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Issuance Date: March 25, 2010  
RFA Clarification Questions Due: April 6, 2010  
Closing Date and Time for Submission: April 22, 2010  
Time: 17:00 pm

Subject: Request for Applications (RFA) Number: RFA-526-10-000001

RFA Title: USAID/Paraguay's Democracy and Governance Program

Dear Applicant:

The United States Government, as represented by the United States Agency for International Development (USAID) Mission to Paraguay is seeking applications to implement the Democracy and Governance Program from both local Non-government organizations (NGO) and for profit organizations currently operating in Paraguay.

The USAID/Paraguay's Democracy and Governance program's primary assistance objective is twofold: 1) Reduce corruption and impunity, and 2) Improve good governance. Within this objective, the Mission has identified three intermediate results: a) Increased transparency and impartiality in the justice sector and overall professionalization of judges and the judicial system; b) Support governmental reform to improve management and policy making systems and increase government effectiveness to reduce corruption and patronage, and c) Strengthen and expand Civil Society institutional capacity to demand public sector accountability, support broader civil society organization alliances, and enhance civil society interaction with the government

The Recipient will be responsible for ensuring achievement of the program objectives. Please refer to the Section I, the Funding Opportunity Description for a complete statement of goals and expected results.

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

Subject to the availability of funds, USAID intends to issue one or more awards from this RFA, providing a total of up to \$12,000,000.00 to implement a three year program. The estimated period of performance for these instruments will be from October 01, 2010 through September 30, 2013. USAID reserves the right not to fund any application submission if they are not technically feasible.

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

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5. Section V, Application Review Information
6. Section VI, Award and Administration Information
7. Section VII, Agency Contacts
8. Section VIII, Branding Strategy and Marking Plan
9. Section IX, Attachments

Any questions concerning this RFA must be submitted by e-mail to both Ms. Doanh Van, Regional Agreement Officer, and to Mr. Marco Ferreira, Acquisition and Assistance Specialist, at:

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If it is determined that the answer to any question(s) is of sufficient importance to warrant notification to the prospective recipients, a Questions and Answer document, and/or if needed, an amendment to the RFA, will be issued. Therefore, questions should be submitted no later than April 6, 2010 at 17.00 local Asuncion time.

Your application should be received by the closing date and time indicated at the top of this cover letter at the place designated below for receipt of application. Applications and modifications thereof shall be submitted in envelopes with the name and address of the applicant and RFA-526-10-000001 inscribed thereon. The Applicant is also requested to submit both technical and cost portions of its application in separate files as an attachment to electronic mail by the closing date and time indicated at the top of this cover letter as follows: The Technical and Cost application should be sent by e-mail to Ms. Doanh Van and Ms. Veronica Leo, c/o RCO/Lima, internet address, ([dvan@usaid.gov](mailto:dvan@usaid.gov) and [vleo@usaid.gov](mailto:vleo@usaid.gov), respectively) and to Mr. Marco Ferreira, [mferreira@usaid.gov](mailto:mferreira@usaid.gov).

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.

Receipt of this RFA must be confirmed by written notification (e-mail) to the USAID/Peru Regional Agreement Officer and to the Acquisition & Assistance Specialist at USAID/Paraguay identified above. It is the responsibility of the recipient of this RFA document to ensure that it has been received in its entirety.

Thank you for your interest in supporting USAID Paraguay's Democracy and Governance Program.

Sincerely,



Doanh Van  
Agreement Officer

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## **SECTION I – FUNDING OPPORTUNITY DESCRIPTION**

### **A. Introduction and Background**

The USAID/Paraguay's Democracy and Governance program's primary assistance objective is twofold: 1) Reduce corruption and impunity, and 2) Improve good governance. Within this objective, the Mission has identified three intermediate results: a) Increased transparency and impartiality in the justice sector and overall professionalization of judges and the judicial system; b) Support governmental reform to improve management and policy making systems and increase government effectiveness to reduce corruption and patronage, and c) Strengthen and expand Civil Society institutional capacity to demand public sector accountability, support broader civil society organization alliances, and enhance civil society interaction with the government

### **B. Program Description**

#### **SECTION I: RULE OF LAW**

##### **I. 1) BACKGROUND**

Recent institutional reform in the rule of law area, much of it supported by USAID/Paraguay projects and programs, has included the development and implementation of an Ethics Code and an Office of Judicial Ethics. These reforms demonstrate that results can be achieved when the Supreme Court is supportive of reform and provides ongoing support, even in the face of resistance. In addition, the MCC Threshold Program has improved the Supreme Court's internal control and disciplinary systems, resulting in more effective control over judges and judicial staff performance, thus reducing the opportunity for corruption.

However, if the rule of law is to prevail in Paraguay the judiciary needs to more effectively perform its fundamental role of deciding cases brought to it in an objective, effective and timely manner, and the police must be a force for security and protection, not corruption and inefficiency.

The main objectives for USAID to support the rule of law in Paraguay are to attain increased transparency and impartiality in the justice sector, to promote the overall professionalization of judges and judicial staff, and to support the reform of the police department.

The recipient will support implementation of activities aimed at achieving USAID/Paraguay Democracy and Governance Intermediate Result I: "Increased transparency and impartiality in the justice sector and overall professionalization of judges and the judicial system".

##### **I. 2) ACTIVITIES**

###### **a) Special Tribunals for Economic Crimes and Corruption**

If the rate of corruption is to be reduced in Paraguay, the work of prosecutors must be complemented with a highly qualified criminal jurisdiction system in which judges and members of the court of appeals have expertise in economic crimes and anti-corruption. "White collar crimes" are extremely complex cases that demand special attention and knowledge. Currently, there is a specialized unit for economic crimes and corruption cases at the Public Ministry, with prosecutors and assistant prosecutors trained in this area.

However, the judiciary lacks a specialized jurisdiction in the economic crimes field to compliment the expertise within the Public Ministry. The recipient will support the Paraguayan Supreme Court to establish a specialized jurisdiction for economic and corruption crimes. In tandem, the recipient will promote an open debate among scholars, judges, law schools, and other key stakeholders, and provide technical support to define possible approaches for the creation and

implementation of the specialized tribunals.

Judges will need significant training on both the substantive and complex legal areas related to economic crimes and to gain an understanding of the negative impact of corruption on the nation's democratic and economic growth.

Activities under this subsection include, but are not limited to:

- Conduct an assessment on economic crimes cases aimed at identifying prevailing judicial practice as well as the challenges and opportunities to improve judicial performance vis-à-vis economic crimes and corruption cases;
- Provide technical assistance to the Supreme Court to consider different alternatives and models;
- Conduct workshops with relevant players, including judges, prosecutors, law schools, and judicial staff to define a model in a participatory manner;
- Provide technical support in designing a case management model for economic crimes and corruption cases, within the existing legal framework;
- Provide training to judges, prosecutors, and judicial staff both on procedural and substantial subjects.

#### **b) Management Model for the Supreme Court**

Based on the current organizational structure and employee responsibilities within the Supreme Court, Justices spend a significant amount of valuable time on budgetary and administrative matters, including the procurement of office equipment and the authorization of minor court expenses. These administrative duties prevent the Supreme Court Justices from devoting their attention towards resolving judicial cases which, in turn, contributes to judicial tardiness and creates opportunities for corruption.

The recipient will support the Supreme Court to develop a court administration model that will better divide juridical and administrative functions in the Supreme Court. Focus will be directed towards maximizing the use of Supreme Court Justices' time and effort, via greater delegation of administrative authority to technical staff. The model will establish guidelines and standards for administrative and managerial matters. Through USAID assistance, the formation of multi-task working groups will improve internal communication and coordination, and increase the level of strategic planning and capacity to effectively deliver solutions to the administrative challenges within the judiciary.

Activities under this subsection include, but are not limited to:

- Conduct an assessment to identify challenges and opportunities, and to formulate recommendations to the Supreme Court;
- Develop a management model in a participatory manner through workshops and working group meetings;
- Establish working groups with relevant players to advance a new management model;
- Provide technical assistance to the Supreme Court in the implementation of needed changes;
- Provide technical support to different Supreme Court offices, including the Administrative and Financial Department, the Human Resources Department, and the Planning Department, among others.

#### **c) Training for Judges and professionalization of the judiciary**

It is essential to create a training program on ethical and legal topics in order to improve professionalism in the judiciary. Training should not only include procedures, jurisprudence, and a focus on substantive issues, but also must cover management, leadership, and the role of judges in society. Judges will participate in seminars highlighting the importance of an

independent and professional judiciary, or on highly technical and complicated legal issues and procedures. Whenever possible, judicial training will be performed in an official judicial training facility as part of an effort to strengthen those institutions.

The recipient will encourage the Paraguayan Supreme Court to establish an official judicial training center, not only for initial orientation, but for continuing legal education activities, and will provide technical assistance to develop the curricula and to support the initial training activities. The training center will ensure program sustainability following the completion of USAID assistance to the project.

Activities under this subsection include, but are not limited to:

- Provide technical support to the Supreme Court in defining a training strategy for both judges and judicial staff;
- Define a curricula that includes both substantial and procedural subjects applicable to the most relevant jurisdictions (criminal, civil and commercial, labor, and family law);
- Provide “training of trainers” support to establish a pool of trained judicial staff capable of replicating training on justice-related matters;
- Provide technical training on key matters including case management, leadership and the use of IT within the justice sector;
- Provide recommendations to the Supreme Court aimed at ensuring sustainability of continuing training, including the creation of a Judicial Training Center.

#### **d) Forensic Audit Units in Key Ministries**

USAID has supported the Controller General's Office and the Public Ministry to improve coordination and communication to fight corruption. Under this assistance, the Controller General established a Forensic Audit Department to liaise between auditors and prosecutors, and serve as a support office that provides technical advice to auditors to help them better analyze and gather relevant evidence in corruption-related cases.

Based on this successful experience in the Controller's General Office, the recipient will provide technical assistance needed to replicate the forensic audit model in key public offices, such as the Ministry of Public Works and National Procurement Office. The overall goal is to have key public offices report to the Public Ministry with supporting evidence that leads to successful indictments and rulings.

Activities under this subsection include, but are not limited to:

- Conduct assessments to identify challenges and opportunities and to recommend the most appropriate program approach;
- Provide technical assistance to the selected public offices for drafting procedures and operations manuals;
- Provide training to members of the selected public office on criminal law and administrative law, as well as criminal procedures;
- Monitor the progress of the newly-established units, and provide on the job training to ensure the proper use of manuals.

#### **e) Supreme Court Transparency Units and Judicial Ethics System**

The Supreme Court recently established a transparency unit within its organizational structure. This unit could become a key player in the process to increase transparency among judges, judicial staff, and prosecutors. In addition, with USAID's support the Supreme Court has created and enacted an ethics code for judges that include enforcement mechanisms, such as an ethics tribunal, advisory council, and ethics office. The ethics system is effectively working to disseminate ethical principles and sanction cases of unethical behavior.

The recipient will provide technical assistance to the ethics system and the new transparency unit, and provide technical support to develop awareness campaigns, workshops, and conferences on ethics and transparency.

Activities under this subsection include, but are not limited to:

- Conduct assessments to identify challenges and opportunities and to recommend the most appropriate program approach;
- Provide technical assistance for drafting procedures and operations manuals;
- Provide training and monitoring the work of the Ethical Tribunal, the Advisory Council and the Ethics Office, as well as to the Transparency Unit;
- Conduct public awareness campaigns on transparency and anti-corruption matters;
- Provide technical support to increase coordination and communication among the ethics system, the Transparency Unit, and other offices of the judiciary such as the disciplinary and internal audit offices.

### **I. 3) EXPECTED RESULTS**

#### **a) Special Tribunals for Economic Crimes and Corruption**

- A model for specializing the economic crimes and corruption jurisdiction developed in a participatory manner, approved by the Supreme Court;
- A 10% reduction in the time tribunals involved in the program (*tribunales de sentencia*) resolve economic crimes and corruption cases.

#### **b) Management Model for the Supreme Court**

- A management model developed in a participatory manner and approved by the Supreme Court;
- At the end of the program, the new management model is being implemented in the judiciary's procurement area.

#### **c) Training for Judges and professionalization of the judiciary**

- A new training model is implemented to train both judges and judicial staff;
- A team established and trained via "training of trainers" with the assistance of the program.

#### **d) Forensic Audit Units in Key Ministries**

- Two new forensic units in national ministries or public offices established with the assistance of the program.

#### **e) Supreme Court Transparency Units and Judicial Ethics System**

- Five public awareness campaigns conducted with the support of the program;
- A coordination mechanism in place to increase the effectiveness of the judicial ethics system, the transparency units, and other departments of the judiciary in advancing transparency and anti-corruption efforts.

## **SECTION II: GOOD GOVERNANCE**

### **II. 1) BACKGROUND**

A key democracy and governance challenge is the persistence of political patronage throughout the Paraguayan government. The existence of a weak merit-based civil service system in Paraguay affects the ability of the government to effectively and efficiently carry out a wide range of responsibilities. Patronage and clientelism are deeply embedded in the political culture and political parties provide employment to members as a way to secure continued support.

Lack of close coordination and collaboration among different levels of government undermines overall service delivery and government effectiveness. Intergovernmental relations in Paraguay have traditionally focused on decentralization efforts (i.e. the transfer of competences and duties from the central to the local level). Although decentralization has its rightful place in public administration, it does not fully capture the current difficulties in communication and coordination for maximized public service delivery. The program will support government efforts to address significant issues in intergovernmental relations.

The lack of effective management systems is one of the key factors underlying overall poor governance. The existence of sound management systems and the capacity to implement them is critical to organizational success. The Government of Paraguay does not currently have strong government-wide management policies. While several initiatives already exist in areas such as internal control, budget policies, procurement, human resources, e-government, and quality management of service delivery, these efforts are somewhat disparate and not well-coordinated. USAID/Paraguay has been supporting local efforts on several management areas like internal control, human resource management, municipalities' institutional strengthening and integrated financial management systems.

These are some of the main challenges governmental reform should face in Paraguay and key to achieve administrative effectiveness, a pillar of the democratic system.

USAID/Paraguay's main objective for government reform is to support the strengthening of the governments' management capabilities to implement effective public policies and programs. The recipient will support implementation of activities aimed at achieving USAID/Paraguay Democracy and Governance Intermediate Result II: "Support Governmental Reform to improve management and policy making systems and increase government effectiveness to reduce patronage and corruption".

## **II. 2) ACTIVITIES**

### **a) Civil Service**

The Civil Service National Secretariat (CSNS) is leading a comprehensive reform process to strengthen and change the civil service and human resource systems within the Paraguayan Government. USAID has provided technical assistance to the CSNS for civil service reform and collaborates with the Secretariat on the development of a performance measurement tool and management system that will allow national ministries and other public entities to be measured periodically on key components of human resources management.

The performance measurement tool was conceptualized by a group of civil society organizations with the assistance of USAID, and was developed through a participatory process led by the CSNS and with collaboration from a variety of representatives and experts from governmental and civil society organizations. The instrument is comprised of eight specific human resource management areas, including planning, job descriptions, recruiting, selection, career, training, compensation, and performance evaluation.

Activities under this subsection include, but are not limited to:

- Support a performance measurement system on human resource management and the civil service system;
- Provide technical assistance to ministries to develop their human resource management systems, and achieve progress as measured by the performance instrument;
- Support the institutional strengthening of the CSNS as a policy setting and management agent for civil service.

### **b) Intergovernmental Relations**

Paraguayan law sets the basic framework for the competencies and responsibilities of each level of government, from the municipal to the departmental and central. Those associated with key public services cut across boundaries and often overlap, giving rise to the need for effective intergovernmental relations (IGR).

Services such as health, education, water and sanitation are delivered in the territory by different levels of government with insufficient coordination and synergy. Central government ministries lack a strong territorial perspective in their programming. The three levels of government, all operating within the same territory and interacting among themselves and the society, require fluid communication and close coordination for overall state effectiveness in program implementation for service delivery. Program design, implementation and evaluation for service delivery cannot reach its fullest positive impact if it continues to be addressed in Paraguay in a traditional sense, exclusive to a single power.

Regulations and administrative processes that involve different levels of governments such as transfer of funds, contracting, cadastre and human resource management requires intergovernmental institutional mechanisms to address key issues that undermines overall government effectiveness. There is a need to build institutions and mechanisms that will enable intergovernmental relations to be conducted in a more holistic, collaborative manner, which ultimately contributes to good governance.

Activities in this area will promote a collaborative effort with the participation of key stakeholders.

Activities under this subsection include, but are not limited to:

- Design and implementation of a framework that enables the national government and governorships to coordinate efforts in key areas of intergovernmental collaboration to improve management capabilities and service delivery;
- Development and implementation of a public policy to provide training and technical assistance programs for municipal and departmental governments.

### **c) Government-wide Management Reform**

The Government of Paraguay needs to develop government-wide priorities that promote improved management systems and practices, and to which agencies are able to tie specific goals. A clearly articulated management agenda will allow the “whole of government” to develop and communicate policies on management issues, set priorities, measure progress, and achieve concrete results on priority issues.

A government-wide management framework for reform will provide support for ongoing management initiatives such as those related to civil service, internal controls, procurement and the streamlining of government operations.

Other initiatives may include support to build institutional capabilities to evaluate government programs. Identifying program strengths and weaknesses, and providing relevant information for public program and policy formulation will aid the decision making process and help achieve better results. The program will support methodological discussions on the best approach for building an evaluation system for public policy analysis in Paraguay, taking into consideration lessons learned in other countries.

The program will ultimately support an agenda setting process that helps promote awareness and commitment among public and private actors on the need to improve management to enhance service delivery and program outcomes.

### ***Program Approach for the Good Governance Section***

All program activities will be developed based on a collaborative governance approach.

Collaboration requires broad participation of government actors across different ministries, going beyond the traditional institutional barriers, as well as of civil society organizations to foster information sharing, bring diversity of perspectives, and benefit from the wisdom of experts and non experts, in policy formulation, execution and evaluation. This participatory process is also key to achieve consensus, legitimacy and validation of the proposals necessary for an effective decision-making and implementation process.

The program should support government efforts to strengthen the ability of individuals and private and public organizations to interact, make agreements on key issues, resolve conflict and govern themselves.

Collaboration requires a balanced approach between the need for hierarchies and clearances in government bureaucracy and private organizations with the need to allow citizens and public employees to participate as individuals in the social networks and collaboration tools to take advantage of the benefits of new technologies.

Collaborative governance as a program approach to the core activities of this section may include:

- i) Supporting activities through which participants (public institutions, civil society and other stakeholders) are empowered to develop policy proposals and make recommendations to a final decision-maker.
- ii) Promoting public access to high value datasets generated by the government, with the assumption that it will promote increased interaction and participation among public and civil society actors, help the understanding of government programs and policies, and promote collaborative processes among a broader range of actors to improve governmental performance.
- iii) Supporting experts' labs that can help government decision makers take advantage of the expertise of citizens and public employees of different entities otherwise disconnected from the public policy debate. Collaborative networks of experts on specific subject matters can help government make better decisions.

## **II. 3) EXPECTED RESULTS**

### **a) Civil Service**

- Improved human resource management based on civil service merit principles in at least 4 ministries and 4 other public institutions as measured by the performance instrument;
- Support the institutional strengthening of the CSNS as a policy setting and management agent for civil service in at least three core functions.

### **b) Intergovernmental Relations**

- At least 6 improved institutional arrangements to address significant issues in intergovernmental relations to allow more effective public policy and program implementation.

### **c) Government-wide Management Reform**

- Expanded awareness among civil society and governments actors on the need for a government wide management agenda as evidenced by at least 5 civil society organization and government entities coordinating efforts in the agenda setting process.
- A government wide management agenda designed through a collaborative process.
- Support at least two government management reforms.

### **SECTION III: CIVIL SOCIETY**

#### **III. 1) BACKGROUND**

The dictatorship of General Alfredo Stroessner (1954-1989) severely impaired the formation of strong civil society organizations and left a legacy that continues to impede the growth of civil society organizations that can represent, and act on behalf of, the public in the public policy and political arenas. Important work remains to be done in fighting patronage, clientelism and corruption, which in many instances limit the access to the benefits of the state to those with political influence. Although civil society organizations are not openly repressed as they were during Stroessner's reign, they continue to exist as weak bodies lacking resources and the internal capacity to expand their support base, deliver their message on behalf of their supporters, and effect critical change in the areas of public policy and political reform.

Despite the lack of a diverse and numerous contingent of strong civil society organizations, there exists a strong possibility for change in this area. The prevalence of civil society groups has increased significantly since Stroessner's dictatorship and citizen participation at the local level has continued to grow. These organizations have had some input in a wide range of policy issues, including human rights, government transparency and accountability, anticorruption, citizens' rights, military service, and protection of the environment. As civil society organizations continue to expand their support base, the pressure on the government to make legitimate reforms will only increase.

The program's main objective is to contribute to the expansion of a strong, proactive Civil Society, with the institutional capacity to ensure their long-term ability to act as a catalyst to institute critical changes need to reduce corruption and impunity, strengthen participatory democracy, improve governance and foster a better future for Paraguayan citizens.

The recipient will support implementation of activities aimed at achieving USAID/Paraguay Democracy and Governance Intermediate Result III: "Strengthen and expand Civil Society institutional capacity to demand public sector accountability, support broader civil society organization alliances, and enhance civil society interaction with the government".

#### **III. 2) ACTIVITIES**

##### **a) Civil Society Organizations (CSO) Institutional Strengthening**

The main weakness of civil society organizations in Paraguay is the lack of institutional capacity. The purpose of this subsection is to provide training and technical assistance to strengthen the institutional capacity of civil society organizations so that they can act as responsible and legitimate forces for policy change within the democratic arena in a sustained consistent manner over time.

The recipient will provide technical assistance and training for the institutional strengthening of CSOs in areas such as managerial capability, financial processes, organizational structure, fund-raising, project development, communications strategies, and monitoring and evaluation. The institutional strengthening program will be implemented in tandem with a practical project in which organizations design a project, gain experience in their newly strengthened areas, and share lessons learned with other CSOs participating in the program.

Focus will also be directed toward engaging new players to partner with USAID, in order to build a base of organizations that have the training and capacity to fulfill the requirements that USAID demands of its partners.

Activities under this subsection include, but are not limited to:

- Conduct institutional strengthening training sessions and provide technical assistance in the following areas: managerial capability, financial processes, organizational structure, fund-raising, project development, communications strategies, and monitoring and evaluation;
- Support the projects submitted by CSOs during their institutional strengthening sessions;
- Design and implement a certification process based on assessments performed after the institutional strengthening sessions, whereby each organization is either certified as a USAID "Trusted Partner" or provided a detailed explanation of those requirements that they still need to fulfill prior to being certified.
- Create a manual and/or training program that can be used for future institutional strengthening needs.

#### **b) Civil Society Participation and Oversight**

A multi-sectorial approach to civil society strengthening is essential in order to support reform at both the local and national levels which leads to a strengthened democracy and reduced corruption and impunity. Alliances and broad coalitions within the civil society sector enhance their ability to achieve specific policy changes and to demand citizens' rights and democratic reforms. In addition, alliances between civil society groups and the public and private sectors can have a dramatic effect toward stimulating awareness and change in policy, and contribute to policy implementation and evaluation.

Most important is the need for all actors—public and private—to advocate against the culture of corruption. The building of alliances and coalitions of civil society groups in similar areas will be encouraged, as well as broad based citizen participation, with a strategic approach geared towards fostering reforms.

The recipient will also work with CSOs to mobilize constituencies for reform. Because political reform generally occurs in response to civic action, the recipient will support civil society organizations whose advocacy efforts help citizens participate and expand their influence in the political process. These organizations may include human rights and pro-democracy groups, professional associations, religious institutions and business associations. Service delivery organizations may also become active in civic or political affairs on policy issues.

As part of the alliances efforts, the grantee will support the collaborative private and public efforts under the leadership of the Civil Service Secretariat in designing the institutional framework to manage the implementation of the *Indice de Gestión de Personas (People Management Index)* and support the measurement of ministries and other public entities with the Index. The grantee will also support the *Midamos (Let's measure)* institutional system, a performance measurement program for local governments, to implement the business models and policies that will assure sustainability to the program.

Activities under this subsection include, but are not limited to:

- Conduct alliance and coalition building workshops among CSOs with similar goals, including those that are traditionally outside of the democracy and governance sector, in order to push for reforms across all areas of Paraguayan civil society;
- Conduct training sessions, with emphasis on strategic thinking and strategic planning to build various reform campaigns;
- Conduct workshops and training sessions to incorporate anti-corruption activities within CSO's strategic planning; as well as advocacy against corruption at all levels of government;
- Provide technical assistance to foster increased cooperation, new partnerships, and more communication between CSOs and the private and public sectors working in related areas.

- Develop a sub-grants program to provide support to CSOs whose advocacy efforts help citizens participate and expand their influence in the political process.

#### **c) Civic Education**

Civic education is fundamental in the process to ensure citizen participation in democratic reforms. Civic education programs will be implemented in the formal education sector, as well as for adults, and democratic principles will be highlighted in worker education programs and citizen awareness campaigns.

The following areas will be explored in civic education programs: media development, the cost or impact of corruption and the importance of anticorruption efforts, ethics values, the inherent value of strong citizen involvement, fundamental human rights, and advocacy and coalition building skills.

Activities under this subsection include, but are not limited to:

- Provide technical assistance to the Ministry of Education to include civic education programs in the formal education sector.
- Foster alliances with public and private Universities to include civic education programs in their curricula and to develop civic education workshops and seminars.
- Provide recommendations on the scope of the curricula for the civic education programs and seminars.
- Provide technical assistance to CSOs to develop and implement citizen awareness campaigns.

#### **d) Investigative Journalism**

The Paraguayan media plays a significant role in this democracy by exposing corruption cases, yet is often hampered by a lack of experience, professionalism, expertise, and objectivity. Therefore, the recipient will support the enrichment of investigative journalists' expertise to cover corruption cases in Paraguay. The recipient will work with associations of journalists and local journalism schools to promote ethical values, provide training in investigative journalism techniques, and reinforce the goal of remaining objective throughout the process. The objective is not to over-expose corruption to an already-saturated public, but to present real cases of corruption in an objective and professional manner, and then monitor the progress of those cases throughout the judicial process.

Activities under this subsection include, but are not limited to:

- Ethics training for journalists;
- Technical assistance and consensus building workshops for the drafting of an Ethics Code for journalists.
- Train selected journalists and journalism students on investigative journalism techniques;
- Provide training to key journalists on investigating and exposing corruption cases in a professional, ethical and objective manner;
- Provide a "training of trainers" style training to selected journalists so that they may in turn impart their newly-gained knowledge and practices to their colleagues;
- Work with local journalism schools to strengthen their curricula on professional ethics and investigative journalism techniques.

### **III. 3) EXPECTED RESULTS**

- a) **Civil Society Organizations (CSO) Institutional Strengthening**
  - Fifteen (15) civil society organizations strengthened in the following areas: managerial capability, financial processes, organizational structure, fund-raising, project development, communications strategies, and monitoring and evaluation.
  - Ten (10) civil society organizations certified as trusted partners.
  - A manual and/or training program for institutional strengthening developed and disseminated.
- b) **Civil Society Participation and Oversight**
  - Ten (10) partnerships formed between CSOs and the public and/or private sector.
  - Five (5) alliances and coalitions formed between CSOs with similar goals.
  - Meetings with government and private sector actors on policy reforms and anti-corruption taking place.
  - A 10% increase in CSOs membership/support base.
  - Institutional mechanisms designed and implemented under the leadership of the Civil Service Secretariat, based on independence, credibility and expertise for rating government human resources management systems.
  - At least 10 key ministries and a total of 30 public institutions rated using the performance measurement tool for human resource management in the public sector to track progress.
  - Support through a sub-grant mechanism the institutional framework in place to manage and provide sustainability to MIDAMOS (Let's Measure), a performance measurement system for local governments.
- c) **Civic Education**
  - A civic education program for the formal education sector developed.
  - Five (5) citizen awareness campaigns implemented.
  - Alliances formed and civic education plans developed and implemented in three universities.
- d) **Investigative Journalism**
  - Ethics code for journalists drafted and approved by local journalism association.
  - Curricula on professional ethics and investigative journalism techniques developed and implemented in three different journalism schools.
  - A team of training of trainers established and trained with the assistance of the program.

## **C. REPORTING AND EVALUATION**

### **1. Financial Reporting**

The Recipient shall submit an original and two copies. Financial Reports shall be in keeping with General Provision "Accounting, Audit, and Records".

Recipients shall list each country included in the program and the total amount expended for each country under the award for the reporting period in the "Remarks" block on the "Financial Status Report" SF-425 or SF-425A, or on a separate sheet of paper with the "Request for Advance or Reimbursement" SF-425. [http://www.grants.gov/agencies/aapproved\\_standard\\_forms.jsp#3](http://www.grants.gov/agencies/aapproved_standard_forms.jsp#3)

### **2. Performance Monitoring and Planning Reports**

#### **2.1. Annual Work Plans**

The Recipient will prepare and submit an annual work plan in English, which at a minimum will include component areas, target accomplishments, milestones towards target accomplishments, timetables, major activities and budget for year one of this Agreement within 45 days of its award date (i.e. the effective date). On a yearly basis, annual work plans will be due no later than 30 days prior to the start of the new fiscal year.

## **2.2. Quarterly Reports**

Quarterly reports reflecting the work plans will be produced and will be due no later than 15 days after the end of each quarter. Quarters are understood to mean: January – March, April – June, July – September, and October – December. Quarterly reports will include reference to annual work plan component areas, accomplishments, progress towards accomplishments, projected accomplishments, timeframe, quarterly funds expended; total program expenses to date, and estimated amounts still available. Discrepancies (if any) between the work plan and quarterly reports must be explained, including possible requests that the work be amended.

Accomplishments and difficulties will be described both quantitatively and qualitatively as they relate to USAID/Paraguay's Democracy Strategic Objective and Intermediate Results. Any anticipated or actual delays will be explained and a plan for corrective actions initiated.

In addition, the final quarterly report will incorporate an annual summary report that includes annual cumulative data on program performance and the following indicators: number of sub-national governments receiving USG assistance to increase their annual own-source revenues; number of sub-national government entities receiving USG assistance to improve their performance; number of local mechanisms supported with USG assistance for citizens to engage their sub-national government; number of individual who received USG-assisted training, including management skills and fiscal management, to strengthen local government and/or decentralization; number of mechanisms for external oversight of public resource supported by USG assistance; number of USG-supported anti-corruption measures implemented; number of individuals who receive USG-assisted political party training; and number of political parties and political groupings receiving USG-assistance to articulate platform and policy agendas effectively.

## **2.3. Final Report**

The recipient shall submit an original and one (1) copy of a written final report, which will include quantitative and qualitative accomplishments, conclusions and recommendations for future activities, within 60 days following the estimated completion date of the Agreement.

## **3. Monitoring and Evaluation**

Progress toward implementation of the project goals will be measured by the achievement of benchmarks and reported on quarterly basis.

The recipient will budget for external midterm and final program.

## **D. USAID SUBSTANTIAL INVOLVEMENT**

USAID/Paraguay's substantial involvement under this cooperative agreement will take the following forms:

1. **Approval of the Recipient's Implementation Plans:**
  - USAID/Paraguay will review annual work and implementation plans for approval.
2. **Agency and Recipient Collaboration or Joint Participation.**
  - USAID prior approval of subaward program descriptions.

## **E. PERSONNEL**

The grantee will recruit, hire and support technical, administrative and support personnel to plan and implement all agreement activities. The grantee will provide all administrative, technical and logistical support for its personnel.

### 1. Local support staff

The grantee shall propose a local-hire staffing plan that will provide technical, administrative and logistical support that will ensure the timely and effective implementation of activities and the achievement of the Grantee's activities.

#### a) Key personnel:

The grantee shall propose one Program Director for overall program management, and one Program Coordinator for each of the Program Sections to which it applies. For example, if the grantee has applied to each of the 3 Program Sections, it must present 1 Program Director for overall program supervision and management and 3 Program Coordinators, one for each Program Section applied to. The following are expected qualifications for each of these positions:

- **Program Director:** The Program Director will be responsible for the overall management and implementation of the program. (S)he must have a degree in public administration, management, accounting, political science, law, or related field. A minimum of 5 years experience in managing democracy and governance programs is required. The candidate must have superior coordination and supervisory skills. Supervises Program Coordinators, staff and consultants to implement the program and builds relations with key stakeholders. The position requires the ability to lead people towards meeting the organizational and program goals, develop networks and build alliances, collaborate across boundaries to build strategic relationships and achieve common goals, foster the development of others, facilitate cooperation and teamwork, and support constructive resolution of conflicts. The person encumbering this position is expected to dedicate at least 75% of their time and effort to Program Director activities. The fundamental expectation is that the Program Director be knowledgeable of the specific technical details of the program and be available on a daily basis to discuss program implementation. You don't want full-time for this position?
- **Rule of Law Program Coordinator:** The Rule of Law Program Coordinator must hold a law degree. A minimum of 5 years of experience in rule of law, justice reform, and/or anti-corruption and transparency programs is required. Supervises staff and consultants to implement the program and builds relations with key stakeholders. The position requires the ability to lead people towards meeting the organizational and program goals, develop networks and build alliances, collaborate across boundaries to build strategic relationships and achieve common goals, foster the development of others, facilitate cooperation and teamwork, and support constructive resolution of conflicts. This is a full-time position.
- **Good Governance Program Coordinator:** This position requires an individual with meaningful experience working with the central government on governmental reform-related topics. An academic degree in related area and a minimum of 5 years experience is required in issues related to good governance. This position will support the Program Director in the overall management of the good governance activities. Supervises staff and consultants to implement the program and builds relations with key stakeholders. The position requires the ability to lead people towards meeting the organizational and program goals, develop networks and build alliances, collaborate across boundaries to build strategic relationships and achieve common goals, foster the development of others, facilitate cooperation and teamwork, and support constructive resolution of conflicts. This is a full-time position.

- **Civil Society Program Coordinator:** The Civil Society Program Coordinator must hold a degree in sociology, social studies, political sciences, law or related areas. A minimum of 5 years of experience in civil society related activities, including civil society monitoring and oversight, advocacy, civic education, fundraising, building citizen alliances, and/or access to information, among others, is required. Supervises staff and consultants to implement the program and builds relations with key stakeholders. The position requires the ability to lead people towards meeting the organizational and program goals, develop networks and build alliances, collaborate across boundaries to build strategic relationships and achieve common goals, foster the development of others, facilitate cooperation and teamwork, and support constructive resolution of conflicts. This is a full-time position.

The above positions are considered key personnel and as such USAID's previous approval is required.

**b) Short term personnel:**

In specifying short-term consultants required to support the long-term team in implementation and capacity development, the grantee should consider the use of intermittent technical specialists, where possible and needed. These specialists can be either national or international consultants.

**c) Support staff**

The grantee will provide technical, logistical and administrative staff necessary to support the long-term technical assistance team both in executing the Grantee's activities and in achieving the project's results.

## **SECTION II – AWARD INFORMATION**

### **A. Estimate of Funds Available**

Subject to the availability of funds, USAID intends to provide approximately \$12,000,000.00 in total USAID funding for all three areas contemplated in this Program Description. As stated above, an application may address all three areas or any combination of the three areas in its application.

### **B. Number and Type of Awards Contemplated**

USAID intends to award one or more Cooperative Agreements and reserves the right to fund any or none of the applications submitted.

### **C. Start Date and Period of Performance**

The period of performance anticipated herein for each agreement is from October 1<sup>st</sup>, 2010 to September 30<sup>th</sup>, 2013.

[END OF SECTION II]

### **SECTION III – ELIGIBILITY INFORMATION**

#### **A. Eligible Applicants**

The target audiences for this RFA are legally established local Paraguayan NGOs (Non Governmental Organizations) and for profit companies with relevant experience in the related programmatic areas.

#### **B. Cost Sharing or Matching**

The minimum cost share for this RFA is 25% of the Total Estimated Amount. If application does not meet at least the minimum cost sharing requirement, it will not be eligible for award consideration.

[END OF SECTION III]

## **SECTION IV – APPLICATION AND SUBMISSION INFORMATION**

### **A. Point of Contact**

Any questions concerning this RFA must be submitted in writing to Ms. Doanh Van, Regional Agreement Officer, via email at [dvan@usaid.gov](mailto:dvan@usaid.gov) and to Mr. Marco Ferreira, via facsimile at 595-21-213732, or via internet at [mferreira@usaid.gov](mailto:mferreira@usaid.gov)

### **B. Required Forms**

The Applicant must submit the application using the SF-424 series, which includes the:

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

Copies of these forms may be found as an attachment to this RFA.

### **C. Pre-Award Certifications, Assurances and other Statements of the Recipient**

In addition to the certifications that are included in the SF 424, both U.S. and non-U.S. organizations (except as specified below) must provide the following certifications, assurances and other statements.

- a. A signed copy of the certification and disclosure forms for “Restrictions on Lobbying” (see [22 CFR 227](#));
- b. A signed copy of the “Prohibition on Assistance to Drug Traffickers” for covered assistance in covered countries;
- c. A signed copy of the Certification Regarding Terrorist Funding required by the Internal Mandatory Reference [AAPD 04-14](#);
- d. A signed copy of “Key Individual Certification Narcotics Offenses and Drug Trafficking”
- e. Survey on Ensuring Equal Opportunity for Applicants; and
- f. All applicants must provide a Data Universal Numbering System (DUNS) Number.

**All forms previously mentioned are included in Section IX- Attachments**

### **D. Application Preparation Guidelines**

For the purposes of this RFA, the term “applicant” is used to refer to the prime and any proposed partners.

The application received by the deadline will be reviewed for responsiveness to the specifications outlined in these guidelines and the application format. Section V addresses the technical evaluation procedures for the applications. Applications which are incomplete are not directly responsive to the terms, conditions; specifications and provisions of this RFA may be categorized as non-responsive and eliminated from further consideration.

The application shall be submitted in two separate volumes: (a) technical and (b) cost or business application. Technical portions of applications should be submitted in an original and three (3)

copies and cost portions of applications in an original and one (1) copy. All copies of the technical and cost/business applications must be separately placed in sealed envelopes clearly marked on the outside with the following words "RFA-526-10-000001". Technical or Cost/Business (as appropriate) Application". These individual envelopes must then be bundled together to be received as one complete package. One CD with the same contents as the Technical and Cost Applications hardcopy must also be included in this package.

The application should be prepared according to the structural format set forth below. The Application must be submitted no later than the date and time indicated on the cover page of this RFA, to the location indicated on page two (2) of the cover letter accompanying this RFA. **All application documents submitted in regard to this funding opportunity shall be prepared in English.** An application in any other language shall be treated as non-responsive and eliminated from further consideration.

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.

## **E. Technical Application Format**

### **INSTRUCTIONS FOR APPLICANTS**

USAID requests that applications provide all information in English under the following general format:

#### **Cover Page**

1. Name of organization applying for the agreement;
2. Clear indication of the Program Section(s) that the organization is applying to; and
3. Contact person, telephone number; fax number, address, e-mail address, and typed name(s) and title(s) of person(s) who prepared application.

#### **A. Proposed Project Design and Activities for each of the Program Sections applied to (not to exceed 10 pages per Program Section)**

Describe the following:

1. Rationale: Describe the rationale for undertaking the program design.
2. Operational Approach and Proposed Activities: Describe the overall reasons for proposed program activities and how they contribute toward obtaining program results, including any concerns you intend to address. Describe planned methodology used to achieve desired results.
3. Elements:
  - a) Inputs: Describe the nature and scope of inputs, including staffing, training, technical assistance, equipment, etc. Describe how sub-contractors/sub-grantees and national and international consultants will be utilized.
  - b) Results: Describe the nature and scope of anticipated results that can be expected from effective management of the inputs in order to achieve the expected impact for each program section. Specifically, address the following:
    - Monitoring and Evaluation: Describe how you plan to monitor and evaluate the effectiveness and impact of this program. Please identify the source(s) and

means of collecting necessary data. The recipient will submit a performance monitoring plan with the application. This instrument will ensure performance and successful implementation of the Cooperative Agreement program results. This plan will establish clear criteria for evaluating and monitoring results during the agreement period and will be reported on a quarterly basis.

- Critical Indicators: Describe the nature and scope of critical indicators that will be used to monitor and evaluate progress towards achieving program results.
4. Implementation Plan: Provide an implementation plan using GANTT charts that includes main components/results and activities of the program design. List on the vertical axis the activities related to each program component/result, and on the horizontal axis the timeframe, noting estimated dates of completion. The implementation plan can be included as an attachment.
  5. Coordination: Describe possible local organizations or government agencies with which you will work to implement the activities identified in the program description, and describe the nature of their involvement in these activities.

## **B. Program Management (not to exceed 3 pages)**

1. Identify the Program Director and the Program Coordinators as key personnel. Please note:
  - 1 Program Director is required for the overall supervision and management of the bidder's efforts, regardless of the number of Program Sections to which it applies;
  - Additionally, 1 Program Coordinator must be identified for each of the Program Sections applied to;
  - For the purposes of budgetary presentation, please note that 1 Program Director and 1 Program Coordinator must appear as separate line items in the proposed budget for each of the Program Sections applied to. In the event that an applicant is awarded multiple Program Sections, the cost of 1 Program Director will be allocated appropriately across all Program Sections.

Include a brief summary of work experience relevant to this program description. Curriculum vitae should be included as an attachment to the application with a maximum of three pages for each position. In addition, include letters of availability from each key person.

2. List and describe the qualifications of local staff, other than the key personnel, to be responsible for managing and carrying out this cooperative agreement, including any proposed sub-contractors/sub-grantees and international and national consultants. Curriculum vitae of no more than three pages per position should be included as an attachment to the application.
3. Provide a staffing chart that lists all proposed positions, the names of identified staff or proposed candidates whenever possible, whether the position is filled by full-time or part-time staff, sub-contractors or consultants; the position location; and the planned person months or days each position will devote to this Cooperative Agreement.

## **C. Past Performance (not to exceed 3 pages)**

Provide a concise summary of your organization's qualifications as they directly relate to the program description provided by USAID. Include a description of your projects, past or present, that have a direct relationship to the program. Provide a description of any publications or reports that demonstrate special qualifications and experience by your organization that relate directly to

the proposed program design.

#### **D. Annexes**

##### Resumes and Letters of Commitment

Applicants are to include in this Annex the resumes and letters of commitment for each mid and high level technical individual who will work at least 75% of his/her time on the program. The resumes must be no more than two pages each, and the letters of commitment must not exceed a single page each.

#### **E. Cost/Business Application Format**

The Cost or Business Application is to be submitted under separate cover from the technical application. Certain documents are required to be submitted by an applicant in order for a Grant Officer to make a determination of responsibility. However, it is USAID policy not to burden applicants with undue reporting requirements if that information is readily available through other sources.

The following sections describe the documentation that applicants for Assistance award must submit to USAID prior to award. While there is no page limit for this portion, applicants are encouraged to be as concise as possible, but still provide the necessary details. One CD with the same contents as the Cost/Business Application hardcopy must also be included within the Original Application.

1. The Cost/Business application must be completely separate from the applicant's technical application. The application must be submitted using SF-424 and SF-424A "Application for Federal Assistance."
2. The cost application should be for a period of up to 36 months using the budget format shown in the SF-424A. If there are any training costs to be charged to this Agreement, they must be clearly identified.
3. The budget to be presented under Cost/Business Application should relate to results while also showing the inputs (see item 10, below) for each result as well as overall. A matrix format will probably be most suitable.
4. In the case of a group application, the Cost/Business application must include a copy of the legal relationship between the prime applicant and its partners. The application document should include a full discussion of the relationship between the applicant and its partners, including identification of the applicant with which USAID will treat for purposes of Agreement administration, identity of the applicant which will have accounting responsibility, how Agreement effort will be allocated and the express Agreement of the principals thereto to be held jointly and severally liable for the acts or omissions of the other.
5. The required Certifications should be included with the cost proposal.
6. The proposed budget should provide cost estimates for the management of the program (including program monitoring). Applicants should minimize their administrative and support costs for managing the project to maximize the funds available for project activities. Accordingly, those applications with minimal administrative costs may be deemed to offer a "greater value" than those with higher costs for program administration. Additionally, those applications with a greater proportion of cost share may be deemed to offer a "greater value."

Include a chart containing the main activities of the program. List on the vertical axis the activities, and on the horizontal axis the following information: (a) name of implementers; and (b) time frame, noting estimated dates of completion; and (c) the respective cost. Note that this is a similar chart to the one requested under the Technical Application, but also including cost.

7. The cost/business portion of the application should describe headquarters and field procedures for financial reporting. Discuss the management information procedure you will employ to ensure accountability for the use of U.S. Government funds. Describe program budgeting, financial and related program reporting procedures.
8. To support the costs proposed, please provide detailed budget notes/narrative for all costs that explain how the costs were derived.
9. In addition to providing summary cost data in the SF424A format noted above, applicants are required to summarize cost data using development-focused budgeting (DFB) in cost applications submitted in response to this solicitation. DFB is a customer-based, performance-driven, results-oriented budget system underpinned by outcome management. Outcome management is a management approach that focuses on the development results achieved by providing a service.

DFB involves summarizing cost data to corresponding development results/outcomes. Cost data must be summarized in both the SF424A and DFB categories. If an input serves multiple development results, the applicant must allocate the input across the corresponding results and provide a rationale in the budget narrative for the method used for each allocated input. See sample chart below:

Development Focused Budget Categories:

<b>2.1. Rule of Law</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Total</b>
<b>2.1.2. Judicial Independence</b>				
2.1.2.2. Independence and Accountability				
<b>2.1.3. Justice System</b>				
2.1.3.1. Justice System Actors				
2.1.3.2. Operation of Institutions and Actors				
<b>2.2. Good Governance</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Total</b>
<b>2.2.4. Anti-corruption Reforms</b>				
2.2.4.2. Governmental Reform				
2.2.4.3. Transparency and Oversight				
<b>2.4. Civil Society</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Total</b>
<b>2.4.1. Civic Participation</b>				
2.4.1.2. Civil Society Capacity for Democratic Processes				
2.4.1.3. Citizen Participation and Oversight				
2.4.1.4. Civic Education and Democratic Culture				

Cost applications must also include all supporting input-based budgeting for both summary formats and comply with other instructions for cost applications (e.g., breakout of costs at the country versus headquarters level) contained elsewhere in this solicitation.

10. Budget Notes: an accompanying budget narrative by line item which provides in detail the total costs for implementation of the program and achieving results your organization is proposing per year. Please include the breakdown of all input costs according to each partner organization involved in the program and the breakdown of the financial and in-kind contributions of all organizations

**Salary and Wages** - Direct salaries and wages should be proposed in accordance with the applicant's personnel policies.

**Fringe Benefits** - If the applicant has a fringe benefit rate that has been approved by an agency of the Government, such rate should be used and evidence of its approval should be provided. If a fringe benefit rate has not been so approved, the application should propose a rate and explain how the rate was determined. If the latter is used, the narrative should include a detailed breakdown comprised of all items of fringe benefits (e.g., unemployment insurance, workers compensation, health and life insurance, retirement, etc.) and the costs of each, expressed in dollars and as a percentage of salaries.

**Travel and Transportation** - The application should indicate the number of trips, domestic and international, and the estimated costs. Specify the origin and destination for each proposed trip, duration of travel, and number of individuals traveling. Per diem should be based on the applicant's normal travel policies (applicants may choose to refer to the Federal Standardized Travel Regulations for cost estimates).

**Other Direct Costs** - This includes communications, report preparation costs, passports and visas fees, medical exams and inoculations, insurance (other than insurance included in the applicant's fringe benefits), equipment (procurement plan for commodities), office rent abroad, etc. The narrative should provide a breakdown and support for all and each other direct costs.

**Indirect Costs** – The applicant should support the proposed indirect cost rate with a letter from a cognizant U.S. Government audit agency or with sufficient information for USAID to determine the reasonableness of the rates. (For example, a breakdown of labor bases and overhead pools, the method of determining the rate, etc.).

Local Institutions usually do not have a Negotiated Indirect Cost Rate Agreement (NICRA) letter with the US Government. Therefore no indirect costs should be included in the cost/business application submitted by local NGOs. Local institutions submitting applications should treat all indirect costs as direct costs.

**Seminars and Conferences** - The applicant should indicate the subject, venue and duration of proposed conferences and seminars, and their relationship to the objectives of the program, along with estimates of costs.

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

**Source and Origin Requirements** - Goods and services provided by the Recipients under this USAID-financed award shall have their source and origin in the United States (000).

11. Please include information on the organization's financial status and management, including:

(a) Audited financial statements for the past three years,

(b) Organization chart, by-laws, constitution, and articles of incorporation, if applicable,

(c) If the applicant has made a certification to USAID that its personnel, procurement and travel policies are compliant with applicable OMB circular and other applicable USAID and Federal regulations, a copy of the certification should be included with the application. If the certification

has not been made to USAID/Washington, the applicant should submit a copy of its personnel (especially regarding salary and wage scales, merit increases, promotions, leave, differentials, etc.), travel and procurement policies, and indicate whether personnel and travel policies and procedures have been reviewed and approved by any agency of the Federal Government. If so, provide the name, address, and phone number of the cognizant reviewing official.

(d) If applicable, approval of the organization's accounting system by a U. S. Government agency including the name, addresses, and telephone number of the cognizant auditor.

12. The application should include information that substantiates that the applicant:

(a) Have adequate financial resources or the ability to obtain such resources as required during the performance of the Agreement.

(b) Has the ability to comply with the Agreement conditions, taking into account all existing and currently prospective commitments of the applicant, non-governmental and governmental.

(c) Has a satisfactory record of performance. In the absence of evidence to the contrary or circumstances properly beyond the control of the applicant, applicants who are or have been deficient in current or recent performance (when the number of grants, contracts, and Cooperative agreements, and the extent of any deficiency of each, are considered) shall be presumed to be unable to meet this requirement. Past unsatisfactory performance will ordinarily be sufficient to justify a determination of non-responsibility, unless there is clear evidence of subsequent satisfactory performance. The Agreement Officer will collect and evaluate data on past performance of applicants using information from sources provided in accordance with Paragraph 10 above.

(d) Has a satisfactory record of integrity and business ethics.

(e) Is otherwise qualified and eligible to receive a Cooperative Agreement under applicable laws and regulations (e.g., EEO).

Applicants may submit any additional evidence of responsibility considered necessary in order for the Agreement Officer to make a determination of responsibility. Please note that a positive responsibility determination is a requirement for award, and all organization shall be subject to a pre-award survey to verify the information provided and substantiate the determination.

13. Cost Sharing: at least 25% of the total estimated amount.

14. Unnecessarily elaborate applications: unnecessarily elaborate brochures or other presentations beyond those sufficient to present a complete and effective application in response to this RFA are not desired and may be construed as an indication of the applicant's lack of cost consciousness. Elaborate artwork, expensive paper and bindings, and expensive visual and other presentation aids are neither necessary nor wanted.

[END OF SECTION IV]

## **SECTION V – APPLICATION REVIEW INFORMATION**

### **A. Evaluation Criteria**

The selection criteria have been tailored to the requirements of this RFA to allow USAID to choose up to three of the highest and best qualified applicants. The below criteria: a) identify the significant areas that Applicants should address in their applications and b) serve as the standard against which all applications will be evaluated.

Applicants may select to apply to one, two, or to all three of the program sections included in this RFA - Program Description. In turn, USAID may make award to more than one applicant whose application best addresses the objectives of each Program Section to which they applied.

The application of the selected awardee(s) will represent the best value to the Government, all factors considered. Applications must clearly define to which Program Section(s) they are applying.

Subject to availability of funds and internal approval, USAID/Paraguay intends to award one or more cooperative agreements under this RFA. USAID, however, reserves the right not to enter into any award.

#### **1. Technical approach (45/100)**

The Technical Approach will be evaluated on the overall merit (creativity, clarity, analytical depth, state-of-the-art technical knowledge, and responsiveness to the technical objectives of the program) and feasibility of the program approach and strategies proposed to achieve the program's strategic objective. Within these general criteria, specific elements of the technical approach that will be assessed are offered below, not in any priority:

##### **Proposed project design and activities**

- The application reflects an understanding of the program description and its objective and clearly and realistically articulates how the Applicant will achieve the expected results.
- The application suggests credible and realistic performance indicators that will demonstrate the outcomes and impacts most pertinent to USAID's program.
- The application clearly articulates how performance will be measured and reported regularly in a cost-effective and timely fashion.
- The operational approach clearly describes how the project goals will be met within the three-year time frame.
- The application clearly identifies and addresses gender, equity, and exclusion issues.

#### **2. Staffing and key personnel (30/100)**

1. Management structure and staffing are adequate for implementation and achieving results (10 points)
2. Key personnel qualifications and availability meet minimum requirements as described in Program Description (20 points).

Applications must include qualifications for proposed one local Program Director and Program

Coordinator(s) for each of the program sections applied. To be considered, the proposed key personnel must have letters of commitment in the application and be available immediately following award.

**3. Implementation Plans (10/100)**

- Application provides appropriate plan for responding to and managing award requests, and for effectively coordinating and managing activities of the applicant and any sub-grantees or other collaborating organizations, including non-traditional and innovative partnerships;
- Application provides appropriate strategies or approaches for coordinating with those of other USAID-supported organizations, with foreign governments, and their other development partners and donors;
- Implementation plan proposes swift implementation with realistic deadlines for reaching the goals of the program;
- Application provides appropriate management vision to assure successful program implementation;
- Application proposes appropriate participatory and collaborative mechanisms with government entities, interagency efforts, and civil society actors as required;
- Application demonstrates openness to creative approaches that might strengthen the overall capacity of the organization to accomplish the objective of the project, i.e., sub-grants, alliances with professional organizations, faith based organizations, international south-to-south partnerships;
- The application demonstrates institutional capability and experience, and technical competence to creatively plan, implement and support the range of activities outlined in this RFA;
- The application provides clear strategies and approaches to ensure post-program sustainability, particularly regarding the continued impact of results achieved during program implementation;
- The combined expertise and experience of all sub-grantees and other partners will be complementary, not duplicative, in accomplishing the objective of the project.

**4. Past Performance: (15/100)**

- The applicant has successfully managed and implemented national and/or international projects in areas relevant to the program that are similar in scope and magnitude to the program description.

**5. COST APPLICATION**

Cost is not an evaluation factor. However, proposed costs will be analyzed for reasonableness and effectiveness to determine whether proposed costs accurately reflect an understanding of the work to be carried out in order to achieve results.. The analysis will take into consideration the degree to which the cost included in the cost application accurately represents the work effort included in the technical application; the percentage of program costs that the applicant will draw from non-US Government sources; and the feasibility of the cost sharing plan.

**B. Branding Strategy and Marking Plan**

It is a federal statutory and regulatory requirement that all USAID programs, projects, activities,

public communications, and commodities that USAID partially or fully funds under a USAID grant or cooperative agreement or other assistance award or subaward, must be marked appropriately overseas with the USAID Identity. See Section 641, Foreign Assistance Act of 1961, as amended; [22 CFR 226.91](#).

Under the regulation, USAID requires the submission of a Branding Strategy and a Marking Plan, but only by the "apparent successful applicant," as defined in the regulation. The apparent 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 is responsible for evaluating and approving the Branding Strategy and a Marking Plan (including any request for exceptions) of the apparently successful applicant, consistent with the provisions "Branding Strategy," "Marking Plan," and "Marking of USAID-funded Assistance Awards" contained in [AAPD 05-11](#) and in [22 CFR 226.91](#). Please note that in contrast to "exceptions" to marking requirements, waivers based on circumstances in the host country must be approved by Mission Directors or other USAID Principal Officers, see [22 CFR 226.91\(j\)](#).

### **C. Award**

The technical and cost application will be evaluated by a committee comprised of U.S. Government representatives.

Authority to obligate the Government: the Agreement Officer is the only individual who may legally commit the U.S. Government to the expenditure of public funds. No costs chargeable to the proposed Agreement may be incurred before receipt of either an Agreement signed by the Agreement Officer or a specific, written authorization from the Agreement Officer.

[END OF SECTION V]

## **SECTION VI - AWARD ADMINISTRATION INFORMATION**

Notice of Award signed by the Agreement Officer is the authorizing document, which shall be transmitted to the Recipient for countersignature to the authorized agent of the successful organization electronically, to be followed by original copies for execution.

### **A. Roles and Responsibilities**

The recipient shall be responsible to USAID/Paraguay for all matters related to the execution of the agreement. Specifically, the recipient shall report to the USAID Agreement Officer Technical Representative (AOTR) located within the USAID/Paraguay Mission.

### **B. Annual Work plans and Reporting**

#### **1. Annual Work Plans**

The Recipient will prepare and submit an annual work plan in English, which at a minimum will include component areas, target accomplishments, milestones towards target accomplishments, timetables, major activities and budget for year one of this Agreement within 45 days of its award date (i.e. the effective date). On a yearly basis, annual work plans will be due no later than 30 days prior to the start of the new fiscal year.

#### **2. Quarterly Progress Reports**

Quarterly reports reflecting the work plans will be produced and will be due no later than 15 days after the end of each quarter. Quarters are understood to mean: January – March, April – June, July – September, and October – December. Quarterly reports will include reference to annual work plan component areas, accomplishments, progress towards accomplishments, projected accomplishments, timeframe, quarterly funds expended; total program expenses to date, and estimated amounts still available. Discrepancies (if any) between the work plan and quarterly reports must be explained, including possible requests that the work be amended.

Accomplishments and difficulties will be described both quantitatively and qualitatively as they relate to USAID/Paraguay's Democracy Strategic Objective and Intermediate Results. Any anticipated or actual delays will be explained and a plan for corrective actions initiated.

In addition, the final quarterly report will incorporate an annual summary report that includes annual cumulative data on program performance and the following indicators: number of sub-national governments receiving USG assistance to increase their annual own-source revenues; number of sub-national government entities receiving USG assistance to improve their performance; number of local mechanisms supported with USG assistance for citizens to engage their sub-national government; number of individual who received USG-assisted training, including management skills and fiscal management, to strengthen local government and/or decentralization; number of mechanisms for external oversight of public resource supported by USG assistance; number of USG-supported anti-corruption measures implemented; number of individuals who receive USG-assisted political party training; and number of political parties and political groupings receiving USG-assistance to articulate platform and policy agendas effectively.

#### **3. Final Agreement Completion Report**

The recipient shall submit an original and one (1) copy of a written final report, which will include quantitative and qualitative accomplishments, conclusions and recommendations for future activities, within 60 days following the estimated completion date of the Agreement.

[END OF SECTION VI]

**SECTION VII – AGENCY CONTACTS**

**The Agreement Officer for this Award is:**

Ms. Doanh Van  
Regional Agreement Officer  
USAID/Peru  
Av. La Encalada s/n, cdra. 17  
Monterrico, Lima 33  
Peru

Tel: 51-1-618-1200  
dvan@usaid.gov

**The Acquisition & Assistance Specialist for this Award is:**

Mr. Marco Ferreira  
USAID/Paraguay  
Juan de Salazar 364  
Asunción

Tel: 595-21-220715/20  
Fax: 595-21-213732  
mferreira@usaid.gov

**The Agreement Officer Technical Representative (AOTR) for this Award is:**

To be determined at the time of award.

[END OF SECTION VII]

## **SECTION VIII – BRANDING STRATEGY AND MARKING PLAN**

### **BRANDING STRATEGY - ASSISTANCE (December 2005)**

#### (a) Definitions

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

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

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

(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.

#### 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 landmark, 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 be produced as a part of the grant or cooperative agreement and which will visibly bear the USAID Identity. These include:

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

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

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

(2) A table specifying:

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

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

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

(3) A table specifying:

(i) What program deliverables will not be marked with the USAID Identity, and

(ii) The rationale for not marking these program deliverables.

(d) Presumptive Exceptions.

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

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

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

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

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

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

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

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

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

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

(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.

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](http://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 60 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.

[END OF SECTION VIII]

## **SECTION IX – ATTACHMENTS**

Certifications, Assurances, and Other Statements of the Recipient (August 2009)

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 – Survey on Ensuring Equal Opportunity for Applicants**

Survey is available as an attached document

**Part V – Other Statements of Recipient**

**1. Authorized Individuals**

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

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](mailto: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, a commercially recognized new commodity results, which is substantially different in basic characteristics or in purpose or utility from its components. Merely packaging various items together for a particular procurement or relabeling items 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 SUPPLIER \_\_\_\_\_  
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) \_\_\_\_\_  
QUANTITY \_\_\_\_\_  
ESTIMATED UNIT COST \_\_\_\_\_  
PROPOSED DISPOSITION \_\_\_\_\_

**6. Past Performance References**

Please provide a summary of past programs implemented by your organization, including the funding source (no more than three pages)

**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.

**SF424A Budget Chart Example:**

<b>Sections</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Total Years 1+ 2+ 3</b>
<b>Rule of Law</b>				
<b>Special Tribunals for Economic Crimes &amp; Corruption</b>				
a.Personnel				
b.Fringe Benefits				
c.Travel				
d.Equipment				
e.Suplies				
f.Contractual				
g.Construction				
h.Others				
i.Total Direct Charges (sum a-h)				
j.Indirect Charges				
<b>Total (sum i+j)</b>				
<b>Management Modell for the Supreme Court</b>				
a.Personnel				
b.Fringe Benefits				
c.Travel				
d.Equipment				
e.Suplies				
f.Contractual				
g.Construction				
h.Others				
i.Total Direct Charges (sum a-h)				
j.Indirect Charges				
<b>Total (sum i+j)</b>				
<b>Training for Judges &amp; Professionalization of the Judiciary</b>				
a.Personnel				
b.Fringe Benefits				
c.Travel				
d.Equipment				
e.Suplies				
f.Contractual				
g.Construction				

h.Others				
i.Total Direct Charges (sum a-h)				
j.Indirect Charges				
<b>Total (sum i+j)</b>				
<b>Forensic Audits Units in Key Ministries</b>				
a.Personnel				
b.Fringe Benefits				
c.Travel				
d.Equipment				
e.Supplies				
f.Contractual				
g.Construction				
h.Others				
i.Total Direct Charges (sum a-h)				
j.Indirect Charges				
<b>Total (sum i+j)</b>				
<b>Supreme Court transparency Units &amp; Judicial Ethics System</b>				
a.Personnel				
b.Fringe Benefits				
c.Travel				
d.Equipment				
e.Supplies				
f.Contractual				
g.Construction				
h.Others				
i.Total Direct Charges (sum a-h)				
j.Indirect Charges				
<b>Total (sum i+j)</b>				
<b>Tota Rule of Law</b>				
<b>Good Governance</b>				
<b>Civil Service</b>				
a.Personnel				
b.Fringe Benefits				
c.Travel				
d.Equipment				
e.Supplies				
f.Contractual				
g.Construction				

h.Others				
i.Total Direct Charges (sum a-h)				
j.Indirect Charges				
<b>Total (sum i+j)</b>				
<b>Intergovernmental Relations</b>				
a.Personnel				
b.Fringe Benefits				
c.Travel				
d.Equipment				
e.Supplies				
f.Contractual				
g.Construction				
h.Others				
i.Total Direct Charges (sum a-h)				
j.Indirect Charges				
<b>Total (sum i+j)</b>				
<b>Government-wide Management Reform</b>				
a.Personnel				
b.Fringe Benefits				
c.Travel				
d.Equipment				
e.Supplies				
f.Contractual				
g.Construction				
h.Others				
i.Total Direct Charges (sum a-h)				
j.Indirect Charges				
<b>Total (sum i+j)</b>				
<b>Total Good Governance</b>				
<b>Civil Society</b>				
<b>Civil Society Organizations (CSO) Institutional Strengthening</b>				
a.Personnel				
b.Fringe Benefits				
c.Travel				
d.Equipment				
e.Supplies				

f.Contractual				
g.Construction				
h.Others				
i.Total Direct Charges (sum a-h)				
j.Indirect Charges				
<b>Total (sum i+j)</b>				
<b>Civil Society Participation and Oversight</b>				
a.Personnel				
b.Fringe Benefits				
c.Travel				
d.Equipment				
e.Supplies				
f.Contractual				
g.Construction				
h.Others				
i.Total Direct Charges (sum a-h)				
j.Indirect Charges				
<b>Total (sum i+j)</b>				
<b>Civic Education</b>				
a.Personnel				
b.Fringe Benefits				
c.Travel				
d.Equipment				
e.Supplies				
f.Contractual				
g.Construction				
h.Others				
i.Total Direct Charges (sum a-h)				
j.Indirect Charges				
<b>Total (sum i+j)</b>				
<b>Investigative Journalism</b>				
a.Personnel				
b.Fringe Benefits				
c.Travel				
d.Equipment				
e.Supplies				
f.Contractual				
g.Construction				
h.Others				
i.Total Direct Charges (sum a-h)				

j. Indirect Charges				
<b>Total (sum i+j)</b>				
<b>Total Civil Society</b>				
<b>GRAND TOTAL</b>				

[END OF SECTION IX]