



USAID | EGYPT

FROM THE AMERICAN PEOPLE

Issuance Date: May 8, 2011
Application Submission Date: June 8, 2011, 2:00 pm Cairo Local Time
Deadline for Questions: May 18, 2011, 2:00 pm Cairo Local Time

Subject: Request for Applications (RFA) No.: USAID-Egypt-263-11-008-RFA
for the Office of Middle East Programs (OMEP) Water Grants

Dear Prospective Applicants:

The United States Agency for International Development (USAID)–Egypt is seeking Applications from legally organized local, regional (i.e., from MENA), or international organizations to implement the Office of Middle East Programs (OMEP) Network of Water Centers of Excellence (MENA NWC) project described herein. The authority for the Request for Application (RFA) is found in the Foreign Assistance Act of 1961, as amended.

Subject to the availability of funds, USAID intends to provide an estimated \$1.5 million to support activities covering a 12-to-24-month period. USAID expects to make *multiple awards* under this RFA. Applications requesting USAID funding of more than \$500,000 per year will not be eligible for award. USAID reserves the right to fund any or none of the applications submitted.

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

1. Section I: Funding Opportunity Description;
2. Section II: Award Information;
3. Section III: Eligibility Information;
4. Section IV: Application and Submission Information;
5. Section V: Application Review Information;
6. Section VI: Award and Administration Information;
7. Section VII: Agency Contacts;
8. Section VIII: Other Information; and
9. Attachments 1-5

If you decide to submit an application, it must be received at Cairoproposals@usaid.gov by the closing date and time indicated at the top of this cover letter. Note that E-mails receive an automatic time-stamp upon arrival to Cairo's e-mail exchange; this time-stamp will determine the time of receipt. Applicants are reminded that e-mail is not instantaneous, and in some cases delays of several hours occur from transmission to receipt.

Applicants are requested to submit both technical and cost portions of their applications in separate volumes. Awards will be made to the responsible applicant(s) whose application offers the greatest value to the U.S. Government.

USAID bears no responsibility for data errors resulting from transmission or conversion processes associated with electronic submissions. This funding opportunity is posted on <http://www.grants.gov> and may be amended; thus, potential applicants should regularly check the website for amendments.

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 grant(s) cannot be made until funds have been fully appropriated, allocated, and committed through internal USAID procedures. While it is anticipated that these procedures will be successfully completed, potential applicants are hereby notified of these requirements and conditions for award. Applications are submitted at the risk of the applicant; should circumstances prevent award of a cooperative agreement, all preparation and submission costs are at the applicant's expense.

Any questions concerning this RFA should be submitted in writing via email to Dana Rose and Botros Wilson at Cairoproposals@usaid.gov by the deadline for questions listed above.

Sincerely,



Dana H. Rose
Agreement Officer

SECTION I: FUNDING OPPORTUNITY DESCRIPTION

A. Background

The MENA region faces a variety of challenges with respect to the prudent management of water resources. Specific issues include: a lack of integrated and coordinated research that informs policy and management decisions; a lack of forums for the sharing of best practices; and a lack of coordinated research and training efforts within MENA.

USAID has been part of a U.S. Government inter-agency effort to help address these challenges through the formation of the Middle East and North Africa Network of Water Centers of Excellence (MENA NWC). The MENA NWC, whose members include universities, research institutions, and training centers, is aimed at working to reverse the increasing scarcity of water in the region by adapting, developing, and disseminating policy tools and technical and management interventions that expand supply, reduce demand, and dramatically increase efficient, productive, and sustainable use. To do this, the objectives of the MENA NWC are to:

- improve water resources planning and management in the region through integrated approaches focused on the supply of and demand for conventional and non-conventional (brackish, treated waste, and desalinated) water sources;
- shape and lead a serious and meaningful dialogue among and between decision-makers and researchers about concrete and practical ways to deal with water scarcity and to expand that dialogue to the private sector and civil society;
- improve the relevance of water sector-related research by bridging the gap between research and policy and between policy and application and outreach, so that research is designed and carried out to resolve pressing real life problems and so that it better informs national and local policies by government;
- introduce and encourage the adaption and adoption of innovative policy and planning tools and measures focused on water management;
- in so doing, foster the ability of MENA NWC members to contribute to water-related policy reform by providing governments in the region with expert assistance; and
- upgrade the quality of water management applied research and research capacity in the MENA region through training, research grants, and scientific exchanges within the region and with scientists in the United States and elsewhere.

B. Program Goal

The MENA Water Grants Program will focus on training, applied research and the dissemination of information to transform water policy, management and capabilities within the MENA region. The program will foster linkages between government officials and water managers in the MENA region and members of the MENA NWC. The goals of the Program are as follows:

- 1) support training and applied research and other activities to improve water policy decisions and management effectiveness in the MENA region;
- 2) increase regional information sharing;
- 3) increase regional collaboration; and
- 4) support the development of the MENA NWC.

C. Program Eligibility

Grant recipients may include, but will not be limited to, currently-identified MENA NWC members or other water centers of excellence that express interest in joining the MENA NWC. Grant recipients could include universities, research institutions, and training centers.

Legally organized local, regional (i.e., from MENA), or international organizations are eligible to apply under this Request For Applications (RFA). Teaming arrangements are highly encouraged. Regional organizations which cover one or more countries in MENA may be based in any country in the region, as long as they are not located in a foreign policy restricted country, unless approved by USAID. International organizations may include U.S. or other organizations, including public international organizations.

For U.S. organizations, the award will be administered in accordance with **22 CFR 226, OMB Circulars**, and the **Standard Provisions for U.S. Nongovernmental Recipients**. For non-U.S. organizations, the Standard Provisions for Non-U.S., Nongovernmental Recipients will apply. Pursuant to 22 CFR 226.81, it is USAID policy not to award profit under assistance instruments. However, all reasonable, allocable, and allowable expenses, both direct and indirect, which are related to the agreement program and are in accordance with applicable cost standards (22 CFR 226, OMB Circular A-122 for non-profit organization, OMB Circular A-21 for universities) may be paid under the agreement.

D. Program Link to USAID Objectives

The Office of Middle East Programs (OMEP) was established in 2005 to implement regional programs focused on common transboundary issues within the Middle East and North Africa, as well as to coordinate the provision of regional support services to bilateral USAID Missions in the region. OMEP's first strategy for regional programming was approved in August 2009, and covers the use of FY 2009 to FY 2011 funds. OMEP's strategy includes the following goal and programmatic objectives:

Goal: *Promoting peace, economic growth, and good governance to advance human capacity and economic progress for the citizens of the Middle East and North Africa.*

Program Objective 1: Empower youth to make constructive choices for success in a global society

Program Objective 2: Promote the culture of democracy

Program Objective 3: Transform the culture and governance of natural resources and agriculture in the MENA region

Intermediate Result 3.1: Increased efficiency of natural resource management

Intermediate Result 3.2: Improved governance of natural resources

The MENA Water Grants Program will contribute to achieving the listed intermediate results related to Program Objective 3 within OMEP's strategy. As grants envisioned under this program will be in direct response to needs as expressed by water decision-makers of governments in the region, program deliverables will be used to inform policy decisions, with the end result being more efficient and better-informed water resource management and, ultimately, improved water and sanitation conditions for the populations of the countries involved. The intent of this program is to fund work that is unlikely to be funded through other sources.

E. Program Description

The MENA Water Grants Program will fund a series of Grants for specific, milestone-based activities that focus on training, applied research and the dissemination of information to transform water policy, management and capabilities within the MENA region. The program will foster linkages between government officials and water managers in the MENA region and members of the MENA NWC.

While grant proposals may address country-specific, issues, results should be applicable elsewhere within the MENA region and will be widely shared through the MENA NWC. Grant proposals must be in response to needs as identified by host-country governments in the countries in which the work is to be performed. Host country government agencies, at the appropriate level, must support the grant proposal and be willing to jointly present the results of grant activities to MENA NWC members. Illustrative activities funded through the program could include:

- water basin management/irrigation allocation management tools;
- data-triggered water conservation plans for drought mitigation;
- support of remote sensing capacity building;
- training for water managers and policy makers on a range of management, governance, and stakeholder participation methodologies; and
- one annual conference to present grant results.

Expected deliverables include various specific activities that directly impact policy decisions, increase water managers' skills and abilities or improve water resource management within the region.

One (1) of the grants under this RFA will be awarded for an annual conference where grant results and the relevant work of MENA NWC members is presented and discussed among the MENA NWC members and other interested parties.

Grants will contribute to the achievement of Program goals as follows:

- 1) *support training and applied research and other activities to improve water policy decisions and management effectiveness in the MENA region;*
 - To be considered for award, all grant applications must be endorsed by the relevant government agency/agencies that will use the results of the grants. Applications accompanied by a letter from the relevant governmental office indicating that the proposed research or training will directly influence a policy decision or improve water management will be considered endorsed.
- 2) *increase regional information sharing;*

- All work performed under the grants will be presented by the grant recipient at the annual meeting of the MENA NWC. Ideally presentations will be made jointly with the relevant government agency/agencies, focusing the impact of activities on water management.

3) *increase regional collaboration;*

- Preference will be given to proposals for activities that work with more than one institution; in addition, preference will be given to proposals for activities that provide benefit to more than one governmental agency, within a country or across countries.

4) *support the development of the MENA NWC*

- As noted above, one (1) of the grants awarded under this RFA will be for the organization and facilitation of an annual conference where grant results and the relevant work of MENA NWC members is presented and discussed among the MENA NWC members and other interested parties.

F. Expected Program Results and Indicators

In line with Program goals, activities funded through this RFA should: support training and applied research and other activities to improve water policy decisions and management effectiveness in the MENA region; increase regional information sharing; increase regional collaboration; and support the development of the MENA NWC.

All grants awarded through this RFA must include performance indicators (including baseline information) and specific, verifiable milestones to track implementation progress. USAID preliminary indicators include the following:

- # of MENA professionals with improved capacity in water management;
- # of research products, evaluations and analyses conducted or disseminated on water resources;
- # of best practices identified and disseminated on water resources; and
- # of water related internal policy briefing documents prepared based on data

Applicants are encouraged to propose other performance indicators as deemed appropriate.

Performance will be monitored through quarterly reports, site visits and presentation at the annual conference where grant results under this RFA will be discussed.

SECTION II: AWARD INFORMATION

Estimated Funds to be Available:

Subject to the availability of funds, an estimated \$1.5 million is available for this RFA. USAID expects to make *multiple awards* under this RFA. Applications requesting USAID funding of more than \$500,000 per year will not be eligible for award.

Estimated Start Date and Performance Period:

This RFA will support activities covering a 12-to-24-month period, beginning on/about September 2011 up to on/about August 2013.

Type of Award:

USAID intends to award *multiple* Grants under this RFA. Provided an application meets the requirements of ADS 303.3.25, USAID intends to award Fixed Obligation Grants. Funding will be disbursed to award recipients upon verification that agreed-upon milestones have been completed. (Sample budget format for the Fixed Obligation Grants is attached as Attachment 1) Organizations will not be eligible for multiple awards under this RFA.

SECTION III: ELIGIBILITY INFORMATION

Grant recipients may include, but will not be limited to, currently-identified MENA NWC members or other water centers of excellence that express interest in joining the MENA NWC. Grant recipients could include universities, research institutions, and training centers.

- 1) Legally organized local, regional (i.e., from MENA), or international organizations are eligible to apply under this request for applications (RFA). Teaming arrangements are highly encouraged. Regional organizations which cover one or more countries in MENA may be based in any country in the region, as long as they are not located in a foreign policy restricted country, unless approved by USAID. International organizations may include U.S. or other organizations, including public international organizations.
- 2) USAID encourages applications from potential new partners.
- 3) While cost sharing is encouraged, this RFA does not include a cost sharing requirement.

SECTION IV: APPLICATION AND SUBMISSION INFORMATION

- 1) The point of contact for this RFA is:

USAID/Egypt Office of Procurement
Laselki Street
New Maadi, Cairo, Egypt
Tel: 20-2-2522-7000
Dana Rose and Botros Wilson
Cairoproposals@usaid.gov

This RFA and electronically linked documents contains all the information a potential applicant needs to apply.

- 2) The application must be submitted electronically in two separate parts: (a) technical and (b) cost application. The Applicant must submit the proposal via internet email with up to 5 attachments (2MB limit) per email compatible with MS WORD, Excel, Lotus 123 and/or WordPerfect in a MS Windows environment. There has been a problem with the receipt of *.zip files due to anti-virus software; therefore, Applicants are discouraged from sending files in this format as we cannot guarantee their acceptance by USAID's internet server.

Applications shall be submitted in accordance with the following instructions:

a) Technical Proposal

Technical Proposals must be written in the English language, and shall not exceed the page limits for each section mentioned below. Applicants are advised that any pages exceeding this limit will not be considered for evaluation. The Proposal must be single spaced, 12 font size, with one (1”) margins; and must be submitted in PDF and Microsoft Word format, consistent with the following format:

- i. Title Page (1 page) – to include the applicant’s contact information and program title.
- ii. Program Description (up to 10 pages) – to include a description of the proposed approach to achieving the objectives of the RFA:
 - a. background information: a discussion of the water resource management policy issue(s) to be addressed, including past/current efforts to address the issue and how the proposed activity is not duplicative of previous/existing work;
 - b. goals of the proposed activity;
 - c. specific activities that will be carried out during the life of the grant;
 - d. clear, verifiable project milestones that will be used by USAID throughout the grant period to gauge progress and to trigger funds disbursement;
 - e. description of activity beneficiaries; i.e. what populations will ultimately benefit from the proposed activity?; and
 - f. details on the host country government agencies/institutions with whom the activity will coordinate and written evidence, preferably a letter from the relevant governmental office, that the respective host country government agencies/institutions support the proposed activity (the letter may be included in the annex).
- iii. Program Timeline (up to 2 pages) – to include a graphic representation of the overall timeframe for program implementation over the grant period (not to exceed 24 months) with a listing of planned major activities, including the project milestones referred to above.
- iv. Program Organization / Management (up to 3 pages) – to include a summary of the applicant’s organizational capacity and the proposed management arrangements for the program. Any teaming arrangements must clearly delineate the specific responsibilities of each program partner and the reporting relationships.
- v. Annex: Past Performance (no page limit) – to include a listing of all contracts, grants, or cooperative agreements involving similar or related programs during the three years before the application. Reference information must include the location, award numbers (if available), a brief description of work performed, and a point of contact list with current telephone numbers and e-mail addresses, if applicable. Additional references to those provided by the applicant may be contacted by USAID as part of the evaluation process.

b) Cost Proposal

The cost application must be written in the English language and there is no limit on the number of pages for the cost application. The cost application must be submitted using the SF-424 series, which includes:

- SF-424, Application for Federal Assistance;
- SF-424A, Budget Information - Nonconstruction Programs; and
- SF-424B, Assurances - Nonconstruction Programs.

These Standard Forms can be found at the following link:

http://www.grants.gov/agencies/aapproved_standard_forms.jsp#1. The cost application must be submitted in Microsoft Excel format with all formulas unlocked and the detailed narrative in PDF and Microsoft Word. The budget should be organized by milestone, specifying the estimated costs that will be incurred to achieve that result.

c) Branding Strategy and Marking Plan

USAID will request a branding strategy and marking plan from the apparently successful applicant for evaluation as part of the award process, as per Attachments 2-4, except in cases where a waiver already exists. The apparently successful applicant's proposed Marking Plan may include a request for approval of one or more exceptions to marking requirements established in 22 CFR 226.91. The Agreement Officer evaluates and approves the Branding Strategy and a Marking Plan (including any request for exceptions) consistent with the provisions contained in 22 CFR 226.91, ADS 320, and AAPD 05-11.

- 3) The following certifications are required as part of the application package (Attachment 5):
 - a) For U.S. organizations, a signed copy of the Assurance of Compliance with Laws and Regulations Governing Nondiscrimination in Federally Assisted Programs. This certification applies to Non-U.S. organizations if any part of the program will be undertaken in the United States;
 - b) A signed copy of the certification and disclosure forms for "Restrictions on Lobbying" (see 22 CFR 227);
 - c) A signed copy of the "Prohibition on Assistance to Drug Traffickers" for covered assistance in covered countries, as detailed in ADS 206.3.10;
 - d) A signed copy of the "Certification Regarding Terrorist Funding" required by AAPD 04-14;
 - e) Survey on Ensuring Equal Opportunity for Applicants; and
 - f) Submission of a Data Universal Numbering System (DUNS) Number (see Federal Register Notice Use of a Universal Identifier by Grant Applicants).
- 4) Applications must be received by **2:00 PM, Cairo local time on June 8, 2011**. Applications which are received after this deadline will not be accepted for consideration.

- 5) Please note that pre-award costs will not be reimbursed.
- 6) Because this program is designed to support the work of USAID in the Middle East and North Africa region, funding under this program shall not be used – without specific prior written authorization by the Agreement Officer – in any geographic area other than in the Middle East and North Africa.
- 7) Applications must be submitted electronically to the following address: Cairoproposals@usaid.gov.
- 8) In the event of system problems with electronic submission, please contact Dana Rose and Botros Wilson at Cairoproposals@usaid.gov for alternate submission instructions.

SECTION V: APPLICATION REVIEW INFORMATION

All Technical Proposals will be evaluated by a technical evaluation committee in accordance with the evaluation criteria below, listed in descending order of importance.

1) Technical merits of the application

USAID will review the technical merits of the Technical Proposal, to include the degree to which the proposed program and activities will achieve the objectives outlined in this RFA. USAID will review the timing and sequencing of activities as well as the applicant's understanding of the overall objectives and of the context in which the program will be carried out.

2) Organizational Capacity and Management Arrangement of the Applicant

USAID will review the organization's management structure, operational capacity, and the proposed management arrangements (including teaming arrangements) to carry out the proposed activity within the proposed timeframe and with the requested resources.

3) Past Performance of the Applicant

USAID will review past performance in similar or related programs implemented during the past three years.

4) Cost Effectiveness and Cost Realism

USAID will review the cost effectiveness and cost realism of the application. While cost sharing is encouraged, it is not required for this RFA and will not be evaluated.

5) Branding Strategy and Marketing Plan

USAID will request and evaluate a branding strategy and marketing plan from apparently successful applicants, except in cases where an existing waiver applies; this evaluation will not be part of the competitive evaluation set forth in this section.

SECTION VI: AWARD AND ADMINISTRATION INFORMATION

- 1) A notice of award signed by the Agreement Officer is the authorizing document for this RFA. The notice of award will be provided electronically to the applicant's point of contact listed in the application.
- 2) Prior to issuance of award, some applicants may be required to submit additional information on the organization and key individuals for vetting. For example, for those organizations that have not had previous grants or cooperative agreements with the US Government, Articles of Incorporation or other documentation which substantiates the legal character of the entity will be requested. In such cases, issuance of an award is contingent on the timely receipt of the information requested and the successful completion of the vetting process.
- 3) Unsuccessful applicants will be notified electronically. Within 10 working days after the applicant receives notice that USAID will not fund its application, the unsuccessful applicant may send a written request for additional information. Debriefings may be provided at the discretion of the Agreement Officer. USAID may, at its discretion, respond orally, in writing, or electronically.
- 4) Awards will be administered as follows in accordance with USAID Standard Provisions for U.S. Non-Governmental Recipients or Non-U.S., Non-Governmental Recipients, as applicable, and will include *inter alia* the "Required as Applicable Standard Provision" on Participant Training.
- 5) The successful applicant shall submit quarterly narrative reports on program progress, to include a summary of activities undertaken, issues encountered, proposed means to address any issues and main activities for the next reporting cycle. The quarterly reports shall be submitted in English within 30 calendar days of the end of the quarter. The reporting cycle shall follow USAID's standard quarters (i.e. September-December, January-March, April-June, July-September). Reports shall be submitted electronically to the AOTR.

SECTION VII: AGENCY CONTACTS

The point of contact for this RFA is:

USAID/Egypt Office of Procurement
Laselki Street
New Maadi, Cairo, Egypt
Tel: 20-2-2522-7000
Dana Rose and Botros Wilson
Cairoproposals@usaid.gov

SECTION VIII: OTHER INFORMATION

USAID reserves the right to fund any or none of the applications submitted.

Attachment 1 – Budget format for Fixed Obligation Grant



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FIXED OBLIGATION GRANTS

Budget Format **403 EG POSAL\$F**

Category	Details	TOTAL USAID SHARE	Equivalent in \$ (if budget is in LE)	Cost Share Amount	TOTAL (USAID & Cost Share Amount)	Notes
Initial	Performance Monitoring & Evaluation Plan					
Staff	Describe any staff that relate to this result	\$0				\$0 Include any explanatory information
Training/Workshops	Describe any training events that relate to this result	\$0				\$0
Office rent	Include any office rent / other operating expenditures related to achieving this result	\$0				\$0
Equipment	Include any equipment that is required to achieve this result	\$0				\$0
Supplies	Include any supplies that are required to achieve this result	\$0				\$0
Other types of expenditures	Include any other types of expenditures related to this result (such as indirect costs)	\$0				\$0
Total Initial		\$30,000				\$30,000
Result 1	Jobs created among participating MSME's					
Staff	Describe any staff that relate to this result	\$0				\$0 Include any explanatory information
Training/Workshops	Describe any training events that relate to this result	\$0				\$0
Office rent	Include any office rent / other operating expenditures related to achieving this result	\$0				\$0
Equipment	Include any equipment that is required to achieve this result	\$0				\$0
Supplies	Include any supplies that are required to achieve this result	\$0				\$0
Other types of expenditures	Include any other types of expenditures related to this result (such as indirect costs)	\$0				\$0
Total Result 1		\$150,000				\$150,000
Result 2	Local institutions providing Business Development Services					
Staff	Describe any staff that relate to this result	\$0				\$0 Include any explanatory information
Training/Workshops	Describe any training events that relate to this result	\$0				\$0
Office rent	Include any office rent / other operating expenditures related to achieving this result	\$0				\$0
Equipment	Include any equipment that is required to achieve this result	\$0				\$0
Supplies	Include any supplies that are required to achieve this result	\$0				\$0
Other types of expenditures	Include any other types of expenditures related to this result (such as indirect costs)	\$0				\$0
Total Result 2		\$170,000				\$170,000
Result 3	Resources Leveraged through Alliances / PPP					
Staff	Describe any staff that relate to this result	\$0				\$0 Include any explanatory information
Training/Workshops	Describe any training events that relate to this result	\$0				\$0
Office rent	Include any office rent / other operating expenditures related to achieving this result	\$0				\$0
Equipment	Include any equipment that is required to achieve this result	\$0				\$0
Supplies	Include any supplies that are required to achieve this result	\$0				\$0
Other types of expenditures	Include any other types of expenditures related to this result (such as indirect costs)	\$0				\$0
Total Result 3		\$150,000				\$150,000
Total Costs		\$500,000	\$0	\$0	\$500,000	

Attachment 2:

BRANDING STRATEGY - ASSISTANCE (December 2005)

(a) Definitions

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

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

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

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

(c) Submission Requirements

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

(1) Positioning

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

Guidelines: USAID prefers to have the USAID Identity included as part of the program or project name, such as a "title sponsor," if possible and appropriate. It is acceptable to "co-brand" the title with USAID's and the Apparently Successful Applicant's identities. For example: "The USAID and [Apparently Successful Applicant] Health Center." If it would be inappropriate or is not possible to "brand" the project this way, such as when rehabilitating a structure that already exists or if there are multiple donors, please explain and indicate how you intend to showcase USAID's involvement in publicizing the program or project. For example: *School #123, rehabilitated by USAID and [Apparently Successful Applicant]/ [other donors].*

Note: the Agency prefers "made possible by (or with) the generous support of the American People" next to the USAID Identity in acknowledging our contribution, instead of the phrase "funded by." USAID prefers local language translations. *Will a program logo be developed and used consistently to identify this program? If yes, please attach a copy of the proposed program logo.*

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

(2) Program Communications and Publicity

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

Guidelines: Please include direct beneficiaries and any special target segments or influencers. *For Example: Primary audience: schoolgirls age 8-12, Secondary audience: teachers and parents—specifically mothers. What communications or program materials will be used to explain or market the program to beneficiaries?*
Guidelines: These include training materials, posters, pamphlets, Public Service Announcements, billboards, websites, and so forth.

What is the main program message(s)?

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

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

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

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

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

(3) Acknowledgements

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

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

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

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

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

Attachment 3:

MARKING PLAN – ASSISTANCE (December 2005)

(a) Definitions

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

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

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

A **Presumptive Exception** exempts the applicant from the general marking requirements for a particular USAID-funded public communication, commodity, program material or other deliverable, or a category of USAID-funded public communications, commodities, program materials or other deliverables that would otherwise be required to visibly bear the USAID Identity. The Presumptive Exceptions are: Presumptive Exception (i). USAID marking requirements may not apply if they would compromise the intrinsic independence or neutrality of a program or materials where independence or neutrality is an inherent aspect of the program and materials, such as election monitoring or ballots, and voter information literature; political party support or public policy advocacy or reform; independent media, such as television and radio broadcasts, newspaper articles and editorials; and public service announcements or public opinion polls and surveys (22 C.F.R. 226.91(h)(1)). Presumptive Exception (ii). USAID marking requirements may not apply if they would diminish the credibility of audits, reports, analyses, studies, or policy recommendations whose data or findings must be seen as independent (22 C.F.R. 226.91(h)(2)). Presumptive Exception (iii). USAID marking requirements may not apply if they would undercut host-country government "ownership" of constitutions, laws, regulations, policies, studies, assessments, reports, publications, surveys or audits, public service announcements, or other communications better positioned as "by" or "from" a cooperating country ministry or government official (22 C.F.R. 226.91(h)(3)). Presumptive Exception (iv). USAID marking requirements may not apply if they would impair the functionality of an item, such as sterilized equipment or spare parts (22 C.F.R. 226.91(h)(4)). Presumptive Exception (v). USAID marking requirements may not apply if they would incur substantial costs or be impractical, such as items too small or otherwise unsuited for individual marking, such as food in bulk (22 C.F.R. 226.91(h)(5)). Presumptive Exception (vi). USAID marking requirements may not apply if they would offend local cultural or social norms, or be considered inappropriate on such items as condoms, toilets, bed pans, or similar commodities (22 C.F.R. 226.91(h)(6)). Presumptive Exception (vii). USAID marking requirements may not apply if they would conflict with international law (22 C.F.R. 226.91(h)(7)).

(b) **Submission.** The Apparently Successful Applicant, upon the request of the Agreement Officer, will submit and negotiate a Marking Plan that addresses the details of the public communications, commodities, program materials that will visibly bear the USAID Identity. The marking plan will be customized for the particular program, project, or activity under the resultant grant or cooperative agreement. The plan will be included in and made a part of the resulting grant or cooperative agreement. USAID and the Apparently Successful Applicant will negotiate the Marking Plan within the time specified by the Agreement Officer. Failure to submit and negotiate a Marking Plan will make the applicant ineligible for award of a grant or cooperative agreement. The applicant must include an estimate of all costs associated with branding and marking USAID programs, such as plaques, labels, banners, press events, promotional materials, and so forth in the budget portion of its application. These costs are subject to revision and negotiation with the Agreement Officer upon submission of the Marking Plan and will be incorporated into the Total Estimated Amount of the grant, cooperative agreement or other assistance instrument.

(c) **Submission Requirements.** The Marking Plan will include the following:

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

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

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

(iii) events financed by USAID, such as training courses, conferences, seminars, exhibitions, fairs, workshops, press conferences, and other public activities; and

(iv) all commodities financed by USAID, including commodities or equipment provided under humanitarian assistance or disaster relief programs, and all other equipment, supplies and other materials funded by USAID, and their export packaging.

(2) A table specifying:

(i) the program deliverables that the recipient will mark with the USAID Identity, (ii) the type of marking and what materials the applicant will be used to mark the program deliverables with the USAID Identity, and (iii) when in the performance period the applicant will mark the program deliverables, and where the applicant will place the marking.

(3) A table specifying:

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

(d) **Presumptive Exceptions.**

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

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

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

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

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

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

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

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

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

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

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

Attachment 4:

MARKING UNDER USAID-FUNDED ASSISTANCE INSTRUMENTS (December 2005)

(a) Definitions

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

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

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

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

Public communications are documents and messages intended for distribution to audiences external to the recipient's organization. They include, but are not limited to, correspondence, publications, studies, reports, audio visual productions, and other informational products; applications, forms, press and promotional materials used in connection with USAID funded programs, projects or activities, including signage and plaques; Web sites/Internet activities; and events such as training courses, conferences, seminars, press conferences and so forth.

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

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

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

(b) Marking of Program Deliverables

- (1) All recipients must mark appropriately all overseas programs, projects, activities, public communications, and commodities partially or fully funded by a USAID grant or cooperative agreement or other assistance award or subaward with the USAID Identity, of a size and prominence equivalent to or greater than the recipient's, other donor's, or any other third party's identity or logo.
- (2) The Recipient will mark all program, project, or activity sites funded by USAID, including visible infrastructure projects (for example, roads, bridges, buildings) or other programs, projects, or activities that are physical in nature (for example, agriculture, forestry, water management) with the USAID Identity. The Recipient should erect temporary signs or plaques early in the construction or implementation phase. When construction or implementation is complete, the Recipient must install a permanent, durable sign, plaque or other marking.
- (3) The Recipient will mark technical assistance, studies, reports, papers, publications, audio-visual productions, public service announcements, Web sites/Internet activities and other promotional, informational, media, or communications products funded by USAID with the USAID Identity.
- (4) The Recipient will appropriately mark events financed by USAID, such as training courses, conferences, seminars, exhibitions, fairs, workshops, press conferences and other public activities, with the USAID Identity. Unless directly prohibited and as appropriate to the surroundings, recipients should display additional materials, such as signs and banners, with the USAID Identity. In circumstances in which the USAID Identity cannot be displayed visually, the recipient is encouraged otherwise to acknowledge USAID and the American people's support.
- (5) The Recipient will mark all commodities financed by USAID, including commodities or equipment provided under humanitarian assistance or disaster relief programs, and all other equipment, supplies, and other materials funded by USAID, and their export packaging with the USAID Identity.
- (6) The Agreement Officer may require the USAID Identity to be larger and more prominent if it is the majority donor, or to require that a cooperating country government's identity be larger and more prominent if circumstances warrant, and as appropriate depending on the audience, program goals, and materials produced.
- (7) The Agreement Officer may require marking with the USAID Identity in the event that the recipient does not choose to mark with its own identity or logo.
- (8) The Agreement Officer may require a pre-production review of USAID-funded public communications and program materials for compliance with the approved Marking Plan.
- (9) Subrecipients. To ensure that the marking requirements "flow down" to subrecipients of subawards, recipients of USAID funded grants and cooperative agreements or other assistance awards will include the USAID-approved marking provision in any USAID funded subaward, as follows: *"As a condition of receipt of this subaward, marking with the USAID Identity of a size and prominence equivalent to or greater than the recipient's, subrecipient's, other donor's or third party's is required. In the event the recipient chooses not to require marking with its own identity or logo by the subrecipient, USAID may, at its discretion, require marking by the subrecipient with the USAID Identity."*
- (10) Any 'public communications', as defined in 22 C.F.R. 226.2, funded by USAID, in which the content has not been approved by USAID, must contain the following disclaimer: *"This study/report/audio/visual/other information/media product (specify) is made possible by the generous support of the American people through the United States Agency for International Development (USAID). The contents are the responsibility of [insert recipient name] and do not necessarily reflect the views of USAID or the United States Government."*
- (11) The recipient will provide the Cognizant Technical Officer (CTO) or other USAID personnel designated in the grant or cooperative agreement with two copies of all program and communications materials produced under the award. In addition, the recipient will submit one electronic or one hard copy of all final documents to USAID's Development Experience Clearinghouse.

(c) Implementation of marking requirements.

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

(2) When the grant or cooperative agreement does not contain an approved Marking Plan, the recipient will propose and submit a plan for implementing the requirements of this provision within [**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 Cognizant Technical Officer. The Principal Officer is responsible for approvals or disapprovals of waiver requests.

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

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

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

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

(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.

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".

Part I – Certifications and Assurances

1. Assurance of Compliance with Laws and Regulations Governing Non-Discrimination in Federally Assisted Programs

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

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

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal 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.

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

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

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

Statement for Loan Guarantees and Loan Insurance

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

3. Prohibition on Assistance to Drug Traffickers for Covered Countries and Individuals (ADS 206)

USAID reserves the right to terminate this Agreement, to demand a refund or take other appropriate measures if the Grantee 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, (3) the Prohibition on Assistance to Drug Traffickers for Covered Countries and Individuals (ADS 206) and (4) the Certification Regarding Terrorist Financing Implementing Executive Order 13224 above.

RFA/APS No. _____

Application No. _____

Date of Application _____

Name of Recipient _____

Typed Name and Title _____

Signature _____

Date _____

Part II – Key Individual Certification Narcotics Offenses and Drug Trafficking

I hereby certify that within the last ten years:

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

Signature: _____

Date: _____

Name: _____

Title/Position: _____

Organization: _____

Address: _____

Date of Birth: _____

NOTICE:

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

Part III – Participant Certification Narcotics Offenses and Drug Trafficking

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

a. I have not been convicted of a violation of, or a conspiracy to violate, any law or regulation of the United States or any other country concerning narcotic or psychotropic drugs or other controlled substances.

b. I am not and have not been an illicit trafficker in any such drug or controlled substance.

c. I am not or have not been a knowing assister, abettor, conspirator, or colluder with others in the illicit trafficking in any such drug or substance.

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

Signature: _____

Name: _____

Date: _____

Address: _____

Date of Birth: _____

NOTICE:

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

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

Part IV – 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/Subgrantee _____

Typed Name and Title _____

Signature _____

Part V – 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.)

Survey on Ensuring Equal Opportunity for Applicants

Part VI – 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.
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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: _____