



USAID
FROM THE AMERICAN PEOPLE

SOUTHERN AFRICA

Issuance Date: Oct 18, 2011
Application Submission Date: Nov 11, 2011, 2:00 pm Pretoria Time
Deadline for Questions: Oct 24, 2011, 2:00 pm Pretoria Time

Subject: Request for Applications (RFA) No. : 674-11-0055
Ambassador's Scholarship for Girls Program (AGSP)

Dear Prospective Applicants:

The United States Agency for International Development (USAID)–Southern Africa is seeking Applications from legally organized local organizations to implement a five year program for Ambassador's Scholarship for Girls (AGSP) Program in Namibia. The authority for the Request for Application (RFA) is found in the Foreign Assistance Act of 1961, as amended.

Subject to the availability of funds, USAID intends to provide an estimated \$361,655.00 to support activities covering a five year program. USAID expects to make one award under this RFA. The formation of public-private alliances to address the objectives of this RFA is encouraged under this RFA. A "public-private alliance" occurs when the applicant brings a commitment of material and significant non-USG resources that will allow the program to more fully address the challenges outlined in this solicitation. USAID reserves the right to fund any or none of the applications submitted.

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

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

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

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

USAID bears no responsibility for data errors resulting from transmission or conversion processes associated with electronic submissions. This funding opportunity is posted in Namibian Newspapers and may be amended; thus, potential applicants should regularly check these local newspapers.

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 grant, all preparation and submission costs are at the applicant's expense.

Any questions concerning this RFA should be submitted in writing via email to Dana Rose and Simon R Seema at proposals@usaid.gov by the deadline for questions listed above.

Sincerely,



Dana H. Rose
Regional Agreement Officer

SECTION I: FUNDING OPPORTUNITY DESCRIPTION

A. Background

The Government of the Republic of Namibia (GRN) continues to allocate a substantial amount of its total annual budget to education; and while considerable strides were made in some areas of education provision, it remains a challenge to enroll and keep girls in Namibian schools. Statistics from the Education Management Information System (EMIS) indicate that more girls than boys enter school in first grade; however, these numbers drop gradually in higher grades, reaching its peak after tenth grade.

The Namibian Minister of Education is committed to improving the education for all through eradication of short-comings to ensure that all children in Namibia are afforded their constitutional right to education. Nevertheless, large numbers of primary school students are still denied access to education because they cannot afford to pay their school fees, or purchase much needed school uniforms, stationery supplies and toiletries. Also, Namibian schools have the tendency to give preferential treatment to students that are able to make a financial contribution toward the school's development fund upon enrolment.

Following the announcement and subsequent launch of President Bush's Africa Education Initiative (AEI) in June 2005, Namibia was selected to participate in the Ambassadors' Girls' Scholarship Program (AGSP) which was implemented in 40 sub-Saharan countries. The AGSP, currently being implemented by Winrock International, is scheduled to close on December 31, 2011. Many Namibian students currently receiving scholarships will not have completed primary school. Successful completion of primary school would enable these students to be accommodated by the private-sector funded secondary school component of the AGSP (not a part of this RFA).

B. Goals

The objective of the program is to support the goals of the AGSP by providing a total of 1,400 scholarships to orphaned and vulnerable girls and boys in all active regions of Namibia to enable them to remain in school through seventh grade. The program will retain the existing participating students as per the AGSP database which was updated and maintained through academic year 2011. This scholarship program targeting primary school students will help these students gain access to and complete their secondary level school, which in turn will help reduce their chances of contracting HIV/AIDS or becoming pregnant.

C. Program Description

Many Namibian students are progressing only partway through primary school, with no assistance to help them finish primary school. The AGSP activity will help some of these primary school students stay in primary school through the provision of scholarships. Successful completion of primary school would enable these students to be accommodated by the private sector funded secondary school

component of the AGSP. This grant proposes to fund these students, plus whatever additional students applicants can fund through commitments they receive from private sector sources of funding (non-USAID funds).

To date the AEI-AGSP has been active in 12 of the 13 regions of Namibia, and it is envisaged that the program will continue to work with the schools in these regions. The program will retain the existing participating students as per the AGSP database which was updated and maintained through academic year 2011.

1. Number and level of potential beneficiaries

As of 2011, the Namibian AEI-AGSP has a total of 728 students benefiting through the program, of which approximately five to ten percent are expected to drop out of school or fail and have to repeat their grade. The students will be in grades 2-7 respectively, with the exception of special school students in first grade. Numbers will gradually decline as seventh grade students successfully enter the eighth grade and are accommodated under the private sector funded component of the AGSP.

2. Constitution of the Scholarship Package

A scholarship is defined as a single school year of assistance for one girl or boy already in the AGSP. Thus, if one student gets four years of assistance, it is equivalent to four scholarships. Assistance can be inclusive of tuition, books, uniforms, hostel fees, transportation, stationery supplies, and other expenses essential to ensuring access to educational opportunities in the respective regions.

Expected tasks under this grant opportunity will include, but are not limited to:

- Managing the scholarship program of existing participants (students who drop out or leave will not be replaced);
- Transfer funds provided to beneficiaries through the school's development fund bank account;
- Monitor and account for funds transferred to schools, through collection of receipts and proof of purchases to provide for students' needs;
- Liaise with focal teachers in schools to ensure that scholarship funds reach the intended beneficiaries as per the program criteria;
- Report to USAID in terms of students' progress and provide success stories for annual performance plan reporting.

Applicants should review all scholarship materials under the AEI-AGSP for in-country implementation, and improve or adopt program tools for administering the follow-on program. These may include, but are not limited to definition of the scholarship package, community involvement guidelines, scholar or family background or biodata sheets, and local scholar data management.

As part of implementation, Recipient shall develop an in-country fact sheet of participating schools and students which includes:

- Location of schools (town and region)

- Students' age, gender, grade, needs and progress
- Scholarship administration at school level (i.e. scholarship payments, purchasing of school supplies, etc.).

Given the importance of solid organizational performance to the short and long-term success of scaling-up interventions, monitoring and evaluation should be a routine activity to ensure that areas of underperformance are identified and quickly addressed. The overall process should be inclusive and transparent to ensure that all involved parties understand the findings and learn from the experience.

D. Expected Program Results

Over a period of five years (2012-2017) a minimum of 1,400 scholarships will have been awarded to orphaned and vulnerable girls and boys in all active regions of Namibia to enable them to remain in school through seventh grade.

Indicators against which program success will be measured:

- a. Number of orphaned and vulnerable students supported to enroll in school and remain in school;
- b. Number of orphaned and vulnerable students completing primary school;
- c. Number of orphaned and vulnerable students transferring to secondary school.

All data will be reported by gender.

E. Public-Private Alliances

The formation of public-private alliances to address the objectives of this RFA is encouraged under this RFA. A "public-private alliance" occurs when the applicant brings a commitment of material and significant non-USG resources that will allow the program to more fully address the challenges outlined in this solicitation. An example of an alliance relationship would be an application that included in its budget plan at least a one-to-one matching of USG resources with private-sector resources. Resources may be defined as cash or in-kind, and applicants submitting alliance applications are encouraged to be innovative. Such alliances are expected to bring together partners who will jointly define the problem, strategy and solution to capitalize on combined knowledge, skills, expertise and resources of the partners. Additional information on alliances can be found at:

http://www.usaid.gov/our_work/global_partnerships/gda/.

F. Program Eligibility

Only local organizations are eligible to apply under this RFA, defined in Section III below. For non-U.S. organizations, the award will be administered in accordance with the Standard Provisions for Non-U.S., Nongovernmental Recipients. Pursuant to the Standard Provisions, all reasonable, allocable, and allowable expenses, both direct and indirect, which are related to the agreement program

and are in accordance with applicable cost standards (22 CFR 226, OMB Circular A-122 for non-profit organization, OMB Circular A-21 for universities) may be paid under the agreement.

SECTION II: AWARD INFORMATION

USAID expects to make one award under this RFA.

Estimated Start Date and Performance Period: January 2012 – December 2016

Type of Award: Grant

SECTION III: ELIGIBILITY INFORMATION

Only local organizations are eligible to apply under this RFA. To be eligible, local organizations must be at least 51% owned and controlled by Namibian citizens or permanent residents, or registered in Namibia that are at least 51% owned and controlled by Namibian citizens or permanent residents.

USAID encourages applications from potential new partners. While cost sharing/leveraging is encouraged, this RFA does not include a cost sharing requirement.

SECTION IV: APPLICATION AND SUBMISSION INFORMATION

1) The point of contact for this RFA is:

Dana Rose
Agreement Officer
USAID/Southern Africa
100 Totius Street
P O Box 43 Groenkloof
Pretoria, South Africa
Tel: +27 (12) 452-2172
proposals@usaid.gov

or

Simon R Seema
Reg. Acq. Ass. Specialist
USAID/Southern Africa
100 Totius Street
P O Box 43 Groenkloof
Pretoria, South Africa
Tel: +27 (12) 452-2066
proposals@usaid.gov

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

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

Applications shall be submitted in accordance with the following instructions:

a) Technical Proposal

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

- i. Program Description (up to 10 pages) –include a description of the proposed approach to achieving the objectives of the RFA;
- ii. Program Organization / Management (up to 3 pages) – describe your organization’s technical and administrative capabilities and past experience in conducting programs similar to the one proposed. Describe any partnership arrangements.
- iii. Past Performance (no page limit) –include a list of similar or related programs conducted by the applicant over the past three years. For each, include a brief statement of work performed and reference information. Reference information must include the location, award numbers (if available), a brief description of work performed, and a point of contact list with current telephone numbers and e-mail addresses, if applicable. Additional references to those provided by the applicant may be contacted by USAID as part of the evaluation process.

b) Cost Proposal

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

SF-424, Application for Federal Assistance;

These Standard Forms can be found at the following link: www.epa.gov/ogd/.../application.htm
The cost application must be submitted in Microsoft Excel format with all formulas unlocked and the detailed narrative in PDF and Microsoft Word.

Given the number of current scholarships and in consideration of past attrition rates, the following plug figures shall be used by all applicants for the annual scholarship amounts:

Year 1	Year 2	Year 3	Year 4	Year 5
\$154,960	\$102,442	\$59,998	\$30,475	\$13,780

c) Branding Strategy and Marking Plan

USAID will request a branding strategy and marking plan from the apparently successful applicant for evaluation as part of the award process, as per Attachments 1-3, except in cases where a waiver already exists. The apparently successful applicant’s proposed Marking Plan may include a request for approval of one or more exceptions to marking requirements established in 22 CFR 226.91. The

Agreement Officer evaluates and approves the Branding Strategy and a Marking Plan (including any request for exceptions) consistent with the provisions contained in 22 CFR 226.91, ADS 320, and AAPD 05-11.

- 3) The following certifications are required as part of the application package:
 - a) For U.S. organizations, a signed copy of the Assurance of Compliance with Laws and Regulations Governing Nondiscrimination in Federally Assisted Programs. This certification applies to Non-U.S. organizations if any part of the program will be undertaken in the United States;
 - b) A signed copy of the certification and disclosure forms for “Restrictions on Lobbying” (see 22 CFR 227);
 - c) A signed copy of the “Prohibition on Assistance to Drug Traffickers” for covered assistance in covered countries, as detailed in ADS 206.3.10;
 - d) A signed copy of the “Certification Regarding Terrorist Funding” required by AAPD 04-14;
 - e) Survey on Ensuring Equal Opportunity for Applicants; and
 - f) Submission of a Data Universal Numbering System (DUNS) Number (see Federal Register Notice Use of a Universal Identifier by Grant Applicants).
- 4) Applications must be received by **2:00 PM, Pretoria time on November 11, 2011**. Applications which are received after this deadline will not be accepted for consideration.
- 5) Please note that pre-award costs will not be reimbursed.
- 6) Because this program is designed to support the work of USAID in Namibia, funding under this program shall not be used – without specific prior written authorization by the Agreement Officer – in any geographic area other than Namibia.
- 7) Applications must be submitted electronically to the following address: proposals@usaid.gov
- 8) In the event of system problems with electronic submission, please contact Dana Rose and Simon R Seema at proposals@usaid.gov for alternate submission instructions.
- 9) Organizations that have not registered with CCR will need to obtain a DUNS number first and then access the CCR online registration through the CCR home page at <https://www.bpn.gov/ccr/default.aspx>

SECTION V: APPLICATION REVIEW INFORMATION

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

1) Technical merits of the application 50

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

2) Organizational Capacity and Management Arrangement of the Applicant 30

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

3) Past Performance of the Applicant 10

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

4) Cost Effectiveness and Cost Realism 10

USAID will review the cost effectiveness and cost realism of the application. Public-Private Alliance leverage is encouraged and will result in a more favorable rating.

5) Branding Strategy and Marking Plan

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

Cost reasonableness has not been assigned a score but will be evaluated for cost reasonableness, allocability, and allowability. While cost may be a determining factor in the final award(s) decision, the technical merit of applications is substantially more important under this RFA. Consideration will be given to the proposed costs, any Public-Private Alliance leverage, the applicant's understanding of the RFA requirements, and consistency with the technical application.

An additional pre-award survey or assessment may be conducted if there is uncertainty about the organization's capacity to perform financially or technically, or if the organization has never had a USAID award, or if for any other reason the Agreement Officer determines a pre-award survey is in the best interest of USAID. The areas covered by a pre-award survey will vary according to the circumstances, but may include reviews to ensure the organization meets the necessary standards for financial, property, procurement and program management; reports and records; internal controls; good financial standing; and technical capacity to conduct the proposed program.

SECTION VI: AWARD AND ADMINISTRATION INFORMATION

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

SECTION VII: AGENCY CONTACTS

The point of contact for this RFA is:

Dana Rose
Agreement Officer
USAID/Southern Africa
100 Totius Street
P O Box 43 Groenkloof
Pretoria, South Africa
Tel: +27 (12) 452-2172
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Simon R Seema
Reg. Acq. Ass. Specialist
USAID/Southern Africa
100 Totius Street
P O Box 43 Groenkloof
Pretoria, South Africa
Tel: +27 (12) 452-2066
proposals@usaid.gov

SECTION VIII: OTHER INFORMATION

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

With reference to CFR216.2(c)2(i) the proposed activity, which is an educational activity, falls under the IEE's Categorical Exclusions(CEs):

c) **Categorical Exclusions.** (1) The following criteria have been applied in determining the classes of actions included in §216.2(c)(2) for which an Initial Environmental Examination, Environmental Assessment and Environmental Impact Statement generally are not required:

(i) Education, technical assistance, or training programs except to the extent such programs include activities directly affecting the environment (such as construction of facilities, etc.)

Attachment 1:

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.

Attachment 2:

MARKING PLAN – ASSISTANCE (December 2005)

(a) Definitions

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

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

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

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

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

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

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

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

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

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

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

(2) A table specifying:

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

(3) A table specifying:

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

(d) **Presumptive Exceptions.**

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

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

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

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

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

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

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

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

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

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

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

Attachment 3:

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 landmark, with the tagline that clearly communicates that our assistance is "from the American people." The USAID Identity is available on the USAID website at www.usaid.gov/branding and USAID provides it without royalty, license, or other fee to recipients of USAID-funded grants, or cooperative agreements, or other assistance awards.

(b) Marking of Program Deliverables

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

(c) Implementation of marking requirements.

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

(2) When the grant or cooperative agreement does not contain an approved Marking Plan, the recipient will propose and submit a plan for implementing the requirements of this provision within [**Agreement Officer fill-in**] days after the effective date of this provision. The plan will include:

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

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

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

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

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

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

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

(iv) USAID marking requirements would impair the functionality of an item; (v) USAID marking requirements would incur substantial costs or be impractical;

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

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

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

(d) Waivers.

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

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

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

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

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

(e) Non-retroactivity. The requirements of this provision do not apply to any materials, events, or commodities produced prior to January 2, 2006. The requirements of this provision do not apply to program, project, or activity sites funded by USAID, including visible infrastructure projects (for example, roads, bridges, buildings) or other programs, projects, or activities that are physical in nature (for example, agriculture, forestry, water management) where the construction and implementation of these are complete prior to January 2, 2006 and the period of the grant does not extend past January 2, 2006.