Aguilar Molina revealed accusations of witchcraft to be a particularly problematic cause of family separation. The study concludes with the following observation:

The phenomenon of witchcraft comprises a series of symptoms, which highlight the difficulties of parenthood, family conflicts, the psychosocial impact of poverty and the opportunism of some religious trends. However, these symptoms cannot conceal the underlying problem: increasing social violence against children. The problem of witchcraft and violence against children seems to have been established as a pattern within urban Congolese society.¹⁵

When a negative event affects a family (e.g. an illness, a death, the loss of a job), a child may be accused of being a witch and causing the problem. Undesirable behavior on the part of a child, such as wetting the bed, may be seen by a parent as evidence of a child's being a witch. Some revivalist pastors reinforce the belief in child witches by claiming to be able to determine whether a child is a witch and to have the power to exorcise such children. They may be motivated in part by the prospect of receiving money or food from parents in exchange for performing an exorcism. They may also be motivated by the prospect of attracting followers if they are seen as having the power to identify and exorcise child witches.

USAID/DRC, with funds from the Agency's Displaced Children and Orphans Fund (DCOF), has made efforts to address these and other concerns by supporting programming for highly vulnerable children in the DRC since 1999. The USAID-funded "Reduction of the separation and abandonment of children in Kinshasa, Mbuji Mayi, and Bukavu" Project (hereafter referred to as the Reduction of Separation and Abandonment Project) began in September 2006. It is managed by Save the Children-UK and operates in portions of Kinshasa, Mbuji Mayi, Mwene Ditu, and Bukavu. The majority of programming called for through this Request for Applications (RFA) is to be implemented in the urban areas of Mbuji Mayi, Mwene Ditu, and Bukavu.

violence both inside and outside of the home. Public authorities have the obligation to assure the protection of children in difficult situations and to bring to justice the perpetrators and their accomplices who commit acts of violence against children. All other forms of exploitation of children are severely punishable by law.

Article 42: Public authorities have the obligation to protect youth against all harm to their health, education, and personal development.

¹² *State of the World's Children*, Special Edition, 2009, p. 20. The 2007 Demographic Health Survey estimates that 8,400,000 children have been orphaned and made vulnerable by HIV/AIDS.

¹³ P.274.

¹⁴ *Recensement des enfants de la rue de la ville province de Kinshasa*, UNICEF, 2006, as cited in "Project Appraisal Document" *op. cit.*, p. 35.

¹⁵ *The invention of child witches in the Democratic Republic of Congo: Social cleansing, religious commerce and the difficulties of being a parent in an urban culture*, Save the Children 2006.

The installation of an elected government in the DRC in 2007 presents the greatest opportunity since independence for the country to establish a stable, representative democracy. The government seeks to build institutions that can meet citizens' needs, while dealing with the interrelated structural problems of corruption, inadequate infrastructure and human resources, and a limited ability to raise and manage revenues.

Mbuji Mayi and Mwene Ditu

Mbuji Mayi is an urban center in central Kasai Orientale that developed around mining. Exact population figures are not available, but estimates range from 3 to 5 million. The principle economic activity is diamond mining. This activity used to be well regulated by MIBA (La Societe Miniere de Bakwanga), a parastatal mining company, but since MIBA closed in 2007 and eliminated 6,000 jobs, the majority of citizens, including large numbers of children, engage in some type of informal mining. With the closing of MIBA, many businesses have moved to Lubumbashi. Likewise, many parents have left Mbuji Mayi to seek work in Lubumbashi or elsewhere, leaving their children on their own in Mbuji Mayi. There are a few non-governmental organizations (NGOs) that address needs among vulnerable children in Mbuji Mayi, but because donor priorities have tended to be either on humanitarian programming in the east or in Kinshasa, little funding has been available to support child protection programming in Mbuji Mayi and the capacities of these organizations is rather limited.

USAID, through Save the Children UK, has supported programming for street children in Mbuji Mayi since 2006 as part of the Reduction in Separation and Abandonment Project. Eventually activities were extended to Mwene Ditu, a major railhead and trading center approximately 65 miles south of Mbuji Mayi. Due to the economic situation in Mbuji Mayi, it appears that some children have left there for Mwene Ditu in search of better survival opportunities. The project, in consultation with local actors, identified significant child protection issues in Mwene Ditu and has addressed these as an extension of the program in Mbuji Mayi. Poverty, accusations of child witchcraft, orphaning, marriage breakdown and other factors have contributed to the separation of children from families and pushed onto the street and into other hazardous child labor. Sexual abuse and exploitation and dangerous child labor are among the serious violations of children's rights. HIV prevalence data for 2009 from sentinel surveillance sites indicated the rate in Mwene Ditu to be the second highest in the country, at approximately 7 percent. The rate in Mbuji Mayi was somewhat above the national average, at about 4 percent.¹⁶ To address these and other health concerns, USAID funds the Integrated Health and Social Marketing and HIV Prevention projects in Mbuji Mayi.

Bukavu

Bukavu, located at the southern tip of Lake Kivu, is the capital of South Kivu Province. It is a border-crossing point into Rwanda. It has received many people displaced by the ongoing conflict in eastern Congo. Mining in the area has generated significant wealth and expansion of the city. In February 2007, a study identified 874 children living on the street in Bukavu, the majority of whom were boys, and some identified themselves as former militia fighters. There is some indication that the number of street children in Bukavu may have declined since that time. With the ongoing conflict and recent government restrictions on artisanal mining in the area, there is potential for the number of street children to increase. In view of the city's role as a transport hub for international trade and issues that have emerged regarding commercial sexual exploitation¹⁷, this finding must be considered with some caution.

USAID has supported programming for vulnerable children through a series of projects in Bukavu for over 10 years, including the Reduction of Separation and Abandonment Project, several projects intended

¹⁶ Draft *Rapport Serosurveillance VIH 2009*, Le programme National de Lutte contre le VIH/SIDA, p. 22.

¹⁷ *United States Department of State Trafficking in Persons Report 2010*, <http://www.state.gov/g/tip/rls/tiprpt/2010/142759.htm>

to address Gender-Based Violence, education projects focused on increasing the access and quality of primary school education and supporting accelerated learning through Centres de rattrapage scolaire (CRS), Food for Peace projects, and several large health projects (such as the Integrated Health and Social Marketing and HIV Prevention projects and the Projet intégré de VIH/SIDA au Congo (ProVIC)). Particular child protection issues have included children living on the street, displacement of children and families due to the conflict, commercial sexual exploitation of girls, gender-based violence, and accusations of child witchcraft. HIV/AIDS is also a concern.

I.2 Overview of Family Separation in the DRC

The intended beneficiaries of USAID assistance through this RFA are children without adequate family care who risk separation and children who are already outside of family care. This includes children who are orphaned and made vulnerable by HIV/AIDS¹⁸ and other difficult circumstances and children who are currently living in dangerous environments, such as children living on the streets and engaged in hazardous child labor, children illegally detained by the police, and children who are being sexually exploited. Particular attention will be given to girls and the children of young girls.

Various studies and guidance documents have identified factors contributing to family breakdown and the separation of children in the DRC.¹⁹ These causes fall into two broad categories. The first is dynamics within the family:

- Divorce or separation of parents,
- Death of one or both parent due to HIV/AIDS, conflict or other causes,
- Prolonged illness of one or both parent due to HIV/AIDS or other diseases,
- Domestic violence and abuse,
- Inadequate economic capacity, and
- Expulsion of children based on accusations of witchcraft.

The second concerns external factors:

- Impunity for child abuse and neglect,
- Impunity for the sexual exploitation of children,
- Lack of access to education and other basic services,
- Lack of economic opportunities,
- Stigma associated with HIV/AIDS
- Failure to implement social policies,
- Lack of awareness of children's rights,
- Conflict and displacement,
- Cultural acceptance of children's expulsion from families as witches,
- Recruitment of children by armed groups or the military,

¹⁸ According to the Lantos/Hyde Act, which reauthorized the USG President's Emergency Plan for AIDS Relief (PEPFAR), orphans and vulnerable children are "Children who have lost a parent to HIV/AIDS, who are otherwise directly affected by the disease, or who live in areas of high HIV prevalence and may be vulnerable to the disease or its socioeconomic effects."

¹⁹ For example, *Recensement des enfants de la rue de la ville province de Kinshasa*, UNICEF, 2006 and "Principles directeurs sur les enfants en situation de rupture familial"

- Detention of children by the police,
- Urbanization and erosion of support for traditional family and social solidarity, and
- Instability due to conflict and displacement.

I.3 Governmental Roles and Structures Relevant to Child Separation and Family Breakdown in the DRC

Several Government ministries have responsibilities relevant to the protection of children separated from their families, the principal one being the Ministry of Social Affairs, Humanitarian Action and National Solidarity (MINAS). It is responsible for initiating, coordinating, and implementing policies for the social protection of vulnerable groups, including orphans and vulnerable children (OVC). At the provincial level, MINAS provides services through the division of social affairs (DIVAS) or the urban division of social affairs (DUAS). The Appendix includes an overview of relevant responsibilities of other ministries as well as information on coordination groups and legal information relevant to children at risk of separation or outside family care.

The country's legal framework for the protection of children was substantially strengthened with the adoption of the Child Protection Law in 2009. To better apply this law, MINAS has issued a decree on social care (*Arrêté sur le placement social*), and (in conjunction with the Ministry of Gender) another on support to vulnerable families.

I.4 USAID Programs in the DRC

The USAID program in the DRC is fully integrated into the U.S. Government's diplomatic efforts to foster peace and stability within the DRC and in the region, and complements the \$300 million annual USG contribution to the United Nations Peacekeeping Operation (MONUSCO) in the DRC. The goal of the USAID program in the DRC is to assist the country in its transition to a sound democracy with a healthier, better educated population benefiting from improved livelihoods. With a bilateral foreign assistance budget of well over \$300 million in FY 2010, USAID supports programs in conflict mitigation; demobilization, disarmament, and reintegration (DDR); good governance; human rights; social protection; education; humanitarian assistance; livelihoods; and health. The health program budget nearly doubled to more than \$100 million in FY 2010 and includes funding for malaria, Tuberculosis (TB), family planning/reproductive health, maternal and child health, and HIV/AIDS (including nearly \$3 million for support children orphaned and made vulnerable by HIV/AIDS in FY 2010).²⁰ In addition, USAID continues to support humanitarian assistance programs in eastern DRC through its Office of Food for Peace and Office of Foreign Disaster Assistance (OFDA).

The U.S. Government has provided supplemental funding and assistance to the DRC in recent years, including \$15 million in FY 2007, \$21.6 million in FY 2008, and \$65 million in FY 2009, all of which has been dedicated to conflict mitigation and stabilization programming in Eastern DRC through Disarmament Demobilization and Reintegration (DDR) activities, support to the current peace process, training and support for a light infantry battalion, community-based recovery programs, and sexual and gender-based violence. In FY 2010, the U.S. Government provided supplemental funding in the amount of \$15 million to help meet the emergency protection needs of vulnerable populations. For more information about USAID programming in DRC see http://www.usaid.gov/locations/sub-saharan_africa/countries/drcongo/.

USAID Programming to Support the Protection and Well-being of Children and in the DRC (including preventing and responding to family separation)

²⁰ PEPFAR Country Operational Plan 2010. Support for children orphaned and made vulnerable by HIV/AIDS receives a 10 percent earmark under PEPFAR

Since 1999, USAID (through support from DCOF and PEPFAR) has funded a variety of programs responding to children outside of family care or at risk of losing such care. Of direct relevance for this RFA are the previously mentioned “Reduction in Separation and Abandonment Project” in DRC in Kinshasa, Mbuji Mayi and Bukavu and the *Projet intégré de VIH/SIDA au Congo (ProVIC –Integrated HIV Program)*.

The “Reduction in Separation and Abandonment Project” has addressed children’s protection needs with direct interventions to support children in conflict with the law and children on the street, as well as working with local NGOs, community groups of adults and of children, magistrates and government social workers to minimize risks to vulnerable children, prevent unnecessary separation of children from their families,²¹ and to reunite and reintegrate children living on the street or who have been detained by the police. It seeks to strengthen capacities of key government bodies, implementing partners, community groups, e.g. Réseaux Communautaires de Protection de l’Enfance (RECOPEs), and children’s clubs. The program’s objectives are:

1. To improve children’s access to the children’s justice system, and reinforce the system to better guarantee children’s rights,
2. To assure the durable community and family reintegration of 3,200 separated and abandoned children,
3. To improve children’s access to protection in communities through raising awareness of children’s rights,
4. To ensure that national initiatives (laws, action plan, strategies) are better implemented in line with the United Nations Convention on the Rights of the Child, and
5. To develop detailed knowledge of target groups of the program to inform national and international interventions and advocacy.

Programming targets under the current project extension include the reunification and reintegration of 3,200 separated children with their families by project close in September 2011.

USAID also supports efforts to prevent family separation through the ProVIC project with funds from the President’s Emergency Plan for AIDS Relief (PEPFAR), provides care and support to children orphaned and made vulnerable by HIV/AIDS. Implemented by PATH, Aids Alliance, Elizabeth Glaser Pediatric Aids Foundation (EGPAF), and Management Sciences for Health (MSH), this five year (October 2010 – September 2015), \$53.9 million program targets children orphaned and made vulnerable by HIV/AIDS, Persons Living with HIV/AIDS (PLWHA) and Most At Risk Populations (MARPs).²² It works in urban areas such as Kinshasa, Lubumbashi, Bukavu, and Matadi. The program provides an integrated continuum of care, linking clinical services with community support services including prevention, HIV/AIDS counseling and testing, prevention of mother-to-child transmission, treatment of TB/HIV co-infection, care and support for PLWHA and children made vulnerable by HIV/AIDS, and health system strengthening. Project activities are coordinated by multi-sectoral committees, called Champion Communities. The project seeks to strengthen local ownership, investment, coordination of health and

²¹ The term “unnecessary separation” is used in this document to refer to circumstances where a child’s best interests are served by enabling the child to remain with her or his family. It is an implicit acknowledgement that in cases of abuse or neglect separation may be necessary and in a child’s best interests.

²² MARPs include men who have sex with men, sex workers, and injection drug users – populations at high risk of HIV infection.

protection programming through a capacity building approach. For more information about ProVIC, see http://www.aidstar-one.com/task_orders/Provic.

In addition, PEPFAR/USAID supported efforts to carry out a Rapid Appraisal, Analysis and Action Planning (RAAAP) process in 2005 that culminated in the National Plan of Action for Orphans and Vulnerable Children 2010-2014. USAID/PEPFAR continues to support efforts to coordinate and monitor at the national level child protection activities as well as programming for children affected by HIV/AIDS and build the capacity of MINAS and key DIVAS to lead such efforts.

USAID has also used resources from the Victims of Torture Fund as well as DCOF to support programming for the demobilization and reintegration of children in the Ituri region. The current program is implemented by Cooperazione Internazionale (COOPI) under UNICEF's oversight. It seeks to reunite and reintegrate 3,540 former child soldiers with their families. Activities include identification, medical assistance, psychosocial support, family tracing and reunification, support for socioeconomic reintegration, and capacity building of local partner organizations.

The program initiated under this RFA is expected to build on and link with these and other relevant programs for education, health, social protection, economic growth, and food security supported by USAID, the Government of DRC and other donors.

I.5 Donor and NGO Roles

UNICEF implements several initiatives to protect vulnerable children, including a large, nation-wide effort to support children orphaned and made vulnerable by HIV/AIDS, training for “social assistants” employed by government and NGO to provide direct services for vulnerable children and families, and several efforts intended to strengthen national protection policies, as well as national and local child protection coordination and monitoring mechanisms.

In addition, the World Bank is in the process of initiating a five-year, \$10 million project, in partners with the Government of the DRC, which will provide prevention and support services for street children primarily in Kinshasa. Prevention activities will include community mobilization, raising community awareness, media outreach, and activities to keep children in school. Support services will include special services for street girls as well as more general services for street children, which will provide shelter, medical care, food, psychosocial support, functional literacy, vocational training, family reunification, and group housing. Some of the project’s public information and capacity building activities for MINAS personnel will extend to other parts of the country, as well. Information about this project is available at: <http://web.worldbank.org/external/projects/main?pagePK=64283627&piPK=73230&theSitePK=40941&menuPK=228424&Projectid=P115318>

A range of local and international NGOs implement activities intended to support the protection and well-being of children and families and prevent and respond to family separation. Many local NGOs operate with very limited resources and personnel. In Kinshasa, most are members of the REEJER (Réseau des Educateurs des Enfants et des Jeunes de la Rue) network. There is no comparable network in Bukavu or Mbuji Mayi. Most international NGOs are members of the COPERF (Collectif des Organisations Internationales pour la Protection des Enfants en Rupture Familiale sur la ville province de Kinshasa) network, which seeks to coordinate activities and harmonize approaches.

It is expected that the program funded through this RFA will coordinate operationally and geographically and exchange technical information with: the GDRC; UNICEF; the planned World Bank project; and other relevant international and local NGO efforts to protect children and families.

II. DETAILED PROGRAM DESCRIPTION

This program description includes a results framework and provides indicative guidance and examples of ways that the intended results might be addressed through a new three-year program (with the possibility

of a two-year extension). Applicants are encouraged to propose how they would address this results framework cost-effectively, with the aim of developing sustainable local capacities. Applications should reflect an Applicant's relevant experience in DRC and elsewhere, as well as that of proposed partner organizations in terms of developing and strengthening programs and systems that support the protection and well-being of children and families and prevent and respond to family separation. The geographic target areas include Mbjui Mayi/Mwene Ditu and Bukavu with coordination work in Kinshasa. The program will be implemented through an award of up to \$5.1 million for three years (and, subject to the availability of funds and based on the Awardees performance, up to a total of \$8.1 million for five years.) In addition to addressing the results framework presented below, it is expected that this program will contribute to broader United States Government (USG) Foreign Assistance Objectives in social protection (Objectives are listed in the Monitoring and Evaluation section).

II.1. Objectives and Intended Results of the Program

The objective of this program is to develop and strengthen systems to support the protection and well-being of children and families and to prevent and respond to family separation. The majority of program activities will be carried out at the local level in Mbuji Mayi/Mwene Ditu and Bukavu and will involve work with governmental bodies, organizations, community groups, and other relevant local and international actors, including UNICEF. Technical exchange and coordination with key governmental, NGO, and civil society actors at national level is also expected.

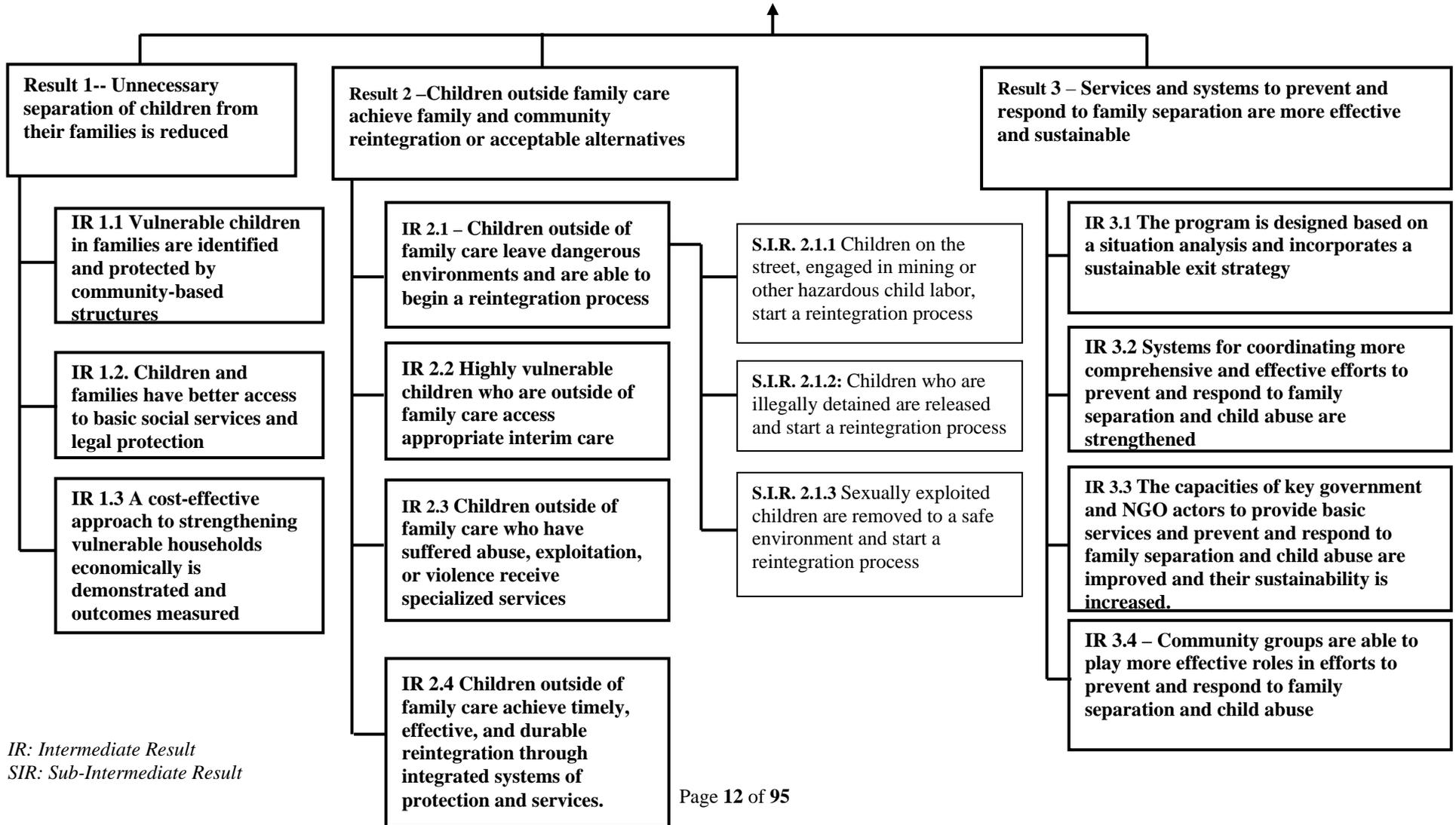
Applicants should state their assumptions regarding how the activities that they propose will lead to the results called for in the framework. In assessing applications, USAID will give weight to those which present credible evidence based (relevant research or robust evaluation findings) approaches to justify proposed interventions. A diverse range of technical of expertise will be required to generate positive, tangible outcomes for vulnerable children and families, as well as to strengthen the capacities of key local actors individually and collectively on an ongoing basis. Applicants are encouraged to form partnerships with one or more organizations to assemble the range of expertise that will be required to implement the proposed program. The Recipient is expected to maintain offices in Mbuji Mayi/Mwene Ditu and Bukavu, and have a presence in Kinshasa.

Appropriate professional standards (e.g. conduct towards children, confidentiality, etc.) must be maintained in terms of contact with children and in connection with the collection, storage, and use of any data concerning individual children and family members.

Because programming for children, including the activities to be funded under this RFA, raises the risk of child abuse by program personnel, applicants are encouraged to describe existing and/or planned measures that will be incorporated into the program design and implementation to prevent, mitigate, and respond to child abuse by program personnel. These measures will be expected to demonstrate the applicant's understanding of child abuse, exploitation, violence, neglect, and other child protection issues, and mechanisms to reduce the risk of child abuse by program personnel and/or personnel belonging to sub-grantees.

Results Framework

Objective: Develop and Strengthen Services and Systems to Support the Protection and Well-being of Children and Families and to Prevent and Respond to Family Separation.



IR: Intermediate Result
SIR: Sub-Intermediate Result

II.2 Results, Intermediate Results, Illustrative Activities, and Indicators

The Results Framework, above, provides an overview of what USAID seeks to achieve through this program. Essentially, Result 1 and the Intermediate Results under it focuses on *preventing* the separation of children of children from acceptable family environments through identifying vulnerable children and families, improving the protection and care provided by families and communities, as well as increasing children's access to essential services and protection under the law and strengthening their economic security. Result 2 and its Intermediate Results concern the *protection, care, and reintegration* of children who are outside of family care and whose safety and wellbeing are at high risk. Result 3 cuts across the other two and focuses on improving the long term *effectiveness and sustainability* of the services and systems necessary to prevent family separation and reintegrate families. Results 1 and 2 concern interventions needed to achieve good outcomes for children, and Result 3 concerns developing and strengthening the capacities of key governmental and non-governmental actors, organizations, groups, and systems needed to implement these interventions. Clearly these are interrelated, and activities under the three Results should be addressed in an integrated way to achieve positive outcomes for children sustainably and effectively.

While most program activities are to be carried in the target areas of Mbuji Mayi/Mwene Ditu and Bukavu, some activities also foreseen at the national level related to information exchange, coordination, harmonization of approaches, and advocacy.

Result 1-- Unnecessary separation of children from their families is reduced.

Families have the primary responsibility for the care and protection of children, and a family is generally the best place for a child to grow and develop. Many factors can interact and contribute to weakening family care and cause the separation of children from their families. These factors include both external and internal *push* factors. Factors external to families (yet directly affecting families) can include lack of economic opportunities, barriers to education, health and other basic services, insecurity, displacement, or cultural patterns affecting family capacities and behavior. Factors internal to families can include divorce, illness due to HIV or other diseases, stigma and discrimination, death of one or both parents, relationships with extended family and community, alcohol abuse, gender-based violence, and attitudes and beliefs of family members. In addition to *push* factors, other factors may *pull* children out of families and onto the streets. Children may be encouraged to separate by the prospect of freedom and opportunities for better access to food or money through living on the street. Once separated, though, they are more likely to engage in hazardous child labor and commercial sex and to become involved in the criminal justice system.

Preserving family connections is vitally important, but it must also be recognized that in some cases separation is necessary. Where there is abuse or exploitation, separation is in a child's best interests and an alternative care arrangement is needed.

Recognizing these factors, preventing unnecessary separation involves building a more protective social, cultural and physical environment, at the levels of family, community, and the larger society. This includes raising awareness about the dangers of family separation and the importance of preserving families, identifying vulnerable children and families and providing them targeted support, improving access to basic services, and improving their financial security.

Intermediate Result 1.1 – Vulnerable children are identified and protected by community-based structures

Conflict, displacement, and urbanization have contributed to a decrease of traditional community solidarity mechanisms in the DRC. However, in the context of limited governmental capacity to address many critical needs, often community members have found it in their interests to work together to find solutions to shared problems. Community groups consisting of community and religious leaders, women

and youth group leaders, local service providers, as well as children themselves have played vitally important roles in helping prevent and respond to child protection and family separation issues. They have, for example, sensitized the broader community on child protection and family issues, organized discussions among families, reported child protection problems, identified vulnerable families where there is a risk of child separation, and mobilized local resources to help prevent unnecessary separation.

Efforts to sensitize the community on child protection and family issues is critically important in DRC, where there is a general lack of awareness and recognition of children's needs and rights. The DRC has ratified many international instruments that provide protection for children (e.g. the Convention on the Rights of the Children and additional protocols and conventions on child labor). The Child Protection Law in 2009 established in national law a wide range of protection. However, most communities are still unfamiliar with the rights outlined in this legislation.

In addition, there is a high level of tolerance for abusive or exploitative behavior which contributes to unsafe community environments where children and family break down. In particular, accusations of children as witches, stigmatization of child survivors of gender-based violence, children being affected by HIV/AIDS, and acceptance of the sexual exploitation of children are problems that the program is expected to address.

Although the Child Protection Law prohibits discrimination against children²³, children accused of witchcraft and affected by HIV/AIDS may be in need of special protection.²⁴ Several different types of activities to reduce discrimination have generated promising results in DRC. Activities range from advocacy to raising the awareness of families, communities and pastors about discrimination concerns as well as media campaigns. Patrols of DIVAS and CONDIFFA (*Ministère de la Condition Féminine et Famille*) social workers, which focus specifically on preventing and responding to accusations of child witches, have successfully monitored churches, released children, and referral cases to the judicial system. The Reduction in Separation and Abandonment Project has developed a series of activities aimed to raise awareness at community level. For example, it has supported RECOPEs to organize behavior changes communication /*causeries* that challenge accusations of witchcraft against children. Some of these events have included discussions between revivalist pastors and other pastors who explain that such accusations conflict with the Bible as well as the country's constitution and specific national laws. Another strategy used by RECOPEs in addressing the issue has been to "demystify" the cause of the undesirable behavior and provide an alternative cause-and-effect explanation based on normal child development. They recommend practical solutions, such as not allowing a child to drink much liquid shortly before going to bed as means of controlling bed wetting, often cited as evidence of witchcraft.

In order to create a more protective community environment for children, applications are encouraged to develop activities that contribute to changes in attitudes and behaviors and, thereby, decrease discrimination, increase children's safety and help prevent children's separation. Awareness raising activities could touch upon all of the problems mentioned above as well as increase understanding of the legal rights of children and demystify the causes of HIV/AIDS in an effort to reduce stigmatization. Applicants are strongly encouraged to consider progressive approaches to community discussion groups (*causeries*). *Causeries* with small groups (described above) have shown positive results because they encourage participants to exchange experiences and at times debate issues, rather than lecturing community members on what they should do. The participation of acknowledged community leaders as well as the inclusion of children's voices can enhance the effectiveness of community events.

In addition to awareness raising and other efforts to change attitudes and behaviors that contribute to the separation of families, community groups can also help to identify children and families at risk of separation (e.g. families facing extreme economic difficulties, families recently displaced because of the

²³ Article 5 « tout acte discriminatoire à l'égard de l'enfant est interdit »

²⁴ Article 62 §7

conflict, families affected by HIV/AIDS, children forced to drop out of school), assess their particular needs and resources, and provide them with additional support. Community members are often very aware of who in their communities are vulnerable. Children likewise are often aware of who in their peer groups require extra support. Community groups may also actively seek out vulnerable children and families through house-to-house surveys and establishing referral mechanisms among local service providers. Health care workers are often in a position to identify sexually and physically abused children, as well as children affected by HIV/AIDS (either due to the diagnosis of a parent as HIV positive or their own diagnosis.) Teachers are likewise in a position to identify students at risk of dropping out of school due to prolonged absences or unusual behavior which might indicate abuse, exploitation or neglect. Police are in a position to identify children on the streets or in conflict with the law, families made vulnerable due to the arrest of a parent or guardian, and/or domestic violence.

Once a child or family is identified as vulnerable, a social worker or community volunteer can assess the situation, facilitate access to critical services, and monitor their well-being on a regular basis for a period of time using a very simple casework approach. USAID expects the program supported through this RFA to strengthen and empower community groups (e.g. RECOPEs, Child Protection Committees, children's clubs, women's organizations, churches) and local service providers (e.g. health care workers, teachers, police) to play substantive roles in ensuring the well-being and protection of children and families and preventing and responding to children's separation from families. Applicants are encouraged to reference lessons learned in the DRC and results of the process of harmonizing community structures when proposing approaches for building and strengthening community networks and mechanisms. USAID also expects that proposed engagement with community groups will reflect better practices that studies have identified in recent years.²⁵ Proposed community engagement activities are encouraged to give informed attention to such issues as ownership, effectiveness, and sustainability. Priority should be given to identifying and strengthening existing community groups over of organizing new ones.

Illustrative activities

- 1) Identify existing child and adult community groups and strengthen their capacities to play effective roles in sensitizing the broader community to key child protection and family breakdown issues, identifying vulnerable children families, assessing their needs and resources, and facilitating families to receive appropriate care and support. Establish new groups and facilitate training and other capacity building initiatives, where necessary.
- 2) Support community groups to sensitize the broader community regarding child protection issues (e.g. causes of family breakdown and separation, dangers faced by children on the street, hazardous child labor, children involved in commercial sex, problems caused by witchcraft allegations, and stigma associated with HIV/AIDS) and how to access necessary services. Awareness raising might include, for example, public dramas and discussion or *causeries* for experience sharing among families.

²⁵ See, for example *What Are We learning about Protecting Children in the Community? An Inter-agency Review of Evidence on Community-Based Child Protection Mechanisms*, Mike Wessells, Save the Children UK on behalf of the Inter-Agency reference Group http://www.forcedmigration.columbia.edu/faculty/documents/WhatWeAreLearningAboutProtectingChildrenintheCommunity_FullReport.pdf; *Agencies, Communities, and Children: A Report of the Interagency Learning Initiative: Engaging Communities for Children's Well-Being*, Nicole Benham and the Steering Committee of the Interagency Learning Initiative: Engaging with Communities for the Wellbeing of Children (ILI), (pp. 12-19, "A Typology of Approaches for Engaging with Communities") http://www.usaid.gov/our_work/humanitarian_assistance/the_funds/pubs/dcili_08.pdf

- 3) Organize efforts to actively identify vulnerable children and families through house to house surveys and establishing referral mechanisms through local service providers (e.g. health care workers, schools, and police)
- 4) Establish systems for providing community-based care and support to especially vulnerable children and families by identifying community volunteers to assess and monitor the well-being of children and families in their areas through regular visits, and supporting them to access necessary services.
- 5) Together with “allies” (e.g. pastors, police officers) organize *causeries* to raise awareness among potential perpetrators of abuse, maltreatment, and stigmatization related to accusations of children as witches.
- 6) Collect and distribute existing behavior change communication materials to community groups to support sensitization efforts. Develop new behavior change communication materials, as needed.
- 7) In cooperation with MINAS, support dissemination of the child protection law and other relevant regulations for child protection.
- 8) Use such tools as radio and community theater to increase awareness and knowledge of the types and incidence of abuse, exploitation, and violence toward children; relevant legal provisions; and available legal and social services.
- 9) Through peer-to-peer activities, raise awareness among children of the risks of life on the street, hazardous child labor, and commercial sex (e.g. peer mentoring, afterschool clubs, sports and arts activities, etc).

Illustrative indicators:

- The number of participants in *causeries* and peer-to-peer events
- Pre- and post-event assessment of knowledge gained by participants in *causeries*
- Number of vulnerable children and adult caregivers identified and referred for services (disaggregated by age)

Intermediate Result 1.2 -- Children and families have better access to basic social services and legal protection.

In order for children to grow up happy and healthy they must have access to range of basic services and support, including education, health services, nutritious food, psycho-social support, legal services, and decent shelter and care. Children who are able to attend school and have adequate food are much less likely to turn to the street, hazardous child labor, or engage in commercial sex. When families have access to essential medical services, including HIV prevention and treatment for AIDS, children are less likely to become orphans. Adequate legal protection and prosecution of serious violations of children’s rights help prevent the abuse that drives some children to the street and hazardous child labor.

A step anticipated in developing the program will be to map basic services and sources of support available within target communities and assess the quality and access to these services. This program will have very limited capacity to cover the costs of providing basic services directly. However, it is expected that applicants will assess their own resources and technical expertise, community resources, and the needs of vulnerable children and families within communities and, where possible and appropriate,

improve the quality and access to existing services through limited direct support and/or leveraging the support of partner organizations.

One approach might include, for example, identifying other programs that provide relevant services (e.g. education, health, and legal programs), advocating that they prioritize services for especially vulnerable children, and establishing a referral mechanism with these programs. Another approach would be to leverage access to services through material or infrastructure inputs that increase local service provision or capacity building of local service providers. For example, the Reduction in Separation and Abandonment Project has rehabilitated schools in areas of origin of street children, with an agreement that the schools will give free access to reunified children and other vulnerable children for a specified number of years. UNICEF has begun to support schools to establish school-based businesses. In addition to facilitating immediate education access to a specific number of vulnerable children, proceeds from school-based businesses are intended to cover fees for vulnerable children for years to come. DIVAS/DUAS are authorized to provide “indigence certificates” to vulnerable individuals that, in principle, allow them to receive health services without charge or for a lower price. Other PEPFAR supported projects for children orphaned and made vulnerable by HIV/AIDS have provided block grants to both schools and health clinics to support infrastructure repairs and other one-off expenses proposed by Parents Committees (COPAs) and Health Committees in exchange for free health services for vulnerable children. Because block grants will support services for large numbers of children and potentially increase the demand for education and health services, programs have been able to negotiate lower school fees and lower fees for health services provided under the grants. Both in DRC and nearby Rwanda, programs have supported community-based health insurance schemes and likewise supported members to negotiate lower fees services. UNICEF, for example, has subsidized the cost of enrolling in health insurance schemes provided by Bureau Diocésain des Oeuvres Médicales.

It is anticipated that the program will look for opportunities to improve quality and access to legal and protection services. The international instruments that the DRC has ratified and the Child Protection Law establish a wide range of protections. While these are important tools, the systems to implement them, are very weak and need to be strengthened and developed. Impunity is more the norm than enforcement. The Child Protection Law needs to be more widely disseminated, and mechanisms for its application need to be developed or strengthened. The Reduction in Separation and Abandonment Project trained judicial staff to apply the new Child Protection Law to prevent unnecessary child detention. Other USAID projects have trained community volunteers to facilitate basic legal services, such as supporting parents to collect and submit documents required to obtain birth certificates and develop basic succession plans and wills to ensure that their children will be well cared for in the event of their death.

In addition, it is encouraged that the program consider working with communities and other partners to improve nutrition among vulnerable children (particularly children who are HIV positive) and help vulnerable families to find decent shelter. Several community groups supported by USAID projects have been able to mobilize food banks and food packets for food-insecure households by soliciting food donations from local businesses, restaurants, farmers, and community members. Others have supported demonstration gardens and nutrition education in effort to show how to grow and prepare nutritious food as well as generate food for food packets. Programs have also referred vulnerable families to other food aid programs (such as those supported by Food for Peace.) Food aid should be provided only on a temporary basis and in such a way as to prevent dependency. In addition, several USAID projects have worked with community leaders to identify vacant land and build basic shelter for displaced families or families without decent homes. Homeless families are more likely to generate homeless children – street children.

Finally, applicants are encouraged to address the psychosocial needs of children and families. USAID projects in DRC and elsewhere have implemented a range of activities intended to address these needs, including: children’s clubs, which engage children in positive group activities, teach basic life skills, and

encourage their leadership; parent support groups, which allow parents to discuss their challenges and frustrations and work together to address these challenges; and referrals to specialists to address more serious or complicated psychosocial concerns.

Activities described in other sections of this program description can also help increase the access to services for children at risk of separation. Enabling families to strengthen their economic functioning can increase their ability to cover the costs of food and improve nutrition as well as cover the costs of health services and education. (see IR 1.3). Building the capacities of local governmental bodies can enable them to provide more effective legal assistance and enable both government and non-governmental organizations to facilitate access to basic services to a larger number of children. (see IR 3.3).

Illustrative activities

- 1) Carry out (and/or update) service mapping and ensure that it is appropriately disseminated. Identify key service providers within a community – governmental and non-governmental, formal and traditional.
- 2) Develop relationships and referral networks with key services (e.g. schools, medical services, legal services, etc...) and systems for following up to ensure children and families who are targeted receive services.
- 3) Support access to education by enhancing the capacities of schools to enroll especially vulnerable children (e.g. rehabilitation of facilities, training of teachers, donation of furniture, school-block grants, and support for school-based businesses).
- 4) Support access to health services through health block grants, community-based health insurance schemes, “indigence certificates,” or other similar initiatives.
- 5) Train judicial staff to prevent unnecessary detention of children.
- 6) Train community volunteers to facilitate basic legal services, such as birth certificates and succession plans.
- 7) Facilitate community groups to mobilize improve nutrition through food donations, nutrition education and demonstration gardens.
- 8) Engage community leaders’ efforts to facilitate decent shelter for vulnerable children and families.
- 9) Strengthen existing children’s clubs and parent support groups and/or establish new groups, if necessary, in order to improve the psychosocial well-being of vulnerable children and families.

Illustrative indicators

- Number of vulnerable children and adult caregivers facilitated to access to essential services (disaggregated by age, gender, and type of service – i.e. education, health, legal, nutritional, shelter, and psychosocial)
- Number of child protection cases taken up by the legal system through referral and assistance by community groups or local NGOs.

Intermediate Result 1.3 A cost-effective approach to strengthening vulnerable households economically is demonstrated and outcomes measured

The capacity of families to protect and care for their children and to prevent separation is very closely related to their economic situation. It is anticipated that household economic strengthening (alongside complementary interventions to develop social cohesion and raise awareness of families and children to the risks of separation) will help prevent unnecessary separation of children from families. Through this program, USAID seeks to demonstrate an approach to strengthening the economic circumstances of highly vulnerable households; accordingly, outcomes will need to be measured in terms of both economic results (e.g. savings, assets, income) as well as changes in children’s wellbeing (e.g. school participation, nutritional intake). It is anticipated that effective implementation and rigorous evaluation methods could positively influence initiatives in the DRC (and potentially beyond) for vulnerable children.

Economic strengthening requires specialized capacity and expertise that are not commonly found among child protection agencies in the DRC and elsewhere. USAID seeks to avoid past experiences where economic strengthening efforts yielded poor or inconsistent results when implemented by organizations without specific expertise in this type of programming. Consequently, the applicant should provide convincing evidence of either its own prior experience or a partnership with another agency experienced in cost-effective and successful economic strengthening programming for highly vulnerable households.

The resources available through this RFA are only sufficient for demonstrating and evaluating economic strengthening approaches within a limited geography. Applicants are expected to propose a manageable scale of intervention in line with a credible experimental or quasi-experimental approach to impact evaluation:

- A fully experimental approach is preferred (i.e., with randomized assignment to intervention or control/comparison groups).
- All groups (both control and treatment) are expected to receive interventions under intermediate results 1.1 and 1.2, and the research hypotheses should focus only on the effect of economic strengthening interventions.
- To avoid ethical dilemmas, the applicant should consider evaluation designs (such as “delayed treatment”) that allow the control/comparison group members the opportunity to participate in the economic strengthening intervention in a subsequent stage of the program.

Savings-led microfinance is considered to be an economic strengthening strategy potentially appropriate for this program. A number of cost-effective methodologies for savings-led microfinance are well established and widely used.²⁶ Because these interventions are relatively standardized and straightforward, they lend themselves well to rigorous evaluation methodologies. Applicants are encouraged to consider savings-led microfinance as an approach that could be used to address intermediate result 1.3.

Prior to implementation, it is anticipated that a program will complete a situation analysis to provide an understanding of the economic and vulnerability profiles of target beneficiaries, as well as a market analysis. Applicants are encouraged to consider the benefits and risks of targeting vulnerable populations (particularly HIV-affected populations) when determining interventions and approaches (e.g. group or

, Kim Wilson, Malcom Harper, & Mathew Griffity, Kumarian Press, 2010.

individual) and propose approaches that increase options available to our beneficiaries, build local ownership and capacity, strengthen necessary systems and integrate beneficiaries within systems (e.g. value chains) in order to achieve sustainable economic outcomes. Applicants are encouraged to propose approaches that are based on internationally accepted good practices and global evidence and experience.

- 1) Carry out a market assessment and feasibility analysis for the proposed economic strengthening activity(ies).
- 2) Implement economic strengthening interventions in selected communities where child-focused prevention activities are being carried out.
- 3) Design and execute an experimental or quasi-experimental impact evaluation to assess household economic outcomes and child wellbeing outcomes over time and to understand the differences among families based on participation in the economic strengthening intervention

Illustrative indicators

- Children of school age in targeted households who regularly attend school.
- Number and quality of meals per day in targeted households.
- Changes in the amount or variability of household assets, income, and/or consumption in targeted households.

Result 2 -- Children outside of family care are able to achieve family and community reintegration or acceptable alternatives.

Intermediate Result 2.1 Children outside of family care leave dangerous environments and begin a reintegration process.

USAID expects that children living in at least three types of dangerous environments or circumstances will be identified and supported to begin a process of leaving this environment and pursuing more acceptable long-term solutions. Children living in dangerous environments targeted under this program include children living on the street, children separated from their families who are engaged in artisanal mining or other hazardous child labor²⁷, children who have been detained illegally by the police, and girls (and their own children) who are being sexually exploited, either on the street or in brothels (*maisons de tolérance*).

Sub-intermediate result 2.1.1 -- Children on the street, engaged in mining, or other hazardous child labor start a reintegration process.

The health and safety of children living on the street or who are engaged in mining, or other hazardous labor, is at serious risk. There are a variety of ways to identify and engage such children, such as through warning systems established with “allies,” through leaders of street children gangs or minors, by social workers who visit places where children sleep, or through programs where children come to seek services. Beginning with the initial contacts an outreach worker seeks information about a child’s background and reasons for being outside of family care. With children who have adapted to an independent life, in particular, it may not be possible to obtain accurate information from the outset, until

²⁷ Hazardous child labor is defined by Article 3 (d) of ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor, 1999 (No. 182) as: “*work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.*”

a level of trust is established and the child begins to feel that providing valid information may serve her or his own interests. For some children, an immediate focus on family reunification may be possible, for example, where a livelihood shock has recently pushed young children onto the street or other hazardous labor situation as an immediate coping strategy. However, for most children, initial interactions might focus on improving their safety on the street or within their hazardous labor situation, and meeting their immediate needs. It is anticipated that priority for pursuing family reunification will be given to younger children and those who have been separated for shorter periods.

Illustrative Activities

- 1) Establish (and/or strengthen) early warning systems in the areas frequented by street children and children engaged in mining or other forms of hazardous labor. Include systems for referring children for reintegration support
- 2) Support local NGOs and government social workers to provide outreach to children outside of family care through visits to areas frequented by street children and children engaged in hazardous labor and centers that provide a safe space for these children to receive essential services
- 3) Enable children outside of family care to better access services for HIV prevention, testing and counseling, health care, and support services.
- 4) Facilitate children outside of family care to access services that enable them to better care for and protect themselves, including HIV prevention, testing and counseling, and care and support services.

Illustrative Indicators

- The number of children living on the streets and/or engaged in hazardous labor who enter a reintegration process (differentiating first attempts from repeat ones)
- The number of children living on the streets and/or engaged in hazardous labor who receive essential services through outreach work.

Sub-intermediate result 2.1.2 -- Children who are illegally detained are released and start a reintegration process.

The program may advocate for, provide training, and provide logistical support to actors in the legal system (e.g. magistrates, police) in order to facilitate the release of children who have been illegally or inappropriately detained. Separated children living on the street face the risk of being detained, either because of roundups organized by security forces when leaders want a public area to be “cleared” or because of delinquency. The Child Protection Law states that children under age 14 are not legally responsible for their actions.²⁸ The current Reduction in Separation and Abandonment Project has shown that a judge can order the immediate release of children illegally detained by police in a detention cell (*cachot*). The law also has separate protective provisions concerning the placement and supervision of children under age 14 years and 14 years or older who are brought before a judge.²⁹ The law, however, is not well known nor understood by many police officers and judges, and the latter often have inadequate

²⁸ Child Protection Law: Article 95 and Article 97.

²⁹ Child Protection Law, Articles 96 and 106

means to monitor jails and detention cells, which results in children being illegally detained in very difficult conditions.

The program may advocate for, provide training, and provide logistical support to actors in the legal system (e.g. judges, police) to release children who have been detained and refer them for reintegration support.

Illustrative Activities

- 1) Arrange for regular visits to detention centers and/or establish/strengthen systems for identifying notifying appropriate authorities when children are detained.
- 2) Train judges and police officers regarding relevant provisions of the 2009 Child Protection Law, the Constitution, and human rights obligations.
- 3) Support³⁰ visits by judges to detention facilities to identify and secure the release of children being held illegally.
- 4) Facilitate the reintegration of children who have been illegally detained.

Illustrative Indicators

- The number of children released from detention facilities, who enter a reintegration process

Sub-intermediate result 2.1.3 -- Sexually exploited children are removed to a safe environment and start a reintegration process.

Many girls who are on the street survive through prostitution. Typically it is much more difficult for outreach workers to establish contact with them because they are often under the control of pimps. Some of these girls have babies. Both these girls and their children are extremely vulnerable and appropriate targets of this program. Girls in brothels are even more difficult to reach, and it may only be possible to access them through the police. Advocacy for this type of carefully thought through police action³¹ would be appropriate under this program. It is anticipated that applications will reflect a working knowledge of existing international guidelines for reaching girls engaged in commercial sexual exploitation.

The reintegration of girls who have been sexually exploited is often problematic because of stigmatization and discrimination by their families and communities. As a result, family mediation and sensitization may be necessary in order to facilitate the possibility of family reunification and community reintegration. The factors that led to girls being separated from their families in the first place must be carefully assessed to ensure that girls do not return to an environment that would push them into prostitution again. Further, girls may be reluctant to return to or remain in impoverished circumstances and may, themselves, seek to return to prostitution. Clearly reintegration work of sexually exploited girls is both as challenging as it is important.

Prostitution of girls below 18 years of age is prohibited under International Labor Organization (ILO) Convention 182, which was ratified by the DRC in 2001. In 2009, at least two cases were filed in Bukavu concerning the prostitution of both girls and boys.³² The Reduction in Separation and Abandonment Project has had some success advocating at a provincial level for the closure of brothels using children.

³⁰ Support within the boundaries of USAID's regulations which do not allow salary supplements to GDRC employees

³¹ A legal opinion (/justification/waiver) will need to be sought before working directly with the police.

³² Trafficking in Persons Report 2010, United States State Department, <http://www.state.gov/g/tip/rls/tiprpt/2010/142759.htm>

However, several that were closed were subsequently allowed to reopen. Applicants are encouraged to draw upon successful experiences in the DRC or other developing countries in order to address child prostitution in a sustainable manner.

It is anticipated that action in this area will include advocating, sensitizing, and mobilizing effective action among key governmental, non-governmental, and community actors. This may include members of community structures (e.g. community-based organizations, RECOPEs, faith-based groups, women's groups, market committees), community-based organizations, local NGOs, DIVAS social workers, or other government personnel.

Illustrative Activities

- 1) Establish early warning systems in the areas frequented by street girls and girls engaged in commercial sexual exploitation. Include systems for referring girls for reintegration support.
- 2) Mobilize inter-organizational support for action by government authorities to remove children from commercial sexual exploitation and permit access to them to assist in their reintegration.
- 3) Support local NGOs and government social workers to provide outreach to girls outside of family care (particularly those involved in commercial sexual exploitation) through visits to areas frequented by street girls and girls engaged in commercial sexual exploitation and centers that provide a safe space for these children to receive essential services
- 4) Facilitate girls outside of family care and girls engaged in commercial sexual exploitation to access services that enable them to better care for and protect themselves, including HIV prevention, testing and counseling, and care and support services.

Illustrative Indicators

- The number of girls withdrawn from commercial sexual exploitation, who enter a reintegration process (differentiating first attempts from repeat ones)
- The number of girls engaged in commercial sexual exploitation, who receive essential services through outreach work.

Intermediate Result 2.2 -- Highly vulnerable children who are outside of family care access appropriate interim care

It is possible to enable some children who are outside of family care to return directly to their families. The Reduction in Separation and Abandonment Project was able to reunite some children who had been illegally detained with their families. However, children who spend time living outside of a family develop survival strategies which often expose them to serious risks. Enabling them to choose safer options involves outreach work and often requires spending time in an interim care situation while the possibility of family reunification is explored. Typically this process requires an outreach worker or social worker to build trust with a child, provide information about options, support the child to consider those options, and facilitate access to services and alternative care. In order to lead to a durable solution, such a process should be participatory, and require both the worker and the child to exchange information and explore options.

Too often local NGOs providing services to children who are outside of family care work in isolation from each other. The fact that they are likely to be in competition for scarce funding resources contributes to this. For example, some organizations that provide night shelter and related services or longer term

residential care may see their own program as providing an end result and neither consider nor support the possibility of family reunification. One of the aims of the program supported through this RFA will be to build a system of referrals among local organizations in order to help as many children as possible move from un-safe situations outside of family care into safer situations, and, whenever possible, to reunite with their families and reintegrate into communities. The Reduction in Separation and Abandonment Project has developed minimum standards for transitory care centers and begun training on these standards. However, these standards have not been formally approved.

Although, in the majority of cases, interim care is delivered in centers, the option of interim foster families has been explored successfully by several actors in the DRC, both for street children as well as for children released from armed forces and groups. This can be a good alternative to institutional care as it provides a family environment. Initiating such care requires careful planning, selection and training of foster families, and must be carefully monitored to prevent exploitation and abuse.

Illustrative Activities

- 1) Residential care providers are sensitized to children's inherent need to be a part of a family, trained regarding the application of national standards for residential care, and linked into a system supporting family reunification.
- 2) Transitory foster family care is developed and demonstrated as an alternative to group residential care.
- 3) A system is developed among public and private service providers to support information exchange, coordination of activities, referrals, and collaboration to enable children to move from unsafe situations outside of family care, interim care and, finally, into families.

Illustrative Indicators

- The number of children who have left an unsafe situation outside of family care and moved into interim care of an acceptable standard.
- The number of children who transition from interim care into family care.

Intermediate Result 2.3 -- Children outside of family care who have suffered abuse, exploitation, or violence receive specialized services

It is difficult for children in the DRC who experience even extreme violations to access essential services even if they have family support. It is much harder for children who are on their own to do so. In addition, these children may require specialized services. Applicants are expected to propose mechanisms for increasing access to these services, for example, through strengthening and expanding a holistic social casework approach, developing a system of referrals, and improving the capacity of these service providers to provide specialized care

Children who have suffered abuse, exploitation, or violence may suffer from acute and chronic health problems - some may be HIV positive or be addicted to drugs. They may require immediate and long-term medical care and medications. These children may also have missed years of schooling and as a result, it may not be possible for them to return directly to school. It may be more appropriate for them to access accelerated learning through Centres de Rattrapage Scolaire, or enroll in a vocational or skills training and be supported to engage in some type of economic strengthening activity. These children may require more specialized psychosocial or mental health services, such as to treat severe trauma, drug addiction, or mental illness.

In addition, they may require special legal support to resolve legal cases against them and/or pursue legal cases against perpetrators of child abuse (including those who engage children in hazardous child labor

and commercial sex). The Reduction in Separation and Abandonment Project has trained judicial staff to remove children from detention by correcting applying child protection laws. The project also supported the provision of legal aid to abused children and children in detention. In addition, the project strengthened cooperation between governmental social services and justice systems by arranging for social workers to be attached to courts in order to carry out assessments and follow-up cases.

Illustrative Activities

- 1) Support a social casework approach to the assessment and provision of specialized support and services (including referrals for specialized treatment) for children outside of family care who have suffered abuse, exploitation.
- 2) Where necessary, enable children and families to access specialized health, education, and psychosocial support for children outside of family care that experienced abuse, exploitation and violence (e.g. strengthen referral to services providing Post Exposure Kits and Anti-Retrovirals, accelerated/remedial learning and vocational and skills training, supportive counseling, etc...)
- 3) Where necessary, enable children and families to access the legal justice system and necessary legal services.

Illustrative Indicators

- The number of children who were previously outside family care who have received specialized services
- The number of court cases filed in response to serious child protection violations.

Intermediate Result 2.4 -- Children outside of family care achieve timely, effective, and durable reintegration through integrated systems of protection and services.

The application should describe the proposed approach for assessing the options for family reintegration and alternative care, ensuring reintegrated children and children placed in alternative care can access basic services and receive sufficient community support, including follow up casework.

Where family reunification or placement with relatives may be possible and in a child's best interests, it is anticipated that the program will obtain sufficient information about a child's family to trace them, and begin a process of assessing the feasibility of family reintegration and mediation. In cases where a child's family can be located, it is necessary to obtain the perspectives of the child and the family on the reasons for separation. Information from the child and family is used to develop a working understanding of the factors that caused the separation and other issues that may have a bearing on possible reunification and reintegration and to assess the potential for reunification. In addition to a family's material and economic circumstances, current attitudes towards the child and regarding her or his activities since the separation are highly relevant. Community attitudes toward the child also must be considered. Mediation between the child and family for reunification and the subsequent interventions at family and community level must take into account all these factors.

In cases where family reintegration is possible, it is anticipated that the program will adopt a holistic approach to facilitating integration and addressing how a family and community will be able, over time, provide adequate protection and care for its children, both those reunited and those who remained at home. Like efforts intended to prevent family separation, efforts to reintegrate children with their families must link reintegrated children to health services, education and training opportunities, psycho-social support, legal services, food and nutritional support, and shelter and care. Many strategies to support reintegrated children to access basic services may be similar to those outlined in IR 1.2. Children who

have lived in unsafe situations outside of family care, particularly children who have been exposed to abuse, exploitation and violence, may also require specialized interventions, such as those outlined in IR 2.3.

As with preventing family separation, economic issues will also be critically important to developing lasting reintegration for most children outside of family care. It is expected that applications will reflect a broader livelihoods approach in order to strengthen household economic security, rather than putting forward a one-size-fits-all approach to economic strengthening. The program application is expected to clearly explain the details of the particular household economic strengthening strategies selected and how the program will secure the necessary technical expertise to successfully implement these strategies (e.g. through an organizational partnership and/or staffing.) Applications are strongly encouraged to include details regarding relevant organizational household economic strengthening experience and effectiveness. Temporary food aid may be needed by some families, for example during the time that it takes an economic project to mature. Applicants are encouraged to describe possible ways of securing food (See IR 1.2 for strategy ideas) with attention to avoiding the development of dependency.

In addition to addressing poverty and ensuring access to basic services and specialized services, relevant social, cultural, behavioral, and relationship issues within both families and communities will need to be addressed to support successful reintegration. It is expected that applications will describe how these issues, as well as issues of stigma, will be addressed. Returning children may face stigma due to such issues as: accusation of child sorcery; activities associated with street life; having been sexually exploited; having had a child while separated; having been associated with a fighting force; or other factors. Applicants are encouraged to include psychosocial activities at both the family and community level to counter stigmatization, develop social cohesion, and facilitate reintegration.

For children who have experienced serious abuse and for whom family reunification may not be appropriate, applications should identify other appropriate long term alternative care options, such as adoption, independent living (for older children), and, as a last resort, long-term institutional care. Like children reintegrated with their families, children living in long-term alternative care must be financially secure. For older children who are supported to live independently, this may require involving the children themselves (rather than their caregivers) in economic strengthening activities. Children living in long-term alternative care must also be supported to access essential services, as well as specialized services, if required.

In addition, children who have been placed in long-term alternative care will also require follow up casework. Like casework to *prevent* family separation described under IR 1.1, casework to *reintegrate* separated children or help to ensure that their long-term alternative care placements are adequate, may be carried out by social workers or community volunteers. If provided by volunteers, applications must describe how volunteers will be supervised and supported to facilitate access to specialized services for reintegrated children.

There is extensive experience in DRC with the process of family reintegration for children who are outside of family care. It has involved children separated by armed conflict, former child soldiers, children in conflict with the law, street children, and others. USAID expects that this experience, both what has been done well and what has not worked well, will be taken into account, in developing applications. It is further expected that applications will reflect good knowledge of relevant international standards and technical guidance material. Applicants are encouraged to describe the approaches that would be used in working for children's reintegration and provide an overview of their relevant organizational experience in the DRC and elsewhere.

Illustrative Activities

- 1) Support and guide family tracing for separated children and assess the feasibility of reuniting children with families.
- 2) Support access to basic services and support: education, health, legal/protection, food and nutrition, shelter and care and psychosocial support (e.g. through strategies similar to those outlined in IR1.2).
- 3) Develop, support, evaluate, and document an effective set of approaches to assess and strengthen the livelihood strategies and capacities of households targeted for reintegrating children.
- 4) Support activities to reduce stigma and develop social cohesion within reunited families and communities (e.g. family and community mediation, community sensitization events such as *causeries* to encourage understanding and support for the acceptance and reintegration of children who have been reunited)
- 5) Arrange appropriate long-term alternative care options for children unable to be reunited with their families (e.g. adoption, independent living (for older children), or, as a last resort, long-term residential care). Give priority to family-based long-term care options.
- 6) Where viable child and adult community groups do not already exist, mobilize and strengthen them over time to enable them to address child protection and reintegration issues.
- 7) Support follow-up casework for reintegrated children and their families.

Illustrative Indicators

- Number of reintegrated children assisted to access education, health, legal, protection, food and nutrition, shelter and care services.
- The number of children who have been reintegrated with a family and who continue to live within that household for at least one year.
- The number of reintegrated children who are attending school or are in a viable training scheme six months after their family placement.
- The number of meals eaten per day by reintegrated children one year after their family placement.
- The number of children who could not be reunified with their family or relatives who are in alternative care arrangement of an acceptable standard for at least one year.
- The number of formerly separated children who have become active members of a children's club or organization.

Result 3 Services and systems to prevent and respond to family separation are more effective and sustainable

The preceding sections on Results 1 and 2 primarily address what is to be done and how. Result 3 is cross-cutting and focuses on building the capacities of key actors and developing systems that link them so that the actions called for under Results 1 and 2 can continue on an ongoing basis.

Past experience with child protection work in the DRC has shown that the quality and effectiveness of interventions vary considerably. There are many governmental and non-governmental actors, and the

technical skills, organizational capacities, and resource levels vary considerably among them. There is generally a low coverage of needs, and actors tend to respond in to child protection concerns in a piecemeal manner, rather than holistically. In some cases programs have applied standardized responses to a multiplicity of needs and problems among vulnerable children and families and, consequently have produced inconsistent results. Without adequate resources, local NGOs and community networks as well as government bodies are often unable to ensure the continuity and consistency of their activities because of inconsistent funding. As a result, interventions tend to decrease considerably or stop when funding ends.

Improving services in the DRC to support the protection and well-being of children and families and prevent and respond to children's separation from families, requires improving the capacities of the actors involved as well as the linkages among them. The capacities of community groups, local NGOs, and government actors have to be strengthened to enable them to (1) play a significant role regarding the protection of children, (2) improve the quality and effectiveness of their interventions, and (3) continue beyond the duration of funding through this Cooperative Agreement. In order to support a holistic response with multiple actors, there is a strong need to coordinate and collaborate, share best practices, harmonize approaches, set up minimum standards and referral mechanisms, improve the coverage of services, and monitor the quality and effectiveness of child protection programming. The program developed through this RFA must incorporate from the beginning an exit strategy.

Intermediate Result 3.1 -- The program is designed based on a situation analysis and incorporates a sustainable exit strategy.

Before initiating program interventions, it is expected that the organization awarded a cooperative agreement through this RFA will carry out a situation analysis in each of the geographic target areas to strengthen the program design and to inform and (as necessary) adjust proposed activities. It is anticipated that this will be done in a collaborative manner with key government and civil society actors, both to tap their knowledge and experience as well as to build consensus about priorities for action and the importance of developing an integrated child protection system. It would be appropriate for the situation analysis to collect data to support national and provincial monitoring and evaluation systems and coordination efforts (e.g. for child protection and children affected by HIV/AIDS) – including service directories. A program would be encouraged to identify and supplement existing assessments as necessary by gathering new information. The process would be expected to identify problems and their underlying causes as well as relevant capacities, resources, and actors. It will supplement the information on which the grantee based its application. The situation analysis would identify major threats to children's safety and well-being; causes of children's separation from families; significant trends; risks faced by children both in situations of separation and during reintegration; resources relevant to children, families and communities; local strengths and capacities; and opportunities.

The reintegration of children is a long term process involving children, families, and communities as well as governmental authorities and local service providers. The program is expected to continue for three to five years, allowing for a progressive strengthening of the capacities of children, families, and partners. However, it can be anticipated that many of the factors causing children's separation from their families will continue, though it is anticipated that they will have been effectively address and, as possible, reduced. Consequently, from the outset, the design of the program must take into account its time-limited nature and build local systems and services that will be able to continue after the close of the program. In part, this may be through building capacities of local organizations to secure resources and to manage them effectively. Applicants are encouraged to describe credible approaches to developing local capacities to identify and respond to the causes of separation on an ongoing basis after the eventual close of the program. Experience has shown that sustainability has to be a central issue in program design and that a viable exit strategy has to be incorporated from the beginning of the program.

Illustrative activities

- 1) Undertake a collaborative situation analysis in each of the geographic areas where the program is to be implemented to further inform planning and program design and feed into national and provincial monitoring and evaluation and coordination efforts.
- 2) Identify with local partners ways to strengthen their capacities to continue after the program and design a plan for capacity building accordingly.

Illustrative indicators

- Completion of a comprehensive local situation analysis and the identification of adjustments needed to the program design.
- Preparation and implementation of a sustainability plan.

Intermediate Result 3.2 – Systems for coordinating more comprehensive and effective efforts to prevent and respond to family separation and child abuse are strengthened

The aim of this RFA includes the development of ongoing systems of protection and care, not simply the direct provision of services. Applicants are encouraged to describe how, in the target areas, effective and coordinated systems of protection and care will be developed or strengthened.

Applicants should consider and, as appropriate, describe how they might facilitate development of a coordinated system to involve and link actors from the grassroots level through the provincial level to identify, refer and respond to highly vulnerable children and families. Developing such systems is expected to include improving capacities, clarity on roles, and effective links among community groups, local and international NGOs, DIVAS/DUAS and other governmental actors, as well as international organizations with local presence.

A holistic and comprehensive approach encompassing prevention, protection, and reintegration of children outside of family care requires the active involvement of numerous actors at local, provincial, and national levels. Actors with different expertise must find ways to work together toward shared goals with harmonized approaches and effective referral links so that the collective results for children and families exceed those that any actor individually could achieve. They are also encouraged to promote the sharing of lessons learned and best practices, leverage the expertise, experiences, and resources of other partners in order to achieve mutual goals, monitor and evaluate child protection efforts, and, ultimately, facilitate children to get the best and most comprehensive care possible. In addition, it would be encouraged that coordinated systems facilitate better coordination and communication among local and national initiatives.

Clearly, these are not new ideas, but current levels of coordination and harmonization of approaches are low. The National Plan of Action for Orphans and Vulnerable Children 2010-2014 calls for such a coordinated approach, and UNICEF is supporting its development at provincial level. Such bodies as MINAS, the Ministry of Gender, Réseau des éducateurs des enfants et Jeunes de la Rue (REEJER), and UNICEF organize regular or periodic meetings to harmonize approaches in Kinshasa, but coordination mechanisms in the geographic areas targeted by this project are not well developed. Applicants are encouraged to outline how the program will improve coordination at provincial and local levels among representatives of such bodies as MINAS, the Ministry of Gender, the Ministry of Justice, UNICEF, local and international NGOs, and community groups concerned with children. It is also recommended that applicants describe how these efforts will relate to and reinforce related efforts by UNICEF, the World Bank, and other actors to increase coordination.

Guidelines, norms and minimum standards for the protection of children experiencing family breakdown (“Arrêté Ministériel sur les lignes directrices pour la protection des enfants en rupture familiale”) were developed through a participative process supported by UNICEF and adopted by the government in 2009. However, this document has not been systematically disseminated and applied at local levels. There are also some relevant issues not adequately addressed in this Order. MINAS, supported by UNICEF, is currently carrying out a process for harmonizing approaches for community-based work (e.g. in such areas as training, reintegration kits, and data collection and analysis). USAID’s ProVIC project is also working with UNICEF and MINAS to develop and disseminate quality standards for service delivery to children orphaned and made vulnerable by HIV/AIDS as well as systems to support the monitoring and evaluation of the National Plan of Action for Orphans and Vulnerable Children. Applicants are encouraged to describe how the program will support efforts to harmonize technical approaches and improve monitoring and evaluation of provincial and local child protection efforts.

Illustrative activities

- 1) Support and facilitate the development in each target area of collaborative networks for child protection and well-being among governmental and non-governmental bodies.
- 2) Reinforce in ways consistent with USAID regulations the capacities of DIVAS and other governmental actors³³ to exercise leadership in developing and maintaining these collaborative networks and for their social workers to carry out essential operational roles in child protection.
- 3) Include as part of the collaborative situation analysis a participatory assessment of existing services, capacities, and gaps as well as possible solutions.
- 4) Develop collaboratively local Action Plans to strengthen referral links and mutual support among actors concerned with child protection, prevention of children’s unnecessary separation, and the reintegration of children outside of family care.
- 5) Work with DIVAS to develop clear and realistic meeting agendas, invite stakeholders and convene regular meetings to review progress against Action Plans, promote sharing of lessons learned and best practices, raise awareness/train partners to implement new policies or program approaches, and support referrals and collaboration among partners.
- 6) Participate at the national level in the elaboration of harmonized approaches for defining and sharing good practice and lessons learned regarding the prevention of unnecessary family separation and children’s reunification and reintegration and for service delivery for children affected by HIV/AIDS.
- 7) Support training to facilitate the application of harmonized approached and quality standards at provincial and local levels.

Illustrative indicators

- A functional system of coordination meetings relevant to ensuring the protection and well-being of children and families and preventing and responding to children’s separation.
- Action Plans developed.

³³ The boundaries of USAID’s regulations do not allow salary supplements to GDRC employees

- Measures in Action Plans that have been implemented.
- Number of organizations implementing harmonized approaches and/or meeting quality standards.
- Number of cases of children reintegrated with the direct involvement of (two or more) organizations or government bodies.

Intermediate Result 3.3 -- The capacities of key government and NGO actors to provide basic services and prevent and respond to family separation and child abuse are improved and their sustainability is increased.

This intermediate result concerns strengthening both the effectiveness and the sustainability of local actors with regard to preventing unnecessary separations and enabling children to reintegrate. Consequently, it requires strengthening both technical skills for work with children, families and communities, as well as organizational functioning.

The child protection and social work skills and knowledge of service providers in the target areas vary considerably and are, in general quite low. Most of the child protection training that is done is provided by programs for their staff (e.g. activities for family tracing and reunification, minimum care standards for residential care). There is no comprehensive and professional training in social work in the DRC.³⁴ However, the government is in process of adopting a law to reform social action. It is reported that it will define the roles and status of social workers. Also, MINAS, with the support of UNICEF, is providing on-the-job training of DIVAS/DUAS social workers at provincial levels.

The specific skill areas for training will have to be determined locally. The following are examples of areas of social work skills that may need to be reinforced among both public and private personnel working with children and families to prevent separation or support reintegration:

- Assessment (individual and contextual)
- Street outreach
- Case management
- Psychosocial support
- Participatory methodologies for meaningful, appropriate involvement of/consultation with children, families, and communities
- Family mediation
- Family reintegration processes
- Monitoring children's safety and wellbeing

In addition to such skill areas, practitioners need to have an adequate working knowledge of guidelines for the protection of children in situation of family breakdown, minimum standards for alternative care, the Child Protection Law, and other relevant documents.

In relation to law enforcement and the judiciary, there is a general lack of knowledge among police, magistrates and other relevant personnel regarding the specificities of national law regarding children. The Child Protection Law has not been widely disseminated and is not applied consistently. The Reduction in Separation and Abandonment Project has trained key judicial staff and provided updated copies of the law. However, given the level of staff turn-over, this needs to be continued and reinforced along with the training of social workers to improve the follow-up of children's cases after their release from jail. Police personnel, in particular the Special Division for Child Protection, also need to be trained on the provisions of the Child Protection Law and its application, as well as referral mechanisms with the

³⁴ Some limited social work training is provided by CAFES (Centre Africain de Formation des Educateurs Sociaux) in Kinshasa.

Ministry of Justice, DIVAS/DUAS and NGO programs. Applicants are also strongly encouraged to outline ways in which they would build the capacity of other USAID partners to implement child protection activities in order to strengthen and increase cohesion among USG-funded child-focused programs. This would include working with partners responsible for PEPFAR/USAID's projects for children affected by HIV/AIDS.

An approach that some organizations have used in the DRC to motivate the performance of some government personnel has been to provide cash incentives or to supplement salaries. Such approaches are *not* permissible under USAID regulations. Training, per diem in relation to travel, and the provision of equipment related to job performance can be provided.

In addition to strengthening the technical capacities of local government and non-governmental organizations to provide services effectively, it is also expected that this program will strengthen their fundamental organizational and operational functioning (e.g. planning, project design, budgeting, resource mobilization, grant writing, financial management, project management, and staff management – including staff recruitment and orientation, supervision and performance improvement, mentoring and professional development.). Such organizational capacity building may involve a process through which local organizations assess their goals, capacities, strengths, and weaknesses and develop a strategic plan for their ongoing work. Such assessments can provide a basis for specific organizational and operational capacity building measures (e.g. training or mentoring).

If local government and non-governmental organizations are to provide services to vulnerable children and families on an ongoing basis, they will need to be able to secure, manage, and report on funds. Capacity building may include providing small sub-grants, equipment or supplies to enable local organizations to implement new approaches, increase the number of beneficiaries reached, and improve program quality and effectiveness. Such grants may cover the costs of essential equipment, furniture, transport, and supplies. Applicants are encouraged to consider the provision of sub-grants with the aim of increasing organizational sustainability and the continuity of services as part of a tailored strategy of organizational strengthening to better enable the organization to secure funding from other donors or otherwise raise funds.

Illustrative activities:

- 1) Assist key government offices and NGOs to carry out structured self-analyses to identify their respective organizational goals and operational strengths, and limitations.
- 2) Assist key government offices and NGOs to carry out structured self-analyses to identify to degree to which their technical knowledge and skills enable them to successfully prevent and respond to family separation.
- 3) Work with key government offices and NGOs to develop clear capacity development plans.
- 4) Provide a limited number of sub-grants, equipment, and supplies to local government office and NGOs to implement capacity building plans.
- 5) Support technical training in:
 - Legal protection (e.g. ways to identify and report cases of abuse, how to secure the release of children under 14 who are illegally detained by police).

- The application of child protection laws and standards to improve the functioning of personnel in the legal system (e.g. magistrates, lawyers, judges, prosecutors, and police involved in processing children’s cases).
- 6) Advocate for the inclusion of social workers from partner NGOs, in social work training organized by MINAS.

Illustrative indicators

- Technical and organizational capacity assessments completed and capacity building plans developed.
- The number of service providers for whom before and after test results show increased competence in targeted skill areas.
- The percentage of change in the amount of funding from sources other than this program secured by local government offices, NGOs, and community groups that participated in organizational capacity building.
- The percentage of change in the number of children assisted by local government offices, NGOs, and community groups that participated in organizational capacity building.

Intermediate Result 3.4 –Community groups are able to play more effective roles in efforts to prevent and respond to family separation and child abuse

USAID expects that the program supported through this Cooperative Agreement will strengthen and empower community groups (e.g. RECOPEs, children’s clubs, women’s organizations, faith-based groups) to play substantive roles in preventing and responding to children’s separation from families. Applicants are encouraged to take into consideration experience in the DRC and results of the national harmonization process on community structures when proposing approaches for building and strengthening community networks and mechanisms. USAID also expects that proposed engagement with community groups will reflect better practices that studies elsewhere have identified in recent years, some which are identified under Intermediate Result 1.1.

There is much to be learned from the experiences of community groups in the DRC that have addressed child protection issues. For example, the Reduction of the Separation and Abandonment of Children program has had significant experience with the RECOPEs, both in urban and rural areas. It has also organized children’s clubs that have played important roles in sensitizing adults and children on child protection issues as well as identifying cases of abuse and facilitating the reintegration of former street children. ProVIC, supported by USAID, works through Champion Communities to strengthen local ownership, investment, and coordination of health and protection programming. At national level, the Child Protection Working Group is currently working on harmonizing the approach for community child protection networks.

International studies on mobilizing and strengthening community action for child protection and well-being have shown that there are more effective and less effective ways for agencies to engage with communities and for community groups to address children’s needs. It is expected that applications will reflect a working knowledge of better practices in community engagement. For example, *What Are We Learning about Protecting Children in the Community?* found that the effectiveness, sustainability, and

scale of action by community groups varied depending upon the type of approach used by external agencies when engaging with those communities.³⁵

Which capacities of community groups need to be strengthened and linkages that need to be established by such groups with government bodies and agencies providing services will vary among the geographic areas targeted by this program. It is anticipated that the situation analysis to be carried out (Intermediate Result 3.1) would identify existing community groups engaged with or potentially relevant to child protection and well-being and profile their respective activities, capacities, and ways in which they might be strengthened. That process can help determine which groups the program can work with, how groups might be strengthened and seek to identify communities where new mobilization work is needed. The specific capacities of community groups to be strengthened or developed will depend on the role(s) to which groups commit themselves and the local knowledge, experience, and resources that they can bring to bear on the issues that they seek to address.

As has been shown in the DRC and elsewhere, children can play critically important roles in identifying and analyzing key child protection issues. It is anticipated that the program will actively involve or, where necessary, mobilize groups through which children can play effective roles and build the capacities of those groups over time.

Illustrative activities

- 1) Assist selected community groups to carry out structured self-analyses to identify their respective organizational goals and operational strengths, and limitations.
- 2) Assist community groups to carry out structured self-analyses to identify to degree to which their technical knowledge and skills enable them to successfully prevent and respond to family separation.
- 3) Work with community groups to develop clear capacity development plans.
- 4) Provide a limited number of sub-grants, equipment, and supplies to community groups to implement capacity building plans.
- 5) Support technical training in:
 - Community mobilization
 - Facilitation, mediation and coordination
 - Effective adult learning
 - Awareness raising
 - Children's rights and protection
 - Identification of abuse and reporting cases to the authorities.
- 6) Develop and strengthen referral links among community groups, relevant government bodies, and NGOs.

Illustrative indicators

- The number of community groups whose capacities to address child protection and well-being issues are strengthened.

³⁵ *What Are We Learning*, op. cit., pp. 32-52.

II.3. Monitoring and Evaluation

The plan for monitoring and evaluation is an integral part of program design. Applications should include a draft Performance Monitoring Plan to show how achievement of the program's objective and intended results would be measured. This should reflect a clear causal framework which links activities to specific results and include or more indicators for each intended result. Indicators should be both meaningful and technically feasible to collect and report. It is expected that both quantitative and qualitative indicators will be specified.

A draft planning matrix should contain:

- The overall program Objective and each of the Results, Intermediate Results, and Sub-intermediate results;
- Primary activities that will lead to carried out in relation to each of these;
- Indicators for each of the Results, Intermediate Results, and Sub Intermediate-results, with annual and life of project targets;
- Illustrative examples of anticipated data sources, frequency of data collection, and methods and frequency for collecting data;
- Critical assumptions.

The monitoring and evaluation section should include a description of the applicant organization's current capacity to monitor and evaluate major activities and program performance, including examples of the organization's ability to measure program outcomes and any outside expertise upon which it proposes to draw.

The application should also include a description of the staffing arrangements and methods that would be used to monitor the implementation process to assure that the program is on track and enable the program to use performance data and lessons learned to make necessary adjustments and improve program operations and management.

The Applicant is expected to plan and budget for an external program evaluation 2&1/4 years into implementation as well as bi-yearly data collection— baseline plus each year of implementation. If funding restrictions deem this Award to be a three year award, than this evaluation 2.25 years in will serve as the final evaluation. Subject to the availability of funds and the Awardee's performance, and if the Award continues for years four and five, then that evaluation will serve as a mid-term evaluation and another external final evaluation must be budgeted for at 4&1/4 years into program implementation.

In addition to the specific indicators linked to results, the awardee will be required to report at the end of each fiscal year (in the quarterly report) three broad USAID indicators:

1. The number of people benefiting from USG-supported social services (e.g. education, health, food and nutrition, psycho-social support, protection, shelter and care, or economic strengthening activities, etc.): disaggregated by gender and children under 18 years and adults 18 years and over.
2. The number of service providers trained who serve vulnerable populations
3. The number of organizations or service delivery systems strengthened.

The application should concisely describe how relevant data will be collected and consolidated without duplicate counting to report on these three indicators.

Within 60 days of signature of the cooperative agreement, the Recipient will be expected to set up a comprehensive monitoring and evaluation system including a final Performance Management Plan (PMP) for all components of the program. The plan should also address risks, assumptions, and results of each activity and compare data between different activity types and varying budget levels per activity.

III. PROGRAM ORGANIZATION

III.1. Administration and Management

USAID anticipates that the program will begin on or around February 2012, and is to be funded for three years, with a possibility (depending on performance, circumstances in the operational context, and availability of funds) of up to a maximum program life of five years.

Offices and activities will be located in Mbjui Mayi and Bukavu, with organizational and coordination representation in Kinshasa. All key personnel must be competent in French and English. Knowledge of local languages spoken in the provinces concerned is also helpful. It is expected that the program will have an appropriate balance between in-country and international technical expertise and that the level of effort foreseen for each of the key positions described below will be sufficient for effective program design, implementation, and monitoring.

The following are the key positions foreseen for the program, and resumes of candidates should be submitted with the application:

1. *Chief of Party (CoP)* - Will have primary responsible for all aspects of program implementation and coordination with other programs and Government bodies. The Chief of Party acts as the major liaison with USAID and is the supervisor of all other program personnel. It could be acceptable for a suitably-qualified Chief of Party also to assume responsibilities of the Senior Child Protection Officer position.

- Must be fluent in French and English.
- At least seven years of senior project management experience in a developing country (with at least some of this in Sub-Saharan Africa).
- Experience managing USAID (or USG) funded social services projects as CoP or Deputy Chief of Party (DCoP) in a post-conflict or emergency context is preferred.
- Advanced degree in management, international development, administration, or related field is preferred.

2. *Senior Child Protection Advisor* – To be based on one of the field offices and make regular visits to the other as well as to carry out coordination activities at national level. The person will serve as the primary technical lead for project implementation. Must have:

- Fluency in French and English.
- At least five years of experience with technical responsibility for child protection programming in at least two developing countries (at least one of which must have been in Sub-Saharan Africa). This experience should include experience with programming for the reunification and reintegration of children.

- An advanced degree in a relevant field is preferred, though substantial in-service work and training in the child protection field may be considered.

3. *Economic Strengthening/Livelihoods Specialist* – To provide technical guidance and leadership in the design and implementation of both the economic strengthening project to address Intermediate Result 1.4 and the economic/livelihoods elements of Intermediate Result 2.4. Must have:

- Working competence in French and English.
- At least five years of experience in cost-effective and successful programming for economic strengthening/livelihoods in a developing country (experience in Africa is expected).
- An advanced degree in a relevant field is preferred, though substantial in-service work and training in the economic strengthening/livelihoods may be considered.

4. *Monitoring and Evaluation Specialist* - will be responsible for and serve as primary coordinator for all aspects of planning and oversight of program monitoring and evaluation.

- Must be fluent in French and English.
- At least five years of monitoring and evaluation experience in a developing country (experience in Africa is expected).
- Experience coordinating the monitoring and evaluation of USAID-funded social services programming is preferred.
- An advanced degree is preferred.

5. *Financial Management Specialist* - will be responsible for and serve as primary coordinator for all aspects of program finance.

- Must be fluent in French and should be fluent in English.
- At least seven years of financial management experience in a developing country is expected (experience in Africa is preferred).
- Experience in managing the finances of a USAID (or USG)-funded project is preferred.

The total budget of the project is estimated at \$ 5.1million over the three-year life of the program, with a possible two-year extension (bringing it to a total of up to \$8.1million). Applicants should prepare a cost application (budget) demonstrating how the implementation of this project will be funded according to line items. Applicants should note that the bulk of funding should go to the implementation of activities.

It is USAID policy not to pay host government salary supplements. Salary supplements to government will not be a reimbursable expense under this Award. Project funding may be used to support indirectly the effective implementation of critical roles by DRC Government personnel, but this may not include the provision of cash or in-kind payments (other than for per diem related to travel necessary to effective project implementation).

III.2 Monitoring and Reporting Requirements

2.1. Work-plans

The recipient of this award will be required to submit annual work plans, every September 1st, 30 days prior to the beginning of the USAID fiscal year (October 1) for each year of the project. The first annual work plan is due within 45 days after award of this cooperative agreement. After its approval by USAID/DRC it will serve as a reference point for subsequent reports. Changes and/or modifications thereafter must be approved by the Agreement Officer's Technical Representative (AOTR).

2.2. Quarterly Performance Reports and Monthly Updates

Progress reports are to be submitted four times per year, based on the USG fiscal year. These reports will summarize major program activities during the reporting period; report on the status of achievement of the results (measurement of indicators); discuss any problems encountered (including contextual factors that hampered program implementation and effectiveness); and indicate corrective action taken or proposed to address problems. These reports will also list activities proposed for the next period (in the Performance Implementation Review format), noting any proposed deviations from the annual work plan. **These quarterly performance reports are due on the last day of the month following the quarter** (i.e., January 31, April 30, July 31, and October 30) All reports must be in English and shall be submitted in electronic form to the USAID/DRC office, the Regional Assistance Officer, and the Displaced Children and Orphans Fund office in Washington, DC. Very short, monthly written updates will be shared with the Expanded Social Protection Team.

2.3. Quarterly Financial Reports

The Grantee will be required to submit an original and two copies of quarterly financial reports.

The first report will be submitted no later than 30 days following the end of the first quarter after the award and thereafter for each subsequent quarter. Financial reports shall include:

- Expenditures;
- Accrual information, including any cost-share contributions by the recipient;
- A comparison of expenditures with budget;
- Within 90 days of completion, the grantee will submit a final financial report.

2.4. Annual Progress Report

Annual reports (i.e. the fourth quarterly report) shall contain the following information:

- A summary of activities and results achieved during the year compared with the activities and results planned for the year, preferably in tabular format;
- Progress made toward achieving targets for indicators based on valid data collection and analysis;
- An explanation of why any targets were surpassed or not achieved and of why any activities were delayed or not carried out during the year;

- Success stories including examples of impacts on the lives of children and families (to maintain confidentiality real names should not be used) and synergy and collaboration with partners;
- A draft annual work-plan including a timeline citing major activities and expected results per Intermediate result;
- An annual budget indicating anticipated expenditures for all line items, the actual funding situation, and required funding for the year ahead;
- Other pertinent information related to program progress and results.

2.5. Final performance report

The draft final performance report is due 30 calendar days prior to the expiration or termination of the award. The final performance report replaces the last annual report and will contain the following information:

- An executive summary of the recipient's accomplishments in achieving results and conclusions;
- An overall description of actual activities and attainment of results by indicators (based on valid data collection and analysis);
- Significance of these activities;
- Reasons why targets were not achieved or surpassed and why activities were delayed or not carried out, if appropriate;
- Success stories, including examples of synergy and collaboration with partners; and
- Other pertinent information, including recommendations and lessons learned, related to overall program results.

The final report shall be submitted within 30 days prior to the completion date of the assistance.

III.3 Policies and Procedures to Prevent and Respond to Abuse and Exploitation by Program Personnel

The recipient of the award resulting from this RFA must conduct a comprehensive assessment of potential child abuse risks,³⁶ and must develop and/or implement appropriate measures to prevent, mitigate, and respond to child abuse by program personnel and personnel belonging to sub-grantees. This should be submitted with the first annual workplan for approval by USAID. This might include, for example:

- Risk assessments;

³⁶ Child abuse is considered to be any form of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment, commercial, labor or other exploitation resulting in actual or potential harm to the child's health, survival, development, or dignity in the context of a relationship of responsibility, trust, or power. Child abuse constitutes an act of gross misconduct and is therefore grounds for termination of employment, and, as appropriate, legal prosecution.

- Child-safe recruitment and screening procedures for employees, consultants and volunteers who work directly with children;
- A child protection code of conduct;
- A child protection complaints management procedure;
- Child protection training offered to employees, consultants, and volunteers; and
- Provisions in personnel policies and/or employment or consultant contracts indicating specified sanctions for personnel who breach the child protection code of conduct.

The recipient's employees, consultants, sub-grantees, and volunteers will be obliged to comply with all relevant national child protection legislation and maintain an environment which prevents child abuse and promotes child protection. Managers at all levels have responsibility to support and develop systems which maintain this environment.

When photographing or filming a child for work-related purposes, the recipient's employees, consultants and volunteers must comply with local traditions or restrictions for reproducing personal images, obtain consent from the child or a parent or guardian of the child and explain how the photograph or film will be used, ensure photographs, films, videos, and DVDs present children in a dignified and respectful manner, and ensure file labels do not reveal identifying information about a child when sending images electronically.

[END OF SECTION A]

SECTION B – INSTRUCTIONS AND RFA INFORMATION

I. BASIC AWARD INFORMATION

1. **ESTIMATED FUNDING:** Subject to the availability of funds, USAID intends to provide approximately \$6,000,000 – \$8,000,000 in total funding for the “Developing and Strengthening Services and Systems that Support Family Cohesion and Respond to the Separation of Children in the DRC.” USAID will make one award without discussion to responsible applicant whose application offer the greatest value to the extent he is necessary, negotiation will be conducted with the Apparently Successful Applicant. Award will be made to the responsible applicant whose application offers the greatest value, cost and other factors considered. **USAID reserves the right to fund any or none of the applications submitted.**
2. **PERFORMANCE PERIOD:** The anticipated program start date is February 2, 2012 for up to a five year period through to February 1, 2017.
3. **AWARD TYPE:** USAID anticipates the award will be a **Cooperative Agreement. Substantial Involvement** under the award is expected to be as follows:
 - Approval of the Recipient's Implementation Plans (“Work Plans”).
 - Approval of Recipient's Specified Key Personnel.
 - Agency and Recipient Collaboration or Joint Participation. This may include: concurrence on the provision of sub-awards and M&E plans and re-direction of the program as/when appropriate.
 - Agency authority to immediately halt a construction activity.
4. **AUTHORIZED GEOGRAPHIC CODE:** The Authorized Geographic Code is **000** for the procurement of goods and services.
5. **BRANDING STRATEGY AND MARKING PLAN:** The successful applicant(s) will be required to submit a Branding Strategy and Marking Plan to be evaluated and approved by the Agreement Officer with concurrence from the Agreement Officer Technical Representative. A Branding Implementation Strategy and Marking Plan shall be in accordance with USAID Branding and Marking plan as required per ADS 320. Refer to ADS 320, (<http://www.usaid.gov/policy/ads/300/>) specifically 320.3.3.3 for more information. The Recipient shall comply with the requirements of the USAID “Graphic Standards Manual” available at www.usaid.gov/branding, or any successor branding policy. Pending formal Mission guidance, activity with a government entity will be branded, as appropriate, for the program's stabilization goals (USAID Graphic Standards Manual 4.10).

Branding is important to USAID and to PEPFAR, and to the success of current and future USAID-funded programming. While confidentiality of beneficiaries is of the utmost importance, Grantees and sub-Grantees are expected to make clear that their program is funded by USAID and PEPFAR.³⁷ While some projects have multiple donors, the application should describe how sub-grantees and other governmental, NGO, and actors civil society actors will know that this program is USAID and

³⁷ We would like to include an exception for some economic strengthening activities, where branding could undermine effective program implementation, e.g. informing a group of poor households who are to be trained in savings-led microfinance (IR 1.3) that the initiative is funded by USAID might reasonably lead them to expect that they can anticipate some cash or material input from the project, which could undermine its ability to function appropriately. EGAT Washington may be able to provide relevant guidance regarding circumstances under which should an exception is appropriate.

PEPFAR funded. USAID branding guidelines regarding marking with logos can be found at:
<http://www.usaid.gov/branding/http://www.usaid.gov/branding/assistance.html>

II. ELIGIBILITY INFORMATION

1. USAID policy encourages competition in the award of Grants and Cooperative Agreements. In response to this RFA, any U.S. or non-U. S. organizations, non-profit, or for-profit entity is eligible to apply.
2. USAID encourages applications from potential new partners.

III. APPLICATION AND SUBMISSION INFORMATION

PART I – SUBMISSION AND PREPARATION GUIDELINES

QUESTIONS REGARDING THE RFA

Any questions concerning this RFA should be submitted in writing to Senior Acquisition and Assistance Specialist Mr. Johnny Damian, via email at JDamian@USAID.Gov and Acquisition and Assistance Specialist Ms. Salome Bamaka-Safi at SBamaka@USAID.Gov. Questions sent to any other e-mail address will not be responded to. The e-mail transmitting the questions must reference the RFA number and title on the subject line of the e-mail. The deadline for receiving questions is **4:00pm DRC time October 27, 2011**. If there are problems in downloading the RFA from the Internet, please contact the Grants.gov help desk at 1.800.518.4726 or support@grants.gov for technical assistance.

ELECTRONIC SUBMISSION OF APPLICATIONS VIA E-MAIL IS REQUIRED.

Please submit your applications to all of the email addresses below by **4:00pm DRC time, November 30, 2011**. Receipt by either one of these addresses by the deadline for submission will constitute timely receipt of your application. RECEIPT TIME IS WHEN THE APPLICATION IS RECEIVED BY THE AID INTERNET SERVER. Paper copies of the applications are not required. The addresses for the receipt of proposals are: LMcElroy@USAID.Gov, JDamian@USAID.Gov and SBamaka@USAID.Gov.

Applications which are submitted late or do not follow the instructions contained herein run the risk of not being considered in the review process.

All applications received by the deadline will be reviewed for responsiveness to the specifications outlined in these guidelines and the application format.

Applications should take into account the evaluation criteria provided in **Section C** and must include the Representations and Certifications provided in **Part II of this Section below**. In the event Representations and Certifications are not submitted with the Application, they must be completed before final award is made.

Please note that Technical and Cost Applications should be kept separate. The Cost Application must contain a clearly identified section on cost sharing including sources for those funds.

Applicants should retain for their records one copy of the application and all enclosures which accompany their application. Erasures or other changes must be initialed by the person signing the application. To

facilitate the competitive review of the applications, USAID will consider only applications conforming to the format prescribed below.

Technical Application Format

Applications must be submitted electronically in readable MS Word and .pdf (Adobe Acrobat) versions. In case of any conflicts between the MS Word and .pdf versions of the application, the .pdf version will govern as it will be the version presented to the Technical Evaluation Panel.

Applicants are advised that any pages exceeding any of the prescribed limits below will not be considered for evaluation.

Applications must be readable and must *not* require **magnification** (!). Please be kind to the evaluators and keep the technical application clear, concise, easy to follow, while also in complete compliance with the instructions herein.

THE TECHNICAL APPLICATION HAS A STRICT TWENTY FIVE (25) PAGE LIMIT.

The technical proposal submitted should be submitted in four parts as follows:

Part I – Technical Proposal

The technical application should clearly and concisely outline how the Applicant proposes to meet the critical needs identified in the objective(s) and how the Applicant will achieve its expected results. The application must include a detailed description of the management approach for implementing the proposed program, which includes specifying the composition and organizational structure of the entire implementation team (including home office support); describing each team member's role and level of effort.

Part II – CVs of Key personnel

A more detailed description of proposed key personnel, which in this case are: the Chief of Party, Child Protection Advisor, Economic Strengthening/Livelihoods Specialist, Monitoring and Evaluation Specialist and Financial Management Specialist, as well as any other personnel for whom the Applicant wishes to provide CVs.

Part III – First 12-MONTH Work-plan

The applicant must submit a first 12-months work plan which displays expected activities per month to achieve the annual performance targets (as specified in the Performance Management and Evaluation Plan) and results required under each objective. The work plan will describe activities to be conducted at a greater level of detail than in the Program Description, but shall be cross-referenced with the applicable sections in the Program Description. All work plan activities must be within the Program Description and shall not change the Program Description.

Part IV – Past Performance References and Information

Please provide a list of current U.S. Government and/or privately-funded contracts, grants, cooperative agreements, etc., and the name, address, and telephone number of the Contract/Agreement Officer or

other contact person, who we may contact if we need to. A narrative description of accomplishments under these should be provided. References do not necessarily need to be from USAID.

Cost Application Format

The Cost Application is to be submitted via a separate email from the Technical Application. There is no page limit for the cost 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. A Cost Application consists of:

- The **SF-424**, Application for Federal Assistance; **SF-424A**, Budget Information – Non-Construction Programs; and **SF-424B**, Assurances – Non-Construction Programs. These forms may be downloaded from the following website: www.usaid.gov/forms);
- A summary budget;
- A detailed/itemized budget;
- **A detailed budget narrative explaining costs to be incurred – please also provide a separate detailed budget narrative for all proposed subawards;** and
- Other administrative documentation as required.

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

The required budget format is embedded here (please double click on the Figure 1 icon):



Budget template
SOL-660-11-000003.:

RFA Budget Template

Please be sure that the budget includes at least the following elements:

- The breakdown of all costs associated with the program according to costs of, if applicable, headquarters, regional and/or country offices;
- The breakdown of all costs according to each partner organization involved in the program, in the same detail and format as the budget template;
- Potential contributions of non-USAID or private commercial donors to this Cooperative Agreement, including, the breakdown of the financial and in-kind contributions (cost sharing) of all organizations involved in implementing this Cooperative Agreement.
- Summary of program vs. administrative costs. Indirect costs should be included in administration costs even if it relates to a program item.

Also include:

1. For cost share proposed: Information that provides detailed support and evidence that any proposed cost sharing will actually be provided and materialize

2. Details of sub-award arrangements to the extent they are known at the time of application development: In case there are multiple organizations and partners, please explain as clearly as possible the management structure and how the parties are going to interact. If there are formal legal arrangements such as sub awards or sub contracts please clearly explain how these are to be structured and list past experience between the organizations.

NOTE: If sub-awards are anticipated and not explained in the original application, the agreement officer's approval (after award) may be required before the sub-agreement may be executed.

3. A copy of the self-certification for compliance with USAID policies and procedures for personnel, procurement, and travel, as well as all certifications and representations in Part II below.
4. A copy of the organization's U.S. Government Negotiated Indirect Cost Rate Agreement (NICRA), if applicable.
5. Applicants should submit additional evidence of responsibility they deem necessary for the Agreement Officer to make a determination of responsibility. The information submitted should substantiate that the Applicant:
 - A. Has an adequate financial resource 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, non-governmental 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 cooperative agreement under applicable laws and regulations (e.g., EEO).

PART II – REQUIRED REPRESENTATIONS AND CERTIFICATIONS (ADS 303.3.8)

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

NOTE: When these Certifications, Assurances, and Other Statements of Recipient are used for cooperative agreements, the term "Grant" means "Cooperative Agreement".

A. CERTIFICATIONS AND ASSURANCES

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

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

- (a) The recipient hereby assures that no person in the United States shall, on the bases set forth below, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under, any program or activity receiving financial assistance from USAID, and that with respect to the Cooperative Agreement for which application is being made, it will comply with the requirements of:
- (1) Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352, 42 U.S.C. 2000-d), which prohibits discrimination on the basis of race, color or national origin, in programs and activities receiving Federal financial assistance;
 - (2) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), which prohibits discrimination on the basis of handicap in programs and activities receiving Federal financial assistance;
 - (3) The Age Discrimination Act of 1975, as amended (Pub. L. 95-478), which prohibits discrimination based on age in the delivery of services and benefits supported with Federal funds;
 - (4) Title IX of the Education Amendments of 1972 (20 U.S.C. 1681, et seq.), which prohibits discrimination on the basis of sex in education programs and activities receiving Federal financial assistance (whether or not the programs or activities are offered or sponsored by an educational institution); and
 - (5) USAID regulations implementing the above nondiscrimination laws, set forth in Chapter II of Title 22 of the Code of Federal Regulations.
- (b) If the recipient is an institution of higher education, the Assurances given herein extend to admission practices and to all other practices relating to the treatment of students or clients of the institution, or relating to the opportunity to participate in the provision of services or other benefits to such individuals, and shall be applicable to the entire institution unless the recipient establishes to the satisfaction of the USAID Administrator that the institution's practices in designated parts or programs of the institution will in no way affect its practices in the program of the institution for which financial assistance is sought, or the beneficiaries of, or participants in, such programs.
- (c) This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts, or other Federal financial assistance extended after the date hereof to the recipient by the Agency, including installment payments after such date on account of applications for Federal financial assistance which 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:

- (a) 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 Cooperative Agreement, 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.
- (b) 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.
- (c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
- (d) This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, United States Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

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

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

USAID reserves the right to terminate this Agreement, to demand a refund or take other appropriate measures if the Grantee 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/t11sdn.pdf>, or (ii) is not included in any supplementary information concerning prohibited individuals or entities that may be provided by USAID to the Recipient.
 - (b) Before providing any material support or resources to an individual or entity, the Recipient also will verify that the individual or entity has not been designated by the United Nations Security (UNSC) sanctions committee established under UNSC Resolution 1267 (1999) (the "1267 Committee") [individuals and entities linked to the Taliban, Usama bin Laden, or the Al Qaida Organization]. To determine whether there has been a published designation of an individual or entity by the 1267 Committee, the Recipient should refer to the consolidated list available online at the Committee's website: <http://www.un.org/Docs/sc/committees/1267/1267ListEng.htm> .
 - (c) Before providing any material support or resources to an individual or entity, the Recipient will consider all information about that individual or entity of which it is aware and all public information that is reasonably available to it or of which it should be aware.
 - (d) The Recipient also will implement reasonable monitoring and oversight procedures to safeguard against assistance being diverted to support terrorist activity.
3. For purposes of this Certification:
 - (a) "Material support and resources" means currency or monetary instruments or financial securities, financial services, lodging, training, expert advice or assistance, safehouses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel, transportation, and other physical assets, except medicine or religious materials."

- (b) "Terrorist act" means:
- (i) an act prohibited pursuant to one of the 12 United Nations Conventions and Protocols related to terrorism (see UN terrorism conventions Internet site: <http://untreaty.un.org/English/Terrorism.asp>); or
 - (ii) an act of premeditated, politically motivated violence perpetrated against noncombatant targets by 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, and (3) the Certification Regarding Terrorist Financing Implementing Executive Order 13224 above.

RFA/APS No.: _____

Application No.: _____

Date of Application: _____

Name of Recipient: _____

Typed Name and Title: _____

Signature: _____

Date: _____

B. 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 assister, 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.

C. 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: _____

Date: _____

Name: _____

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.

D. CERTIFICATION OF COMPLIANCE WITH THE STANDARD PROVISIONS ENTITLED “CONDOMS” AND “PROHIBITION ON THE PROMOTION OR ADVOCACY OF THE LEGALIZATION OR PRACTICE OF PROSTITUTION OR SEX TRAFFICKING.”

Applicability: This certification requirement only applies to the prime recipient. Before a U.S. or non-U.S. non-governmental organization receives FY04-FY08 HIV/AIDS funds under a grant or cooperative agreement, such recipient must provide to the Agreement Officer a certification substantially as follows:

“[Recipient's name] certifies compliance as applicable with the standard provisions entitled “Condoms” and “Prohibition on the Promotion or Advocacy of the Legalization or Practice of Prostitution or Sex Trafficking” included in the referenced agreement.”

RFA/APS No.: _____

Application No.: _____

Date of Application: _____

Name of Applicant: _____

Typed Name and Title: _____

Signature: _____

Date: _____

E. 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.)

F. OTHER STATEMENTS OF RECIPIENT

1. AUTHORIZED INDIVIDUALS

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

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

2. TAXPAYER IDENTIFICATION NUMBER (TIN)

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

TIN: _____

3. DATA UNIVERSAL NUMBERING SYSTEM (DUNS) NUMBER

- (a) In the space provided at the end of this provision, the recipient should supply the Data Universal Numbering System (DUNS) number applicable to that name and address. Recipients should take care to report the number that identifies the recipient's name and address exactly as stated in the proposal.
- (b) The DUNS is a 9-digit number assigned by Dun and Bradstreet Information Services. If the recipient does not have a DUNS number, the recipient should call Dun and Bradstreet directly at 1-800-333-0505. A DUNS number will be provided immediately by telephone at no charge to the recipient. The recipient should be prepared to provide the following information:
 - (1) Recipient's name.
 - (2) Recipient's address.
 - (3) Recipient's telephone number.
 - (4) Line of business.
 - (5) Chief executive officer/key manager.
 - (6) Date the organization was started.
 - (7) Number of people employed by the recipient.
 - (8) Company affiliation.
- (c) Recipients located outside the United States may obtain the location and phone number of the local Dun and Bradstreet Information Services office from the Internet Home Page at <http://www.dbisna.com/dbis/customer/custlist.htm>. If an 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. PROCUREMENT INFORMATION

- (a) **Applicability:** This applies to the procurement of goods and services planned by the recipient (i.e., contracts, purchase orders, etc.) from a supplier of goods or services for the direct use or benefit of the recipient in conducting the program supported by the grant, and not to assistance provided by the recipient (i.e., a subgrant or subagreement) to a subgrantee or subrecipient in support of the subgrantee's or subrecipient's program. Provision by the recipient of the requested information does not, in and of itself, constitute USAID approval.
- (b) **Amount of Procurement:** Please indicate the total estimated dollar amount of goods and services which the recipient plans to purchase under the grant:

\$ _____

- (c) **Nonexpendable Property:** If the recipient plans to purchase nonexpendable equipment which would require the approval of the Agreement Officer, please indicate below (using a continuation

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

TYPE/DESCRIPTION (Generic) QUANTITY ESTIMATED UNIT COST

(d) Source, Origin, and Componentry of Goods: If the recipient plans to purchase any goods/commodities which are not of U.S. source and/or U.S. origin, and/or does not contain at least 50% componentry, 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 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, 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 do not constitute production of a commodity. Any commodity whose origin is a non-Free World country is ineligible for USAID financing. "Components" are the goods, which go directly into the production of a produced commodity. Any component from a non-Free World country makes the commodity ineligible for USAID financing.

TYPE/DESCRIPTION QUANTITY ESTIMATED GOODS PROBABLE GOODS PROBABLE
(Generic) UNIT COST COMPONENTS SOURCE COMPONENTS ORIGIN

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

TYPE/DESCRIPTION QUANTITY ESTIMATED PROBABLE INTENDED USE(Generic) UNIT
COST SOURCE ORIGIN

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

TYPE/DESCRIPTION QUANTITY ESTIMATED PROBABLE SLUPPIER NATIONALITY
RATIONALE (Generic) UNIT COST (Non-US Only) for NON-US

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

TYPE/DESCRIPTION (Generic) DISPOSITION	QUANTITY	ESTIMATED UNIT COST PROPOSED
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6. PAST PERFORMANCE REFERENCES

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

7. 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 nongovernmental 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 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.

8. 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.

[END OF SECTION B]

SECTION C – APPLICATION REVIEW INFORMATION

Overview

The Technical Evaluation Criteria are tailored to the requirements of this particular RFA and are set forth below based on a **100 points** scale. 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 must organize the narrative sections of their applications with the same headings and in the same order as the selection criteria.

USAID/DRC intends to evaluate the applications and reserves the right to award without further discussions with the applicants. However, USAID reserves the right to conduct discussions if doing so is determined to be in the best interest of the United States Government. Therefore, the initial offer should contain the applicant's best terms from a Technical and Cost/Price stand point.

A. TECHNICAL EVALUATION (100 points)

The three evaluation criteria and their respective weight (out of a total of 100 points) are:

1. Program Description – 54 points

The application shall be evaluated from a technical perspective in terms of the following:

- Reducing unnecessary separation of children from their families.
- Achieving family and community reintegration or acceptable alternatives for an increased number of children.
- Improving the effectiveness and sustainability of services and systems for the protection and well-being of children and families and preventing and responding to family separation.
- A strong technical capacity to implement effectively a household economic strengthening component and a livelihood component to facilitate durable reintegration of children in families.
- A clear planning matrix that shows how proposed activities will lead to the achievement of defined Results and proposed objectives and how this will be measured.
- A well-developed monitoring and evaluation component to enhance the implementation and adjustment of the program.
- A well-developed plan to generate learning that would be useful in the design and implementation of other programming to benefit children in the DRC and other countries.
- A strong technical capacity to address & mainstream gender concerns (of women, girls, men, and boys) throughout the program design, implementation, and monitoring and evaluation.

- Strong provisions to prevent and respond to abuse and exploitation by program personnel.

All the bullet points have the same weight.

2. Past Performance – 30 points

Applicants, together with proposed partners, will also be evaluated based on their institutional capacity and past performance, specifically:

- Demonstrated results in enabling durable (re)integration of children with families.
- Performance record in the DRC (or in comparable conflict/post-conflict environments), including relationships with other nongovernmental organizations, UN agencies, government authorities, and target populations.
- Institutional capability and/or performance competence in programming for child protection and well-being.
- Demonstrated success in implementing technical and organizational capacity building activities for community-based groups, local NGOs, and local governmental bodies.
- Technical expertise to guide and support the program in the DRC at headquarters or regional level.
- Has, in the experience of the reviewers, demonstrated strong management and implementation in the past.

All the bullet points have the same weight.

3. Key Personnel – 16 points

- The strength of qualifications and experience of the Chief of Party. (4 points)
- The strength of qualifications and experience of the Senior Child Protection Advisor. (4 points)
- The strength of qualifications and experience of the Economic Strengthening/Livelihoods Specialist. (3 points)
- The strength of qualifications and experience of the Monitoring and Evaluation Specialist. (3 points)
- The strength of qualifications and experience of the Financial Management Specialist. (2 points)

B. COST EVALUATION

Cost has not been assigned a score but will be evaluated for cost reasonableness, allocability, allowability, cost effectiveness and realism, adequacy of budget detail and financial feasibility and cost sharing. While cost may be a determining factor in the final award(s) decision, especially between closely ranked applicants, the technical merit of applications is more important under this RFA. The percentage of funds spent on programming versus administrative costs will be taken into consideration, that is, costs that are incurred for the direct benefit of the targeted populations and that will be incurred in the DRC versus costs incurred for items such as overheads, salaries for the persons not recruited in the DRC. Applications providing the best value to the Government, including cost share, will be more favorably considered for award.

Applications will be ranked in accordance with the selection criteria identified above. USAID reserves the right to determine the resulting level of funding for the agreement being selected for award.

[END OF SECTION C]

SECTION D – SAMPLE AGREEMENT

ATTACHMENT A – SCHEDULE

A.1. PURPOSE OF COOPERATIVE AGREEMENT

The purpose of this Cooperative Agreement is to provide support for a program entitled “**Developing and Strengthening services and systems that support family cohesion and respond to the separation of children in the DRC,**” described in attachment 2 of this Award document.

A.2. PERIOD OF COOPERATIVE AGREEMENT

1. The effective date of this Award is the date of the cover letter. The estimated completion date of this Award is _____, **2017**, subject to availability of funds.
2. Funds obligated hereunder are available for program expenditures for the estimated period to _____, **2013**.

A.3. AMOUNT OF COOPERATIVE AGREEMENT AND PAYMENT

1. The total estimated amount of this Award for the period shown in A.2.1 above is up to \$ **_____**.00.
2. USAID hereby obligates the amount of \$ **_____**.00 for program expenditures during the period set forth in A.2.2 above and as shown in the Budget below (the agreement is therefore fully obligated upon award). The Recipient will be given written notice by the Agreement Officer if additional funds will be added. USAID is not obligated to reimburse the Recipient for the expenditure of amounts in excess of the total obligated amount.
3. Payment will be made to the Recipient by Letter of Credit in accordance with procedures set forth in 22 CFR 226.

A.4. COOPERATIVE AGREEMENT BUDGET

On the next page is the Award Budget, including local cost financing items, if authorized. Revisions to this budget shall be made in accordance with 22 CFR 226:

BUDGET WILL BE INSERTED HERE

I. Approved NXP/Equipment ,including project vehicles (excluding shipping costs)

Applicant’s request for funding NXP/Equipment (including project vehicles; excluding shipping costs, unless stated) with a unit price in excess of \$5,000 is listed below. No further approval is required for the following*:

LIST OF NXP/EQUIPMENT WITH A UNIT PRICE IN EXCESS OF \$5,000 WILL BE INSERTED HERE

* USAID’s final approval to use grant funds to finance any of the items listed above is not required **except:**

- The recipient **must** obtain (in advance) the USAID AO’s final (written) approval for any item listed above if required under Standard Provision “USAID ELIGIBILITY RULES FOR GOODS AND SERVICES”; and
- The recipient **must** obtain (in advance) the USAID AO’s final (written) approval prior to purchasing USAID funded project **vehicles/motorcycles** even if purchase is envisioned from the USAID geographic country-code “000”.

II. Pre-approved International Air Travel trips* authorized to be funded with USAID-provided funds

The following international travel trips (inclusive of regional) specifically identified (included) in the final Application and in the detailed Budget accepted by USAID are approved and no further USAID approval is required, provided a specific trip has been identified (in accordance with Standard Provision “International Air Travel and Transportation” requirements). If any “TBD” is entered in the Table below, the Recipient must provide AOTR (sufficiently in advance) specifics for relevant “TBD” and obtain his/her final (written) approval before procuring the international travel trip.

**LIST OF PRE-APPROVED INTERNATIONAL AIR TRAVEL TRIPS
WILL BE INSERTED HERE**

III. Approved Sub-Awards

Per the Recipient’s final application accepted by USAID the following sub-award is approved consistent with 22CFR226.25(c)(8):

Sub-Awardee’s Name

Sub-Award’s Total Amount

1) LIST OF SUBAWARDS WILL BE INSERTED HERE

A.5. REPORTING & EVALUATION

1. Financial Reporting

- a. The recipient must submit the Federal Financial Form (SF-425) on a quarterly basis via electronic format to the U.S. Department of Health and Human Services (<http://www.dpm.psc.gov>). The recipient must submit a copy of the FFR at the same time to the Agreement Officer and the Agreement Officer’s Technical Representative (AOTR).
- b. The recipient must submit the original and two copies of all final financial reports to USAID/Washington, M/CFO/CMPLOC Unit, and an electronic copy to the Agreement Officer, and the AOTR. The recipient must submit an electronic version of the final Federal Financial Form (SF-425) to U.S. Department of Health and Human Services in accordance with paragraph (1) above.

2. Program Reporting

A. Program Reports

The Recipient shall submit a copy of a performance report to the designated Agreement Officer's Technical Representative (AOTR) in USAID/Kinshasa (AOTR designated separately) and the Agreement Officer, in electronic format via e-mail.

Progress reporting will be quarterly according to USG fiscal quarters and should report on the previous three months' activities and will be due 30 calendar days after each reporting period. The Recipient should begin quarterly reporting as follows:

- ✓ April 1st through June 30th, and
- ✓ July 1st through September 30th
- ✓ October 1st through December 31st
- ✓ January 1st through March 31st

These reports will be submitted to and reviewed by the AOTR for monitoring purposes.

Narrative reports must include the following:

- New opportunities for future activities and changes in the implementing environment. Analysis includes, but is not limited to, sector-wide trends, new initiatives, obstacles, new legislation on related subjects, new government partners or other stakeholders for engagement, new local or national policy initiatives;
- Information about activities completed during the past quarter and planned for the upcoming quarter (who, what, where, when, and results);
- Agendas, objectives and participant lists for trainings, site visits and conferences;
- Collaboration with local NGOs, other donors and implementing partners;
- Updates on staffing and management;
- Any proposed changes to the work plan, key personnel or budget (these will be subject to USAID approval);
- Success stories in USAID standard format. The AOTR will provide the recipient a sample USAID success story format;
- A comparison of actual accomplishments with the goals and objectives established for the period, the findings of the investigator, or both. Whenever appropriate and the output of programs or projects can be readily quantified, such quantitative data should be related to cost data for computation of unit costs. Also included should be quarterly and cumulative life-of-project data on program indicators. This should be standardized each quarter into a chart showing, indicator, any disaggregates (i.e. gender, location), target by year, life-of-project target, and actual results; and
- Other pertinent information including, when appropriate, analysis and explanation of cost overruns or high unit costs, as well as updates on staffing and management changes.
- The Recipient shall immediately notify USAID of developments that have a significant impact on the award-supported activities. Also, notification shall be given in the case of problems, delays, or adverse conditions which materially impair the ability to meet the objectives of the award. This notification shall include a statement of the action taken or contemplated, and any assistance needed to resolve the situation.

3. Final Report

A draft final performance report is due one month before the project end date, so that the AOTR can discuss the content and request any changes or additional information before the project end date. The final performance report shall contain the following information (in addition, see B, Program Description):

1. Executive summary for the entire period;
2. Actual versus planned goals and objectives;
3. Inherent program problems and how to overcome them in future;
4. A brief description of current trends in the sector and an outline of potential follow-on activities;

Within 90 days after the project closeout, the Recipient will submit a final project report on results measured against the PMP, lessons learned, project successes and failures, and recommended areas of intervention for future possible activities in the sector.

The Recipient shall submit a copy to the following:

- i) Designated AOTR in USAID/Kinshasa and the Agreement Officer, in electronic form of performance report to the designated AOTR and the designated AO.
- ii) In electronic form of final documents to one of the following: (a) Via E-mail: docsuubmit@dec.cdie.org; (b) On line: <http://www.dec.org/index.cfm?fuseaction=docSubmit.home>.

4. Work-plans

A draft work plan will be submitted to the AOTR no later than 60 days after the start date of the agreement. Subsequent work plans will be submitted and negotiated for each year cycle, which will run from October 1st through September 30th, subject to availability of funds. The work plan is subject to AOTR approval; the AOTR will respond with any comments for revision or approval within one month of receipt of draft work plan. Recognizing that the implementing environment may change suddenly, the work plan will be updated every three (3) months on a rolling basis through the required quarterly narrative and financial reports. These reports will indicate any obstacles to implementation, emergent opportunities, and any expected changes to the work plan, budget or key personnel. Such changes are subject to USAID approval and therefore require advance notice before the recipient is authorized to take action. They will document the strategic approach used by the recipient and how they are supporting a strategic approach by the Congolese partners and include findings and tools used which are relevant to other development programs.

The work plan must contain a performance monitoring plan (PMP) that includes, but is not limited to, the following:

1. The indicators to be used to measure achievement of the results
2. The method of data collection to be used to obtain the indicator data
3. Annual and quarterly targets for each indicator

The performance monitoring plan must include both standard indicators from the Foreign Assistance Framework (“F” indicators), and qualitative impact indicators. **The minimum standard indicators under this scope include:**

- Number of people participating in USG-assisted violence prevention programs.
- Number of USG-assisted organizations created with community input to improve safety within a community.

5. Publications

All publications (including, but not limited to posters, pamphlets, training materials or reports) must be reviewed by the AOTR at least two weeks *prior to submission* of any material to a publisher. The AOTR will review the document and provide any comments within a two week period.

A.6. INDIRECT COST RATE

Pending establishment of revised provisional or final indirect cost rates, allowable indirect costs shall be reimbursed on the basis of the following negotiated provisional or predetermined rates and the appropriate bases:

NICRA WILL BE INSERTED HERE

A.7. PROGRAM INCOME

The Recipient shall account for Program Income in accordance with 22 CFR 226.24 (or the Standard Provision entitled Program Income for non-U.S. organizations). Program Income earned under this award shall be added to the project.

A.8. TITLE TO PROPERTY

Property Title will be vested with the Recipient which includes sub-grantees. Partners must track inventory on a regular basis in compliance with the standard provisions attached to this Award. At any point during the course of the project, the Recipient should be able to provide the information on the equipment and furniture purchased under the Award in the sample below:

Inventory List

Award #	Asset #	Category	Sub Category	Current Site	Make	Model	Serial #	Invoice Cost (\$)	Date Acquired	Current value	Condition
617-A-00-05-00009-00	18278	Computer Equipment	Desktop	Kitgum	Dell	DMC	FSC4X1 J	2,200	29-Nov-05	1,000	Good Working Order

Approval to sell or otherwise dispose of any non-expendable property (for example due to damage) must be requested in advance from the Agreement Officer.

A.9. AUTHORIZED GEOGRAPHIC CODE

The authorized geographic code for procurement of goods and services under this Award is 000.

A.10. SUBSTANTIAL INVOLVEMENT

Substantial involvement during the implementation of this Agreement shall be limited to approval of the elements listed below (the AOTR will be responsible for approving these elements):

- a. **Approval of Recipient Implementation Plans.**
- b. **Approval of specified key personnel assigned to the positions listed below.**
- c. **Agency and Recipient Collaboration or Joint Participation. This may include: concurrence on the provision of sub-awards and M&E plans and re-direction of the program as/when appropriate.**
- d. **Agency authority to immediately halt a construction activity.**

A.11. SPECIAL PROVISIONS

A.11.1. NON-FEDERAL AUDITS

In accordance with 22 C.F.R. Part 226.26, the recipient and sub-recipients are subject to the audit requirements contained in the Single Audit Act Amendments of 1996 (31 U.S.C. 7501 – 7506) and revised OMB Circular A-133, “Audits of States, Local Governments, and Non-Profit Organizations.” The recipient and sub-recipients must use an independent, non-Federal auditor or audit organization which meets the general standards specified in Generally Accepted Government Auditing Standards (GAGAS) to fulfill these requirements.

A.11.2. COLLABORATION WITH USAID MISSION STAFF

Under this award, USAID/DRC requires the Recipient to coordinate and collaborate with the Peace and Stability USAID Mission staff, Mission Technical offices and with all implementing partners on the ground to ensure USG funded programming is having the maximum impact possible. This collaboration can take the form of (but is not limited to) openly sharing of programmatic information through regular, timely and documented meetings, collaborating on activities that will create a multiplying effect without duplication, establishing referrals systems for beneficiaries across programs etc. This collaboration is to be documented in the work plan as well as in the PMP and you will be required to report on a quarterly basis.

A.11.3. TRAINET

The Recipient shall collect information on all participant training financed under this Cooperative Agreement, *if applicable*. This includes training data for any in-country training program or sub-program of more than 3 consecutive class days in duration, or more than 15 contact hours scheduled intermittently. This training data must be recorded using the web-based “TraiNet” reporting system. The training data must be consolidated according to training program or sub-program and must identify the following:

- (1) subject area of training;
- (2) total trainees per participant group, with gender breakdown;
- (3) total cost of training for each program; and
- (4) direct training costs (program costs, not overhead/fees).

The Recipient shall enter participant training information on a quarterly basis as part of the Quarterly Performance Report, specified in Section A.5 above. Simultaneously, the Recipient shall also submit one copy of the participant training information on a diskette or CD directly to

the Mission Program Officer. Contact the Mission Program Officer for further information about site registration and use of TrainNet.

A.11.4. ENVIRONMENTAL MONITORING & EVALUATION

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

Recipient environmental compliance obligations under these regulations and procedures are specified in the following paragraphs of this Agreement.

b) In addition, the Recipient must comply with host country environmental regulations unless otherwise directed in writing by USAID. In case of conflict between host country and USAID regulations, the latter shall govern.

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

2) An Initial Environmental Examination (IEE) has been approved for funding this Agreement. The IEE covers activities expected to be implemented under this Agreement. USAID has determined that a **Negative Determination with conditions** applies to one or more of the proposed activities. This indicates that if these are implemented subject to the specified conditions, they are expected to have no significant adverse effect on the environment. The Recipient shall be responsible for implementing all IEE conditions pertaining to activities to be funded under this Agreement.

3 a) As part of its initial Work Plan, and all Annual Work Plans thereafter, the Recipient in collaboration with the USAID Agreement Officer's Technical Representative (AOTR) and Mission Environmental Officer or Bureau Environmental Officer, as appropriate, shall review all ongoing and planned activities under this Agreement to determine if they are within the scope of the approved Regulation 216 environmental documentation.

b) If the Recipient plans any new activities outside the scope of the approved Regulation 216 environmental documentation, it shall prepare an amendment to the documentation for USAID review and approval. No such new activities shall be undertaken prior to receiving written USAID approval of environmental documentation amendments.

c) Any ongoing activities found to be outside the scope of the approved Regulation 216 environmental documentation shall be halted until an amendment to the documentation is submitted and written approval is received from USAID.

4 a) Unless the approved Regulation 216 documentation contains a complete environmental mitigation and monitoring plan (EMMP) or a project mitigation and monitoring (M&M) plan, the Recipient shall prepare an EMMP or M&M Plan describing how the Recipient will, in specific terms, implement all IEE and/or EA conditions that apply to proposed project activities within the scope of the award. The EMMP or M&M Plan shall include monitoring the implementation of the conditions and their effectiveness.

b) Integrate a completed EMMP or M&M Plan into subsequent Annual Work Plan into the initial work plan.

Integrate an EMMP or M&M Plan into subsequent Annual Work Plans, making any necessary adjustments to activity implementation in order to minimize adverse impacts to the environment.

A.11.5. NO ASSISTANCE TO MILITARY OR PARAMILITARY

In accordance with United States law, funds provided by this Grant will not be used for support to any military or paramilitary force or activity including but not limited to demining.

A.11.6. VEHICLE MAINTENANCE CHECKLIST

The contractor shall account for the standard vehicle maintenance plan and logbook for all vehicles (including motorcycles) under this award. The attached (see **Attachment D**) preventative vehicle maintenance plan will be monitored by the AOTR on an annual basis. Maintenance must be completed by a qualified mechanic for that make of vehicle.

ATTACHMENT B – PROGRAM DESCRIPTION

**THE WINNING APPLICANT'S PROGRAM DESCRIPTION WILL BE
INSERTED HERE**

ATTACHMENT C – STANDARD PROVISIONS

We have included the following standard provisions as a sample. The standard provisions that will be incorporated into the final agreement shall be adjusted in order to meet the regulatory requirements and guidance at the time the agreement is signed.

1. APPLICABILITY OF 22 CFR PART 226 (MAY 2005)

a. All provisions of 22 CFR Part 226 and all Standard Provisions attached to this agreement are applicable to the recipient and to sub-recipients which meet the definition of "Recipient" in Part 226, unless a section specifically excludes a sub-recipient from coverage. The recipient shall assure that sub-recipients have copies of all the attached standard provisions.

b. For any sub-awards made with Non-US sub-recipients the Recipient shall include the applicable "Standard Provisions for Non-US Nongovernmental Grantees." Recipients are required to ensure compliance with monitoring procedures in accordance with OMB Circular A-133.

2. INELIGIBLE COUNTRIES (MAY 1986)

Unless otherwise approved by the USAID Agreement Officer, funds will only be expended for assistance to countries eligible for assistance under the Foreign Assistance Act of 1961, as amended, or under acts appropriating funds for foreign assistance.

3. NONDISCRIMINATION (MAY 1986)

No U.S. citizen or legal resident shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity funded by this award on the basis of race, color, national origin, age, handicap, or sex.

4. NONLIABILITY (NOV 1985)

USAID does not assume liability for any third party claims for damages arising out of this award.

5. AMENDMENT (NOV 1985)

The award may be amended by formal modifications to the basic award document or by means of an exchange of letters between the Agreement Officer and an appropriate official of the recipient.

6. NOTICES (NOV 1985)

Any notice given by USAID or the recipient shall be sufficient only if in writing and delivered in person, mailed, or cabled as follows:

To the USAID Agreement Officer, at the address specified in the award.

To recipient, at recipient's address shown in the award or to such other address designated within the award

Notices shall be effective when delivered in accordance with this provision, or on the effective date of the notice, whichever is later.

7. SUBAGREEMENTS (JUN 1999)

Sub-recipients, sub-awardees, and contractors have no relationship with USAID under the terms of this agreement. All required USAID approvals must be directed through the recipient to USAID.

8. OMB APPROVAL UNDER THE PAPERWORK REDUCTION ACT (DEC 2003)

Information collection requirements imposed by this grant are covered by OMB approval number 0412-0510; the current expiration date is 04/30/2005. The Standard Provisions containing the requirement and an estimate of the public reporting burden (including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information) are:

<u>Standard Provision</u>	<u>Burden Estimate</u>
Air Travel and Transportation	1 (hour)
Ocean Shipment of Goods	.5
Patent Rights	.5
Publications	.5
Negotiated Indirect Cost Rates - (Predetermined and Provisional)	1
Voluntary Population Planning	.5
Protection of the Individual as a Research Subject	1

<u>22 CFR 226</u>	<u>Burden Estimate</u>
22 CFR 226.40-.49 Procurement of Goods and Services	1
22 CFR 226.30 - Property Standards	.36
	1.5

Comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, may be sent to the Office of Procurement, Policy Division (M/OP/P) U.S. Agency for International Development, Washington, DC 20523-7801 and to the Office of Management and Budget, Paperwork Reduction Project (0412-0510), Washington, D.C 20503.

9. USAID ELIGIBILITY RULES FOR GOODS AND SERVICES (APR 1998)

a. Ineligible and Restricted Goods and Services: USAID's policy on ineligible and restricted goods and services is contained in ADS Chapter 312.

(1) Ineligible Goods and Services. Under no circumstances shall the recipient procure any of the following under this award:

- (i) Military equipment,
- (ii) Surveillance equipment,
- (iii) Commodities and services for support of police or other law enforcement activities,
- (iv) Abortion equipment and services,

- (v) Luxury goods and gambling equipment, or
- (vi) Weather modification equipment.

(2) Ineligible Suppliers. Funds provided under this award shall not be used to procure any goods or services furnished by any firms or individuals whose name appears on the "Lists of Parties Excluded from Federal Procurement and Non-procurement Programs." USAID will provide the recipient with a copy of these lists upon request.

(3) Restricted Goods. The recipient shall not procure any of the following goods and services without the prior approval of the Agreement Officer:

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

Prior approval will be deemed to have been met when:

- (i) the item is of U.S. source/origin;
- (ii) the item has been identified and incorporated in the program description or schedule of the award (initial or revisions), or amendments to the award; and
- (iii) the costs related to the item are incorporated in the approved budget of the award.

Where the item has not been incorporated into the award as described above, a separate written authorization from the Agreement Officer must be provided before the item is procured.

b. Source and Nationality: The eligibility rules for goods and services based on source and nationality are divided into two categories. One applies when the total procurement element during the life of the award is over \$250,000, and the other applies when the total procurement element during the life of the award is not over \$250,000, or the award is funded under the Development Fund for Africa (DFA) regardless of the amount. The total procurement element includes procurement of all goods (e.g., equipment, materials, supplies) and services. Guidance on the eligibility of specific goods or services may be obtained from the Agreement Officer. USAID policies and definitions on source, origin and nationality are contained in 22 CFR Part 228, Rules on Source, Origin and Nationality for Commodities and Services Financed by the Agency for International Development, which is incorporated into this Award in its entirety.

(1) For DFA funded awards or when the total procurement element during the life of this award is valued at \$250,000 or less, the following rules apply:

(i) The authorized source for procurement of all goods and services to be reimbursed under the award is USAID Geographic Code 935, "Special Free World," and such goods and services must meet the source, origin and nationality requirements set forth in 22 CFR Part 228 in accordance with the following order of preference:

1. The United States (USAID Geographic Code 000),
2. The Cooperating Country,

3. USAID Geographic Code 941, and
4. USAID Geographic Code 935.

(ii) Application of order of preference: When the recipient procures goods and services from other than U.S. sources, under the order of preference in paragraph (b)(1)(i) above, the recipient shall document its files to justify each such instance. The documentation shall set forth the circumstances surrounding the procurement and shall be based on one or more of the following reasons, which will be set forth in the grantee's documentation:

- A. The procurement was of an emergency nature, which would not allow for the delay attendant to soliciting U.S. sources,
- B. The price differential for procurement from U.S. sources exceeded by 50% or more the delivered price from the non-U.S. source,
- C. Compelling local political considerations precluded consideration of U.S. sources,
- D. The goods or services were not available from U.S. sources, or
- E. Procurement of locally available goods and services, as opposed to procurement of U.S. goods and services, would best promote the objectives of the Foreign Assistance program under the award.

(2) When the total procurement element exceeds \$250,000 (unless funded by DFA), the following applies: Except as may be specifically approved or directed in advance by the Agreement Officer, all goods and services financed with U.S. dollars, which will be reimbursed under this award must meet the source, origin and nationality requirements set forth in 22 CFR Part 228 for the authorized geographic code specified in the schedule of this award. If none is specified, the authorized source is Code 000, the United States.

c. Printed or Audio-Visual Teaching Materials: If the effective use of printed or audio-visual teaching materials depends upon their being in the local language and if such materials are intended for technical assistance projects or activities financed by USAID in whole or in part and if other funds including U.S.-owned or U.S.-controlled local currencies are not readily available to finance the procurement of such materials, local language versions may be procured from the following sources, in order of preference:

- (1) The United States (USAID Geographic Code 000),
- (2) The Cooperating Country,
- (3) "Selected Free World" countries (USAID Geographic Code 941), and
- (4) "Special Free World" countries (USAID Geographic Code 899).

d. If USAID determines that the recipient has procured any of these goods or services under this award contrary to the requirements of this provision, and has received payment for such purposes, the Agreement Officer may require the recipient to refund the entire amount of the purchase.

This provision must be included in all sub-agreements which include procurement of goods or services which total over \$5,000.

10. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (JAN 2004)

a. The recipient agrees to notify the Agreement Officer immediately upon learning that it or any of its principals:

- (1) Are presently excluded or disqualified from covered transactions by any Federal department or agency;
- (2) Have been convicted within the preceding three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice; commission of any other offense indicating a lack of business integrity or business honesty that seriously and directly affects your present responsibility;
- (3) Are presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b); and
- (4) Have had one or more public transactions (Federal, State, or local) terminated for cause or default within the preceding three years.

b. The recipient agrees that, unless authorized by the Agreement Officer, it will not knowingly enter into any sub-agreements or contracts under this grant with a person or entity that is included on the Excluded Parties List System (<http://epls.arnet.gov>). The recipient further agrees to include the following provision in any sub-agreements or contracts entered into under this award:

The recipient/contractor certifies that neither it nor its principals is presently excluded or disqualified from participation in this transaction by any Federal department or agency.

c. The policies and procedures applicable to debarment, suspension, and ineligibility under USAID-financed transactions are set forth in 22 CFR Part 208.

11. DRUG FREE WORKPLACE (JAN 2004)

a. The recipient agrees that it will publish a drug-free workplace statement and provide a copy to each employee who will be engaged in the performance of any Federal award. The statement must:

- (1) Tell the employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in its workplace;
- (2) Specify the actions the recipient will take against employees for violating that prohibition; and
- (3) Let each employee know that, as a condition of employment under any award, he or she:
 - (i) Must abide by the terms of the statement, and
 - (ii) Must notify you in writing if he or she is convicted for a violation of a criminal drug statute occurring in the workplace, and must do so no more than five calendar days after the conviction.

b. The recipient agrees that it will establish an ongoing drug-free awareness program to inform employees about

- (i) The dangers of drug abuse in the workplace;
- (ii) Your policy of maintaining a drug-free workplace;

- (iii) Any available drug counseling, rehabilitation and employee assistance programs; and
- (iv) The penalties that you may impose upon them for drug abuse violations occurring in the workplace.

c. Without the Agreement Officer's expressed written approval, the policy statement and program must be in place as soon as possible, no later than the 30 days after the effective date of this award or the completion date of this award, whichever occurs first.

d. The recipient agrees to immediately notify the Agreement Officer if an employee is convicted of a drug violation in the workplace. The notification must be in writing, identify the employee's position title, the number of each award on which the employee worked. The notification must be sent to the Agreement Officer within ten calendar days after the recipient learns of the conviction.

e. Within 30 calendar days of learning about an employee's conviction, the recipient must either

- (1) Take appropriate personnel action against the employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973 (29 USC 794), as amended, or
- (2) Require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for these purposes by a Federal, State or local health, law enforcement, or other appropriate agency.

f. The policies and procedures applicable to violations of these requirements are set forth in 22 CFR Part 210.

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

a. All the requirements of 22 CFR Part 205, Participation By Religious Organizations In USAID Programs, are applicable to the recipient and to sub-recipients which meet the definition of "Recipient" in 22 CFR Part 226. The requirements of 22 CFR Part 205 apply to both religious and secular organizations.

b. If the recipient makes sub-awards 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.

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.

13. IMPLEMENTATION OF E.O. 13224 - EXECUTIVE ORDER ON TERRORIST FINANCING (MAR 2002)

The Recipient is reminded that U.S. Executive Orders and U.S. law prohibits transactions with, and the provision of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of the recipient to ensure compliance with these Executive Orders and laws. This provision must be included in all contracts/sub-awards issued under this agreement.

14. MARKING UNDER USAID-FUNDED ASSISTANCE INSTRUMENTS (DEC 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 sub-agreement.

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.

Sub-recipient means any person or government (including cooperating country government) department, agency, establishment, or for profit or nonprofit organization that receives a USAID sub-award, 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 sub-recipients, in direct support of a 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 sub-award 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.

(9) Sub-recipients. To ensure that the marking requirements "flow down" to sub-recipients of sub-awards, recipients of USAID funded grants and cooperative agreements or other assistance awards will include the USAID-approved marking provision in any USAID funded sub-award, as follows:

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

(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 Agreement Officer's Technical Representative (AOTR) 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 [Agreement

Officer fill-in] days 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;

(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 Agreement Officer’s Technical Representative. 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 sub-awards 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.

(e) Non-retroactivity. The requirements of this provision do not 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.

15. REGULATIONS GOVERNING EMPLOYEES (AUG 1992)

(The following applies to the recipient's employees working in the cooperating country under the agreement who are not citizens of the cooperating country.)

a. The recipient's employees shall maintain private status and may not rely on local U.S. Government offices or facilities for support while under this grant.

b. The sale of personal property or automobiles by recipient employees and their dependents in the foreign country to which they are assigned shall be subject to the same limitations and prohibitions which apply to direct-hire USAID personnel employed by the Mission, including the rules contained in 22 CFR Part 136, except as this may conflict with host government regulations.

c. Other than work to be performed under this award for which an employee is assigned by the recipient, no employee of the recipient shall engage directly or indirectly, either in the individual's own name or in the name or through an agency of another person, in any business, profession, or occupation in the foreign countries to which the individual is assigned, nor shall the individual make loans or investments to or in any business, profession or occupation in the foreign countries to which the individual is assigned.

d. The recipient's employees, while in a foreign country, are expected to show respect for its conventions, customs, and institutions, to abide by its applicable laws and regulations, and not to interfere in its internal political affairs.

e. In the event the conduct of any recipient employee is not in accordance with the preceding paragraphs, the recipient's chief of party shall consult with the USAID Mission Director and the employee involved and shall recommend to the recipient a course of action with regard to such employee.

f. The parties recognize the rights of the U.S. Ambassador to direct the removal from a country of any U.S. citizen or the discharge from this grant award of any third country national when, in the discretion of the Ambassador, the interests of the United States so require.

g. If it is determined, either under (e) or (f) above, that the services of such employee should be terminated, the recipient shall use its best efforts to cause the return of such employee to the United States, or point of origin, as appropriate.

16. CONVERSIONS OF US DOLLARS TO LOCAL CURRENCY (NOV 1985)

Upon arrival in the Cooperating Country, and from time to time as appropriate, the recipient's chief of party shall consult with the Mission Director who shall provide, in writing, the procedure the recipient and its employees shall follow in the conversion of United States dollars to local currency. This may include, but is not limited to, the conversion of currency through the cognizant United States Disbursing Officer or Mission Controller, as appropriate.

17. USE OF POUCH FACILITIES (AUGUST 1992)

a. Use of diplomatic pouch is controlled by the Department of State. The Department of State has authorized the use of pouch facilities for USAID recipients and their employees as a general policy, as detailed in items (1) through (6) below. However, the final decision regarding use of pouch facilities rest with the Embassy or USAID Mission. In consideration of the use of pouch facilities, the recipient and its employees agree to indemnify and hold harmless, the Department of State and USAID for loss or damage occurring in pouch transmission:

1. Recipients and their employees are authorized use of the pouch for transmission and receipt of up to a maximum of .9 kgs per shipment of correspondence and documents needed in the administration of assistance programs.
2. U.S. citizen employees are authorized use of the pouch for personal mail up to a maximum of .45 kgs per shipment (but see (a)(3) below).
3. Merchandise, parcels, magazines, or newspapers are not considered to be personal mail for purposes of this standard provision and are not authorized to be sent or received by pouch.
4. Official and personal mail pursuant to a.1. and 2. above sent by pouch should be addressed as follows:

Name of individual or organization (followed by letter symbol "G")

City Name of post (USAID/_____)

Agency for International Development

Washington, D.C. 20523-0001

5. Mail sent via the diplomatic pouch may not be in violation of U.S. Postal laws and may not contain material ineligible for pouch transmission.
6. Recipient personnel are NOT authorized use of military postal facilities (APO/FPO). This is an Adjutant General's decision based on existing laws and regulations governing military postal facilities and is being enforced worldwide.

b. The recipient shall be responsible for advising its employees of this authorization, these guidelines, and limitations on use of pouch facilities.

c. Specific additional guidance on grantee use of pouch facilities in accordance with

18. INTERNATIONAL AIR TRAVEL AND TRANSPORTATION (JUN 1999)

a. PRIOR BUDGET APPROVAL

In accordance with OMB Cost Principles, direct charges for foreign travel costs are allowable only when each foreign trip has received prior budget approval. Such approval will be deemed to have been met when:

- (1) the trip is identified. Identification is accomplished by providing the following information: the number of trips, the number of individuals per trip, and the destination country(s).
- (2) the information noted at (a)(1) above is incorporated in: the proposal, the program description or schedule of the award, the implementation plan (initial or revisions), or amendments to the award; and
- (3) the costs related to the travel are incorporated in the approved budget of the award.

The Agreement Officer may approve travel which has not been incorporated in writing as required by paragraph (a)(2). In such case, a copy of the Agreement Officer's approval must be included in the agreement file.

b. NOTIFICATION

1. As long as prior budget approval has been met in accordance with paragraph (a) above, a separate Notification will not be necessary unless:
 - (i) The primary purpose of the trip is to work with USAID Mission personnel, or
 - (ii) The recipient expects significant administrative or substantive programmatic support from the Mission.

Neither the USAID Mission nor the Embassy will require Country Clearance of employees or contractors of USAID Recipients.

2. Where notification is required in accordance with paragraph (1)(i) or (ii) above, the recipient will observe the following standards:
 - (i) Send a written notice to the cognizant USAID Technical Office in the Mission. If the recipient's primary point of contact is a Technical Officer in USAID/W, the recipient may send the notice to that person. It will be the responsibility of the USAID/W Technical Officer to forward the notice to the field.
 - (ii) The notice should be sent as far in advance as possible, but at least 14 calendar days in advance of the proposed travel. This notice may be sent by fax or e-mail. The recipient should retain proof that notification was made.
 - (iii) The notification shall contain the following information: the award number, the Agreement Officer's Technical Representative, the traveler's name (if known), date of arrival, and the purpose of the trip.
 - (iv) The USAID Mission will respond only if travel has been denied. It will be the responsibility of the Technical Officer in the Mission to contact the recipient within 5 working days of having received the notice if the travel is denied. If the recipient has not received a response within the time frame, the recipient will be considered to have met these standards for notification, and may travel.
 - (v) If a sub-recipient is required to issue a Notification, as per this section, the sub-recipient may

contact the USAID Technical Officer directly, or the prime may contact USAID on the sub-recipient's behalf.

c. SECURITY ISSUES

Recipients are encouraged to obtain the latest Department of State Travel Advisory Notices before travelling. These Notices are available to the general public and may be obtained directly from the State Department, or via Internet.

Where security is a concern in a specific region, recipients may choose to notify the US Embassy of their presence when they have entered the country. This may be especially important for long-term posting.

d. USE OF U.S.-OWNED LOCAL CURRENCY

Travel to certain countries shall, at USAID's option, be funded from U.S.-owned local currency. When USAID intends to exercise this option, USAID will either issue a U.S. Government S.F. 1169, Transportation Request (GTR) which the grantee may exchange for tickets, or issue the tickets directly. Use of such U.S.-owned currencies will constitute a dollar charge to this grant.

e. THE FLY AMERICA ACT

The Fly America Act (49 U.S.C. 40118) requires that all air travel and shipments under this award must be made on U.S. flag air carriers to the extent service by such carriers is available. The Administrator of General Services Administration (GSA) is authorized to issue regulations for purposes of implementation. Those regulations may be found at 41 CFR part 301, and are hereby incorporated by reference into this award.

f. COST PRINCIPLES

The recipient will be reimbursed for travel and the reasonable cost of subsistence, post differentials and other allowances paid to employees in international travel status in accordance with the recipient's applicable cost principles and established policies and practices which are uniformly applied to federally financed and other activities of the grantee.

If the recipient does not have written established policies regarding travel costs, the standard for determining the reasonableness of reimbursement for overseas allowance will be the Standardized Regulations (Government Civilians, Foreign Areas), published by the U.S. Department of State, as from time to time amended. The most current subsistence, post differentials, and other allowances may be obtained from the Agreement Officer.

g. SUBAWARDS.

This provision will be included in all sub-awards and contracts which require international air travel and transportation under this award.

19. OCEAN SHIPMENT OF GOODS (JUN 1999)

- a. At least 50% of the gross tonnage of all goods purchased under this agreement and transported to the cooperating countries shall be made on privately owned U.S. flag commercial ocean vessels, to the extent such vessels are available at fair and reasonable rates for such vessels.

- b. At least 50% of the gross freight revenue generated by shipments of goods purchased under this agreement and transported to the cooperating countries on dry cargo liners shall be paid to or for the benefit of privately owned U.S. flag commercial ocean vessels to the extent such vessels are available at fair and reasonable rates for such vessels.
- c. When U.S. flag vessels are not available, or their use would result in a significant delay, the grantee may request a determination of non-availability from the USAID Transportation Division, Office of Procurement, Washington, D.C. 20523, giving the basis for the request which will relieve the grantee of the requirement to use U.S. flag vessels for the amount of tonnage included in the determination. Shipments made on non-free world ocean vessels are not reimbursable under this grant.
- d. The recipient shall send a copy of each ocean bill of lading, stating all of the carrier's charges including the basis for calculation such as weight or cubic measurement, covering a shipment under this agreement to:

U.S. Department of Transportation,
Maritime Administration, Division of National Cargo,
400 7th Street, S.W.,
Washington, DC 20590, and

U.S. Agency for International Development,
Office of Procurement, Transportation Division
1300 Pennsylvania Avenue, N.W.
Washington, DC 20523-7900

- e. Shipments by voluntary nonprofit relief agencies (i.e., PVOs) shall be governed by this standard provision and by USAID Regulation 2, "Overseas Shipments of Supplies by Voluntary Nonprofit Relief Agencies" (22 CFR Part 202).
- f. Shipments financed under this grant must meet applicable eligibility requirements set out in 22 CFR 228.21.

20. LOCAL PROCUREMENT (APRIL 1998)

- a. Financing local procurement involves the use of appropriated funds to finance the procurement of goods and services supplied by local businesses, dealers or producers, with payment normally being in the currency of the cooperating country.
- b. Locally financed procurements must be covered by source and nationality waivers as set forth in 22 CFR 228, Subpart F, except as provided for in mandatory standard provision, "USAID Eligibility Rules for Goods and Services," or when one of the following exceptions applies:
 - (1) Locally available commodities of U.S. origin, which are otherwise eligible for financing, if the value of the transaction is estimated not to exceed \$100,000 exclusive of transportation costs.
 - (2) Commodities of geographic code 935 origin if the value of the transaction does not exceed the local currency equivalent of \$5,000.
 - (3) Professional Services Contracts estimated not to exceed \$250,000.

- (4) Construction Services Contracts estimated not to exceed \$5,000,000.
- (5) Commodities and services available only in the local economy (no specific per transaction value applies to this category). This category includes the following items:
 - (i) Utilities including fuel for heating and cooking, waste disposal and trash collection;
 - (ii) Communications - telephone, telex, fax, postal and courier services;
 - (iii) Rental costs for housing and office space;
 - (iv) Petroleum, oils and lubricants for operating vehicles and equipment;
 - (v) Newspapers, periodicals and books published in the cooperating country;
 - (vi) Other commodities and services and related expenses that, by their nature or as a practical matter, can only be acquired, performed, or incurred in the cooperating country, e.g., vehicle maintenance, hotel accommodations, etc.
- c. The coverage on ineligible and restricted goods and services in the mandatory standard provision entitled, "USAID Eligibility Rules for Goods and Services," also apply to local procurement.
- d. This provision will be included in all sub-agreements where local procurement of goods or services is a supported element.

21. VOLUNTARY POPULATION PLANNING ACTIVITIES - MANDATORY REQUIREMENTS (MAY 2006)

Requirements for Voluntary Sterilization Programs

(1) None of the funds made available under this award shall be used to pay for the performance of involuntary sterilization as a method of family planning or to coerce or provide any financial incentive to any individual to practice sterilization.

Prohibition on Abortion-Related Activities:

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

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

22. CENTRAL CONTRACTOR REGISTRATION AND UNIVERSAL IDENTIFIER (OCT 2010)

a. Requirement for Central Contractor Registration (CCR). Unless you are exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in the CCR until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.

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

- 1) Must notify potential sub-recipients that no entity (see definition in paragraph C of this award term) may receive a sub-award from you unless the entity has provided its DUNS number to you.
- 2) May not make a sub-award to an entity unless the entity has provided its DUNS number to you.

c. Definitions. For purposes of this award term:

- 1) Central Contractor Registration (CCR) means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the CCR Internet site (currently at <http://www.ccr.gov>).
- 2) Data Universal Numbering System (DUNS) number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D&B) to uniquely identify business entities. A DUNS number may be obtained from D&B by telephone (currently 866-705-5711) or the Internet (currently at <http://fedgov.dnb.com/webform>).
- 3) Entity, as it is used in this award term, means all of the following, as defined at 2 CFR part 25, subpart C:
 - i) A Governmental organization, which is a State, local government, or Indian tribe;
 - ii) A foreign public entity;
 - iii) A domestic or foreign nonprofit organization;
 - iv) A domestic or foreign for-profit organization; and
 - v) A Federal agency, but only as a sub-recipient under an award or sub-award to a non-Federal entity.
- 4) Sub-award:
 - i) This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible sub-recipient.
 - ii) The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. --.210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").
 - iii) A sub-award may be provided through any legal agreement, including an agreement

that you consider a contract.

5) Sub-recipient means an entity that:

- i) Receives a sub-award from you under this award; and
- ii) Is accountable to you for the use of the Federal funds provided by the sub-award.

23. REPORTING SUBAWARDS AND EXECUTIVE COMPENSATION (OCT 2010)

a. Reporting of first-tier sub-awards.

- 1) Applicability. Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a sub-award to an entity (see definitions in paragraph e of this award term).
- 2) Where and when to report.
 - i) You must report each obligating action described in paragraph a.1. of this award term to www.fsr.gov.
 - ii) For sub-award information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)
- 3) What to report. You must report the information about each obligating action that the submission instructions posted at www.fsr.gov specify.

b. Reporting Total Compensation of Recipient Executives.

- 1) Applicability and what to report. You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if:
 - i) the total Federal funding authorized to date under this award is \$25,000 or more;
 - ii) in the preceding fiscal year, you received:
 - A. 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and sub-awards); and
 - B. \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and sub-awards); and
 - iii) The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/excomp.htm>.)

- 2) Where and when to report. You must report executive total compensation described in paragraph b.(1) of this award term:
 - i) As part of your registration profile at www.ccr.gov.
 - ii) By the end of the month following the month in which this award is made, and annually thereafter.

c. Reporting of Total Compensation of Sub-recipient Executives.

- 1) Applicability and what to report. Unless you are exempt as provided in paragraph d. of this award term, for each first-tier sub-recipient under this award, you shall report the names and total compensation of each of the sub-recipient's five most highly compensated executives for the sub-recipient's preceding completed fiscal year, if:
 - i) in the sub-recipient's preceding fiscal year, the sub-recipient received:
 - A. 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and sub-awards); and
 - B. \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and sub-awards); and ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/excomp.htm>.)
- 2) Where and when to report. You must report sub-recipient executive total compensation described in paragraph c.(1) of this award term:
 - i) To the recipient.
 - ii) By the end of the month following the month during which you make the sub-award. For example, if a sub-award is obligated on any date during the month of October of a given year (i.e., between October 1 and 31), you must report any required compensation information of the sub-recipient by November 30 of that year.

d. Exemptions

If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

- 1) Sub-awards, and
- 2) The total compensation of the five most highly compensated executives of any sub-recipient.

e. Definitions. For purposes of this award term:

- 1) Entity means all of the following, as defined in 2 CFR part 25:
 - i) A Governmental organization, which is a State, local government, or Indian tribe;

- ii) A foreign public entity;
 - iii) A domestic or foreign nonprofit organization;
 - iv) A domestic or foreign for-profit organization;
 - v) A Federal agency, but only as a sub-recipient under an award or sub-award to a non-Federal entity.
- 2) Executive means officers, managing partners, or any other employees in management positions.
- 3) Sub-award:
- i) This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible sub-recipient.
 - ii) The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. --.210 of the attachment to OMB Circular A-133, “Audits of States, Local Governments, and Non- Profit Organizations”).
 - iii) A sub-award may be provided through any legal agreement, including an agreement that you or a sub-recipient considers a contract.
- 4) Sub-recipient means an entity that:
- i) Receives a sub-award from you (the recipient) under this award; and
 - ii) Is accountable to you for the use of the Federal funds provided by the sub-award.
- 5) Total compensation means the cash and noncash dollar value earned by the executive during the recipient’s or sub-recipient’s preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):
- i) Salary and bonus.
 - ii) Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
 - iii) Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
 - iv) Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.
 - v) Above-market earnings on deferred compensation which is not tax-qualified.
 - vi) Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

24. TRAFFICKING IN PERSONS (OCT 2010)

a. Provisions applicable to a recipient that is a private entity.

- 1) You as the recipient, your employees, sub-recipients under this award, and sub-recipients’ employees may not:

- i) Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
 - ii) Procure a commercial sex act during the period of time that the award is in effect; or
 - iii) Use forced labor in the performance of the award or sub-awards under the award.
- 2) We as the Federal awarding agency may unilaterally terminate this award, without penalty, if you or a sub-recipient that is a private entity:
 - i) Is determined to have violated a prohibition in paragraph a. (1) of this award term; or
 - ii) Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph a. (1) of this award term through conduct that is either:
 - A. Associated with performance under this award; or
 - B. Imputed to you or the sub-recipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, “OMB Guidelines to Agencies on Government-wide Debarment and Suspension (Non-procurement),” as implemented by our agency at 22 CFR 208 or its superseding Part in 2 CFR.

b. Provisions applicable to a recipient other than a private entity.

We as the Federal awarding agency may unilaterally terminate this award, without penalty, if a sub-recipient that is a private entity:

- 1) Is determined to have violated an applicable prohibition in paragraph a. (1) of this award term; or
- 2) Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in paragraph a. (1) of this award term through conduct that is either:
 - i) Associated with performance under this award; or
 - ii) Imputed to the sub-recipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, “OMB Guidelines to Agencies on Government-wide Debarment and Suspension (Non-procurement),” as implemented by our agency at 22 CFR 208 or its superseding Part in 2 CFR.

c. Provisions applicable to any recipient.

- 1) You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph a. (1) of this award term.
- 2) Our right to terminate unilaterally that is described in paragraph a. (2) or b of this section:
 - i) Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and
 - ii) Is in addition to all other remedies for noncompliance that are available to us under this award.

- 3) You must include the requirements of paragraph a. (1) of this award term in any sub-award you make to a private entity.

d. Definitions. For purposes of this provision:

- 1) “Employee” means either:
 - i) An individual employed by you or a sub-recipient who is engaged in the performance of the project or program under this award; or
 - ii) Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.
- 2) “Forced labor” means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.
- 3) “Private entity”:
 - i) Means any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR 175.25(b).
 - ii) Includes:
 - A. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR 175.25(b).
 - B. A for-profit organization.
- 4) “Severe forms of trafficking in persons,” “commercial sex act,” and “coercion” have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

25. NEGOTIATED INDIRECT COST RATES - PROVISIONAL (Nonprofit) (APR 1998)

- a. Provisional indirect cost rates shall be established for each of the recipient's accounting periods during the term of this award. Pending establishment of revised provisional or final rates, allowable indirect costs shall be reimbursed at the rates, on the bases, and for the periods shown in the schedule of the award.
- b. Within the earlier of 30 days after receipt of the A-133 audit report or nine months after the end of the audit period, the recipient shall submit to the cognizant agency for audit the required OMB Circular A-133 audit report, proposed final indirect cost rates, and supporting cost data. If USAID is the cognizant agency or no cognizant agency has been designated, the recipient shall submit four copies of the audit report, along with the proposed final indirect cost rates and supporting cost data, to the Overhead, Special Costs, and Closeout Branch, Office or Procurement, USAID, Washington, DC 20523-7802. The proposed rates shall be based on the recipient's actual cost experience during that fiscal year. Negotiations of final indirect cost rates shall begin soon after receipt of the recipient's proposal.

- c. Allowability of costs and acceptability of cost allocation methods shall be determined in accordance with the applicable cost principles.
- d. The results of each negotiation shall be set forth in a written indirect cost rate agreement signed by both parties. Such agreement is automatically incorporated into this award and shall specify (1) the agreed upon final rates, (2) the bases to which the rates apply, (3) the fiscal year for which the rates apply, and (4) the items treated as direct costs. The agreement shall not change any monetary ceiling, award obligation, or specific cost allowance or disallowance provided for in this award.
- e. Pending establishment of final indirect cost rate(s) for any fiscal year, the recipient shall be reimbursed either at negotiated provisional rates or at billing rates acceptable to the Agreement Officer, subject to appropriate adjustment when the final rates for the fiscal year are established. To prevent substantial overpayment or underpayment, the provisional or billing rates may be prospectively or retroactively revised by mutual agreement.
- f. Failure by the parties to agree on final rates is a 22 CFR 226.90 dispute.

26. PUBLIC NOTICES (MAR 2004)

It is USAID's policy to inform the public as fully as possible of its programs and activities. The recipient is encouraged to give public notice of the receipt of this award and, from time to time, to announce progress and accomplishments. Press releases or other public notices should include a statement substantially as follows:

"The U.S. Agency for International Development administers the U.S. foreign assistance program providing economic and humanitarian assistance in more than 120 countries worldwide."

The recipient may call on USAID's Bureau for Legislative and Public Affairs for advice regarding public notices. The recipient is requested to provide copies of notices or announcements to the cognizant technical officer and to USAID's Bureau for Legislative and Public Affairs as far in advance of release as possible.

27. REPORTING OF FOREIGN TAXES (MAR 2006)

- a. The recipient must annually submit a report by April 16 of the next year.
- b. Contents of Report. The report must contain:
 - (i) Contractor/recipient name.
 - (ii) Contact name with phone, fax and email.
 - (iii) Agreement number(s).
 - (iv) Amount of foreign taxes assessed by a foreign government [each foreign government must be listed separately] 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 is to be reported. Foreign taxes by a third party foreign government are not to be

reported. For example, if an assistance program for Lesotho involves the purchase of commodities in South Africa using foreign assistance funds, any taxes imposed by South Africa would not be reported in the report for Lesotho (or South Africa).

(vi) Any reimbursements received by the Recipient during the period in (iv) regardless of when the foreign tax was assessed and any reimbursements on the taxes reported in (iv) received through March 31.

(vii) Report is 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.

a. 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 any foreign governmental 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.

b. Where. Submit the reports to:

Mission Controller
USAID/EAST AFRICA
P.O. Box 629
Village Market 00621
Nairobi, Kenya

c. Sub-agreements. The recipient must include this reporting requirement in all applicable subcontracts, sub-grants and other sub-agreements.

d. For further information see <http://www.state.gov/m/rm/c10443.htm>.

28. FOREIGN GOVERNMENT DELEGATIONS TO INTERNATIONAL CONFERENCES (JAN 2002)

Funds in this agreement may not be used to finance the travel, per diem, hotel expenses, meals, conference fees or other conference costs for any member of a foreign government’s delegation to an international conference sponsored by a public international organization, except as provided in ADS Mandatory Reference “Guidance on Funding Foreign Government Delegations to International Conferences or as approved by the Agreement Officer.

These provisions also must be included in the Standard Provisions of any new grant or cooperative agreement to a public international organization or a U.S. or non-U.S. non-governmental organization

financed with FY04 HIV/AIDS funds or modification to an existing grant or cooperative agreement that adds FY04 HIV/AIDS.

29. USAID DISABILITY POLICY - ASSISTANCE (DEC 2004)

a. 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/disability/DISABPOL.FIN.html>

b. 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.

ATTACHMENT 1

A LIST OF NATIONAL RESPONSES TO THE PROTECTION AND CARE OF CHILDREN IN FAMILY BREAKDOWN

Government Ministries

Several Government ministries have responsibilities relevant to the protection of children who are outside of family care. Of particular relevance to this program is the Ministry of Social Affairs, Humanitarian Action and National Solidarity (MINAS). It is responsible for the implementation of government policy related to the social protection of vulnerable groups, including orphans and vulnerable children. At provincial level, it is represented by the Division of Social Affairs (DIVAS) or the Urban Division of Social Affairs (DUAS) in urban areas.

Directorates within MINAS with responsibilities related to programming for separated children, family reunification, and community reintegration include:

- The Directorate of Studies and Planning (DEP), which is responsible for strategy development and planning,
- The Directorate of Special Interventions for Child Protection (DISPE), which is responsible for coordination and cooperation,
- The Directorate of Social Action (DAS), which is responsible for the registration of NGOs, and
- The General Directorate of Informal Education (DGENF), which is responsible for accelerated primary education.

Other ministries with responsibilities relevant to this program include:

- The Ministry of Justice -- judicial protection of children
- The Ministry of Gender, Family and Child (CONDIFFA) -- legal protection and the promotion of children's rights
- The Ministry of Labor and Social Security -- labor policies and ensuring the protection of children against exploitation and worst forms of labor
- The Ministry of Primary, Secondary and Professional Education -- formal education
- The Ministry of Public Health -- the coordination of interventions for the health of vulnerable groups
- The Ministry of Human Rights -- the promotion and protection of children's rights.

Program Coordination

Several government-led coordination bodies have been established to address issues related to vulnerable children.³⁸ These include the following:

- In Kinshasa, an OVC coordination meeting is scheduled to be held every two months; the "*Commission mixte des enfants des rues*," in principle, meets monthly, but is most active when there is need for a common response to special events such as periodic efforts by the police to remove all street children from the city. There is also a National Council of the Child (under MINAS) and a National Council on the Worst Forms of Child Labor (under the Ministry of Labor). The Child

³⁸ Some of these groups do not meet on a regular basis.

Protection Working Group³⁹ (CPWG) chaired by UNICEF has regular meetings in Kinshasa that are national in scope.

- In Mbuji Mayi, DIVAS is responsible for monthly OVC coordination meetings. There is also a coordination group concerned with juvenile justice that is chaired by Tripaix which meets monthly and includes UNICEF, local and international NGOs, as well as judicial associations and the Court. UNHCR convenes Protection Cluster meetings.
- In Bukavu DIVAS is responsible for convening monthly OVC coordination meetings among all actors, generally with support from UNICEF. Provincial level CPWG meetings are also held in Bukavu.

Relevant National Documents

The following national documents define strategies, guidelines, or standards for the protection of vulnerable children are directly relevant to issues addressed by this program:

- The Document on Strategy of Growth and Poverty Reduction (DSCRCP), under the pillar 3, Access to social services and vulnerability reduction;
- The National Social Protection Strategy for Vulnerable Groups (March 2008);
- The National Plan of Action for Orphans and Vulnerable Children (October 2009), a framework for interventions towards orphans and vulnerable children (in a broad sense including all categories of vulnerabilities); and
- The National guidelines for the care and protection of children in family breakdown (adopted in November 2009).



DSCRCP 2.doc



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National guideline for
care & protection of c

http://www.pnps.cd/index.php?option=com_content&view=article&id=27&Itemid=65

The legal framework for the protection of children was updated and consolidated with the adoption of the Child Protection Law in 2009. MINAS has elaborated two decrees that relate to the application of this law:

- A decree on social care (*Arrêté sur le placement social*) which requires all organizations to report when they identify a separated child and have the intention to provide care. DIVAS/DUAS is supposed to assess the child's situation and authorize the provision of care. Organizations are permitted to provide care pending the assessment by DIVAS/DUAS.
- A decree on support to vulnerable families (issued jointly with the Ministry of Gender) authorizes DIVAS/DUAS to issue vulnerability certificates (*certificat d'indigence*), which in principle would permit designated families access to free health services. Funding has not been allocated,

³⁹ Cluster system under the Humanitarian reform : the Child Protection Working Group is part of the Protection cluster headed by UNHCR

however, though it has been reported that some facilities have offered those with a certificate services at half the normal charge.

It has also been reported that a law for social action reform is close to being approved which would define the roles of social workers and social action institutions.

[END OF SOLICITATION]