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# KENYA AND EAST AFRICA

Annual Program Statement Title: East Africa Private Sector Engagement in Support of Prosper Africa

Announcement Type: Annual Program Statement (APS)

Funding Opportunity/APS Number: 72062320APS00001

Catalog of Federal Domestic Assistance (CFDA) Number: 98.001

APS Issue Date: November 22, 2019

APS Close Date: November 21, 2020

Questions Deadline for this APS Document: December 12, 2019

**For questions on this APS document, please submit all questions to Ms. Jennifer Kiiru via email at [jkiiru@usaid.gov](mailto:jkiiru@usaid.gov) and Mr. Nya Kwai Boayue at [nboayue@usaid.gov](mailto:nboayue@usaid.gov) by the deadline specified above.**

For all emails sent to USAID, the subject line must read “*East Africa Private Sector Engagement in Support of Prosper Africa*”

**For a USAID East African Mission wishing to issue a Window under this APS, the program description framework must fit within Section I of this document. Please contact Mr. Nya Kwai Boayue at [nboayue@usaid.gov](mailto:nboayue@usaid.gov) and Ms. Jennifer Kiiru at [jkiiru@usaid.gov](mailto:jkiiru@usaid.gov) for a review prior to the document being publicly posted under this APS.**

The United States Agency for International Development is announcing the **East Africa Private Sector Engagement in Support of Prosper Africa** Annual Program Statement (APS) (known hereafter as East Africa Prosper APS).

Under East Africa Prosper APS, USAID missions in East Africa seek to partner with the private sector, business associations and other interested organizations to facilitate increased two-way trade and investment between the U.S. and Africa in support of the Prosper Africa initiative.

USAID Missions in East Africa will review Concept Papers as the first step in a multi-step process that may result in an award.

While the East Africa Prosper APS serves as a general announcement of USAID's desire to engage with non-traditional and traditional partners to advance the objectives of Prosper Africa, USAID will issue Windows throughout the year to solicit concept papers related to specific priorities, objectives, and programs. These Windows, when issued, can be found on Grants.gov under "Related Documents to the East Africa Prosper APS. The first Window issued under this APS is focused on promoting two-way trade and investment.

For the purposes of the East Africa Prosper APS, a "Window" is defined as a specific funding opportunity that falls under the larger East Africa Prosper APS goal, purpose, and results but is tailored to a certain market sector, country, or other focus areas. Interested organizations should read this entire APS, as well as any Windows, and follow the instructions for submitting a Concept Paper specified under the Window. Applicants should not submit Concept Papers in response to this umbrella APS, but only to Windows published under this APS. USAID reserves the right to fund any or none of the concept papers and applications submitted under this APS and its respective Windows. USAID also reserves the right to not conduct a co-creation phase and request full applications from successful applicants at concept paper stage.

USAID is available to respond to questions from applicants about the process. Applicants should submit questions by email to the point of contact (POC) identified in the specific Window through which they are considering submitting a concept paper. Applicants should send general questions about the below information by email to Point of Contact stated on the cover page by the deadline specified above. As Windows are issued, notifications will be posted on Grants.gov.

Sincerely,



Nya Kwai Boayue  
Agreement Officer

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**Acronyms**

ADS	Automated Directives System
AO	Agreement Officer
AOR	Agreement Officer's Representative
APS	Annual Program Statement
CA	Cooperative Agreement
DUNS	Dun and Bradstreet Number
FAA	Fixed Amount Award
NGO	Non-Governmental Organization
SAM	System for Award Management
USAID	U.S Agency for International Development

## **SECTION I: PROGRAM DESCRIPTION**

### **1. Background**

With six of the ten fastest growing economies in the world in 2018, Africa is poised to play a pivotal role in the future global economy. This is also reflected in Africa's expected population growth from approximately 1.2 billion to 1.7 billion people by 2030, and annual spending by African consumers and businesses is expected to reach \$6.6 trillion in 2030, up from \$4 trillion in 2015<sup>1</sup>.

Urbanization will be a continuing trend with over 80% of Africa's population growth expected to take place in cities, where the income per capita is more than double the continental average<sup>2</sup>. The African middle class is estimated at 350 million and is a middle class increasingly willing and able to purchase foreign goods. These trends indicate that Africa offers enormous untapped business potential, particularly for American businesses.

According to the Harvard Business Review, there are six sectors in Africa that are primed for growth, including; 1) wholesale and retail, 2) food and agri-processing, 3) health care, 4) financial services, 5) light manufacturing, and 6) construction. All these sectors are characterized by high growth and high profitability. Africa presently imports one third of all its food, beverages and similar processed goods, which presents an obvious import substitution opportunity. To capitalize on these and other potential opportunities, the US Administration recently announced the Prosper Africa initiative, with the goal to advance USG strategic priorities in Africa through transformative trade and investment. This will be accomplished by substantially increasing two-way U.S.-Africa trade and investment between the U.S. and Africa. The Prosper Africa initiative will also build on African Growth and Opportunity Act (AGOA), which provides for duty free exports from Sub Saharan Africa to the United States.

### **2. Purpose**

USAID seeks to partner with the private sector, implementing partners, business associations and other interested organizations to facilitate increased two-way trade and investment between the United States and Africa in support of the Prosper Africa initiative. This initiative aims to substantially increase two-way private sector trade transactions between the United States and Africa by:

- Increasing United States investments in Africa and increased African investments in the United States.
- Establishing new mechanisms that facilitate increased trade and investment.
- Reducing barriers to trade and investment.

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<sup>1</sup> Africa's Untapped Business Potential, Brookings Institute, [https://www.brookings.edu/wp-content/uploads/2019/01/BLS18234\\_BRO\\_book\\_006.1\\_CH5.pdf](https://www.brookings.edu/wp-content/uploads/2019/01/BLS18234_BRO_book_006.1_CH5.pdf)

<sup>2</sup> Africa's overlooked business revolution, McKinsey Quarterly, November, 2018  
<https://www.mckinsey.com/~media/McKinsey/Featured%20Insights/Middle%20East%20and%20Africa/Africas%20overlooked%20business%20revolution/Africas-overlooked-business-revolution-web-final.ashx>

### **3. Relationship to USAID’s Private Sector Engagement (PSE) Policy**

The Prosper Africa initiative dovetails with USAID’s Private Sector Engagement (PSE) Policy, which is an Agency-wide mandate to work hand-in-hand with the private sector in the design and delivery of development and humanitarian programs across all sectors, and to harness USAID resources to open markets and other opportunities for United States businesses. The PSE policy codifies the Agency’s shift to pursue market-based approaches and investment as a means to accelerate countries’ progress on the Journey to Self-Reliance, which will ultimately result in strengthening countries’ abilities to finance their own economic and social development. The USAID Kenya and East Africa Mission provided extensive trade and investment support to the private and public sector through the USAID East Africa Trade and Investment Hub project (<https://www.eatradehub.org/>), which recently concluded its activities. The project successfully addressed a broad scope of activities, including intra-regional and international trade, trade policy reform and investment facilitation.

### **4. Focus Areas**

In general, the East Africa Prosper APS seeks to support exceptional and innovative solutions to rapidly, transparently and sustainably grow two-way trade and investment between the United States and East Africa in support of the Prosper Africa initiative. USAID welcomes, in addition to its traditional implementing partners, submissions from non-traditional partners who aim to fill the gap between trade and investment activities. Proposed activities should facilitate market-driven solutions that lower risk, advance competitiveness, increase the availability of data analytics and actionable market intelligence, establish communications channels for timely market alerts, strengthen business networks and advocacy and enact policy changes that turn around near-term benefits to market players. Furthermore, activities should support the Kenya and East Africa’s Journey to Self-Reliance<sup>3</sup>, specifically the commitment and capacity targets such as the Business Environment and Trade Freedom (on the commitment side) and/or Diversification of Exports (on the capacity side). Individual windows, if issued, will provide more specific information about the types of activities and approaches supported under that window.

Concept notes submitted to USAID under the East Africa Prosper APS should complement and not duplicate current bilateral and/or regional activities in East Africa. Concept notes may also target specific industry sectors or geographical areas in East Africa.

### **5. Performance Monitoring, Evaluation and Learning**

This is critical to tracking progress toward sustainable development outcomes and to effective adaptive management of this program. Successful programs should develop specific indicators, benchmarks and targets, and establish baseline data against which subsequent performance can be measured.

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<sup>3</sup> Please refer to <https://selfreliance.usaid.gov/country/kenya>

## **6. Geographic Focus**

The East Africa Prosper APS is focused on countries in the East African region. USAID will express specific geographic priorities in the individual window documents, issued on an as-needed basis, which reflect the particular geographic focus of a USAID Mission.

## **7. Gender and Youth**

Gender equality and women's empowerment are essential for achieving USAID's development goals. The USAID Gender Equality and Female Empowerment Policy ([https://www.usaid.gov/sites/default/files/documents/1865/GenderEqualityPolicy\\_0.pdf](https://www.usaid.gov/sites/default/files/documents/1865/GenderEqualityPolicy_0.pdf)) advances equality between women and men, boys and girls, and empowers women and girls to participate fully in and benefit from development activities, through the integration of gender in the entire project cycle -- from project design and implementation to monitoring and evaluation.

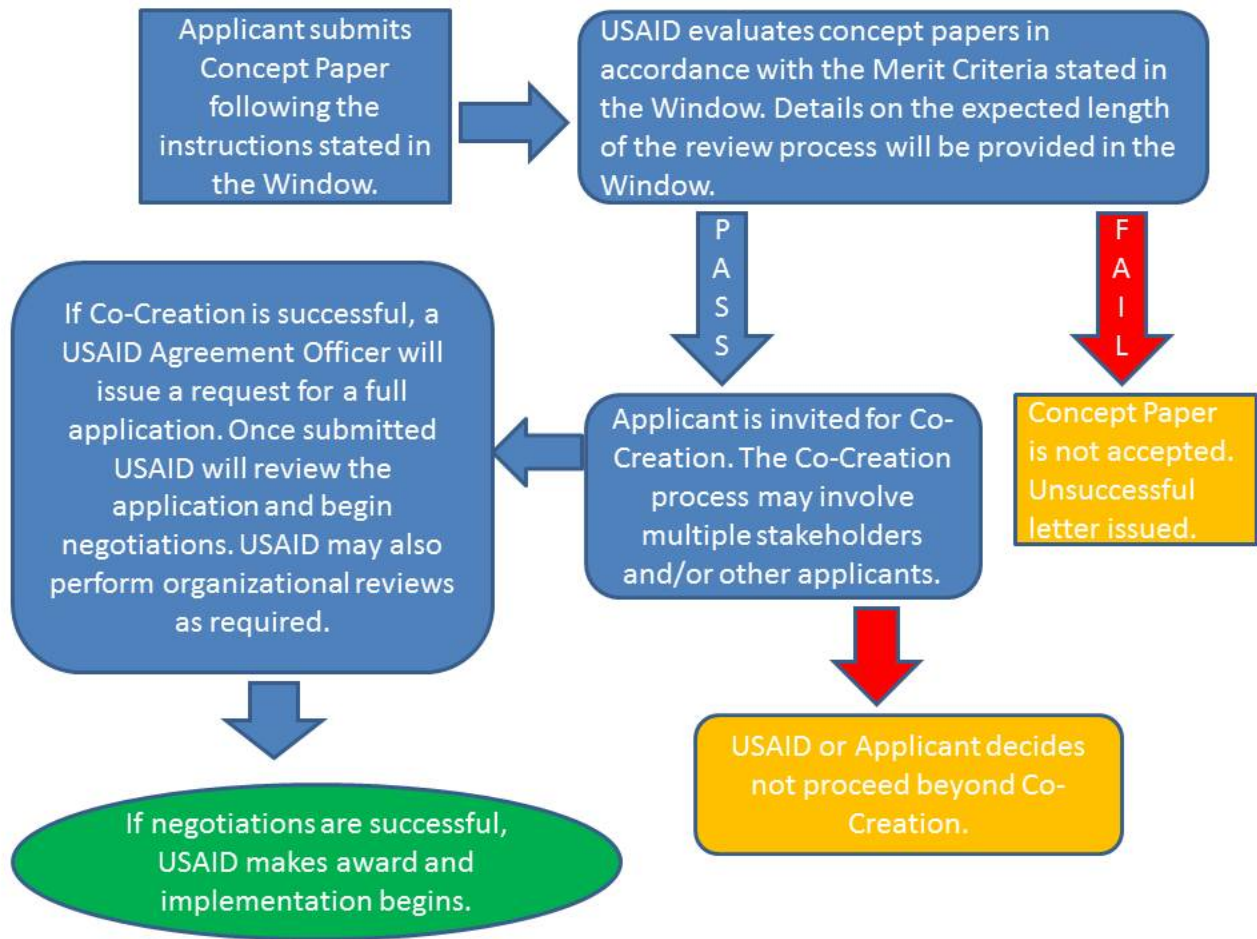
USAID encourages youth sensitive programming that can help young adults find meaningful employment opportunities, while also contributing to increased two-way trade and investment between the U.S. and Africa in support of the Prosper Africa initiative.

## **8. Co-Creation**

In order to foster sustainable and transformational development impact, award(s) must entail extensive partnering and collaboration between USAID and the applicant from design to implementation. Ideally, the applicable USAID Mission will jointly identify and define with the applicant(s) the development problems to tackle in the program and then collaborate to determine whether and how to solve those problems and achieve the greatest degree of measurable, sustainable impact. USAID will work with the applicant(s) to mobilize, leverage and more effectively apply each other's respective expertise. Awards should be co-created, co-developed, and co-implemented. This means that, rather than telling applicants how USAID wants to solve a problem, the Agency presents a challenge and solicits the best ideas for how to address it and works from the concept note phase to issuance of the award and then to management of awards in an iterative, participatory, and collaborative process.

## 9. Overview of the Process

Process starts -USAID issues APS and Window(s)



[END OF SECTION I]

## **SECTION II: FEDERAL AWARD INFORMATION**

***Issuance of this APS and any window(s) does not constitute an award or commitment on the part of the U.S. Government, nor does it commit the U.S. Government to pay for costs incurred in the preparation and submission of an application.***

This umbrella APS is **not** a request for concept papers. Concept papers must be provided in response to, and in accordance with the instructions provided under a specific Window. Information and instructions for awards under this APS will be provided in individual Windows, which can be found under the APS funding opportunity posting on Grants.gov by clicking on the "Related Documents" tab. USAID does not intend to review general concepts submitted under this umbrella APS, or to provide feedback for such submissions. The Window(s) will provide full and open competition for responsible qualified applicants.

Award Discretion: USAID reserves the right to make or not to make awards through this APS. The actual number of assistance awards, if any, under this APS is subject to the availability of funds and the interests and requirements of Missions as well as the viability of eventual full applications received.

Funding Sources and Award Amounts: This APS and Windows will be primarily funded by Prosper Africa funding. The estimated amount of funding, number of awards, and potential award value will be specified in the individual Windows.

Awards will be assistance in nature and limited to Cooperative Agreements (CA) and Grants, or Fixed Amount Awards (FAA) or other mechanisms allowed under ADS 303. However, Leader with Associates Awards will be awarded under this APS. The awarding AO, in consultation with the apparently successful applicant, will decide on the appropriate assistance mechanism.

**[END OF SECTION II]**

### **SECTION III: ORGANIZATION ELIGIBILITY INFORMATION**

USAID welcomes concept papers from any type of organization that has the capability to carry out international development programs. While not an exhaustive list and provided for illustrative purposes only, the following types of organizations are encouraged to participate: U.S. and non-U.S. Non-Governmental Organizations (NGOs), faith-based organizations, foundations, cooperatives, international organizations, U.S. and non-U.S. colleges and universities, civic groups, regional organizations, U.S. and non-U.S. private businesses, and business/trade associations. USAID encourages applications from potential new partners. All applicants must be legally recognized organizational entities under applicable law. Please note the eligibility may be further restricted under each individual window.

In addition, for the following group the criteria below also apply:

- **U.S. and Non-U.S. For-Profit Organizations:** In accordance with 2 CFR 200.400, potential for-profit applicants should note that USAID policy prohibits the **payment of fee/profit** to the prime recipient under assistance instruments, and 2 CFR 200.101 states that, unless specifically excluded, all requirements applying to recipients also apply to sub-recipients if they meet the definition of “recipients”; therefore, fee/profit under assistance type awards is also prohibited for sub-recipients. Forgone profit does not qualify as cost-sharing or leveraging.
- If a prime recipient has a subcontract with a for-profit organization for the acquisition of goods or services (i.e., if a buyer-seller relationship is created), fee/profit for the subcontractor may be allowable in accordance with ADS “Profit Under USAID Assistance Instruments” located at the following link - <https://www.usaid.gov/sites/default/files/documents/1868/303sai.pdf>.

There are no limits on the number of awards that may be made by missions under this APS to a single organization. However, if an applicant has submitted a concept paper which has not been successful they must consult with USAID prior to submitting a subsequent application under that window. If the USAID Mission declines to accept another concept paper they will provide an explanation of the reasons why an additional concept paper will not be considered at that time.

#### **Leverage**

USAID is seeking to maximize cost-efficient development impact. While private sector resources are programmatic inputs to a partnership, applicants should identify, mobilize and apply private sector contributions and resources (both cash and in-kind) based on how those resources will expand the reach, efficiency, effectiveness and sustainable impact of the Program. While leverage is an input, the purpose of leverage is impact.

Leverage as defined in ADS 303 is significant resources mobilized from non-U.S. Government

sources. USAID seeks the mobilization of resources of other actors on a 1:2 or greater basis (i.e. 50 percent of the proposed value of the award). Leveraged resources may include grants/awards from non-U.S. Government organizations and other donor governments.

### **Cost-share**

While cost share is not a requirement, contributions of labor or resources, including private sector contributions, may be considered as cost-share, are very desirable, and are considered in the Technical Evaluation Criteria, under Part C, Sustainability of Results, in Section V of this APS.

**[END OF SECTION III]**

## **SECTION IV: CONCEPT PAPER AND APPLICATION SUBMISSION INFORMATION**

USAID is under no obligation to review and provide feedback on general concepts submitted under this overall APS or on questions received after the deadline.

Concept Paper submissions must be submitted to the e-mail address of the point of contact specified in each individual Window.

Issuance of this APS does not constitute an award or commitment on the part of the USG, nor does it commit the USG to pay for costs incurred in the preparation and submission of a concept paper or an application. Applicants submit Concept Paper applications at their own risk and all preparation and submission costs are at the applicant's expense.

USAID reserves the right to close or amend the APS on or before the closing date, stated on page 1. Therefore, for each issued Round, organizations are encouraged to apply as soon as possible to be considered for review to maximize the possibility of receiving available funding.

### **CONCEPT PAPER AND APPLICATION PROCESS**

**Step 1:** Interested applicants should review the APS and any amendments or Windows to understand the priorities, objectives, and strategies of the Government.

**Step 2:** The applicant submits a concept paper via email to the point of contact listed in the Window they are applying for. Applicants should **ONLY** submit the information and materials specified in the Window. Concept papers submitted in any other format than specified in the Window will not be accepted or reviewed. Applicants cannot submit any alternative document or narrative as a substitute for a concept paper. In addition, all concept papers must be in English.

The Mission responds with a confirmation receipt. Concept papers are reviewed based upon the criteria outlined in Section V below. Within 90 days after submission, the applicant will be informed by an Agreement Officer (AO) as to whether they have been chosen to submit a full application and engage in a co-creation process with the Mission. If selected they will be given a due date for the technical and cost application. This will include time for co-creation and collaboration with the Mission.

**Step 3:** The applicant collaborates through co-creation with the Mission and drafts the full application.

**Step 4:** The applicant prepares a cost application consisting of the [U.S. Government Standard Form 424 series](#)<sup>4</sup>, Parts 2-5 of ADS 303.3.8 [USAID Assistance Award Certifications, Assurances, Other Statements of the Recipient](#), and an electronic copy of a budget. Attachment C contains cost application details and links to the forms required. Awards under this APS will not allow the reimbursement of pre-award costs.

At this time, each applicant<sup>5</sup> is required to:

- Be registered in the Federal Government's [System for Award Management](#) (SAM) before submitting its full-application (Please allow several weeks for processing through SAM.GOV.);
- Provide a valid Dun and Bradstreet Number ([DUNS](#)) in the full application and in the cost application (SF-424); and
- Continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency.

To obtain information regarding the preceding, see the respective links:

<https://www.sam.gov/portal/public/SAM/> and <http://www.dnb.com>.

USAID may not make an award to an applicant until the applicant has complied with all applicable DUNS and SAM requirements and, if an applicant has not fully complied with the requirements by the time the Federal awarding agency is ready to make a Federal award, the Federal awarding agency may determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another applicant.

**Step 5:** The applicant submits the full application and cost application via email by the due date specified in Step 2 by an Agreement Officer. Should the applicant experience technical difficulties in the submission process, the applicant should consult the AO for instructions.

**Step 6:** The full application and cost application are reviewed by a Selection Committee at the Mission.

**Step 7:** The applicant is informed by the AO that they are apparently successful and all other pre-award requirements are conveyed. Additional negotiations regarding the technical and cost applications may be necessary.

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<sup>4</sup> SF-424, Application for Federal Assistance; SF-424A, Budget Information – Non-construction Programs; SF-424B, Assurances – Non-construction Programs

<sup>5</sup> Unless the applicant is an individual or Federal awarding agency that is excepted from those requirements under 2 CFR 25.110(b) or (c), or has an exception approved by the Federal awarding agency under 2 CFR 25.110(d)

All first-time applicants for USAID funding that are deemed apparently successful are subject to a pre- award survey to verify that the applicant has proper procedures in place to receive USAID funding. Please see ADS 303.3.8 and ADS 303.3.9.

**Step 8:** The AO signs the award document and sends an email to the applicant containing the award document.

**Step 9:** The awardee's legal representative counter signs the award and returns it to the AO.

**None of USAID's communication during the co-creation process shall be interpreted as a commitment to making an award.**

### CONCEPT PAPER REVIEW

Applicants must submit a Concept Paper in response to an active window by the deadline specified in the Window document. The concept paper will be acknowledged within the timeframe specified in the Window document. Each Round will review Concept Papers against merit review criteria detailed in the Window. USAID will notify potential applicants of significant changes in the to the Window through a written amendment. USAID, at its sole discretion, reserves the right to review Concept Papers out of cycle. USAID reserves the right to pose clarifying questions and conduct discussions with any applicant, but may not opt to do so if it believes it has sufficient information in the concept paper itself. Asking clarifying questions and conducting discussions with one applicant does not obligate USAID to do so with all applicants.

USAID anticipates two (2) possible outcomes from the Concept Paper review process:

- **Conditional Acceptance** - Invited for Co-Creation: Concept Paper generally meets objectives and is considered acceptable when evaluated against the merit review criteria stated in the Window. USAID invites applicant to engage in co-creation or to submit a full application if co-creation is determined to not be necessary.
- **Unsuccessful:** Concept Paper does not meet objectives and is not considered acceptable when evaluated against the merit review criteria stated in the Window. USAID rejects the Concept Paper. Not every organization that submits a concept paper through a Window of this APS will be selected to participate in co-creation. Due to the number of concept papers received, USAID is not able to provide elaborate or expansive details on why concept papers were not selected.

Proposed concept must not exceed maximum funding amounts as described in each window. If there is a ceiling on the number of concept papers to be reviewed in a particular Window, it will clearly state how many concept papers will be accepted. Applicants may not submit more than one concept paper under a window without consulting the POC stated in the Window.

## **APPARENTLY SUCCESSFUL APPLICANT PROCESS**

If an applicant's full application is considered "apparently successful", the cognizant AO will convey via email the next steps in the pre-award process. These next steps depend on the status of the applicant (e.g. new to USAID) and the type of award being considered. If at any time in the pre-award process the applicant is deemed unsuccessful, they will be notified via email and provided with the reasoning supporting the decision. Requests for additional information may be considered by the AO.

### **Pre-Award Responsibility Determination and Risk Assessment**

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

**IMPORTANT** - Applicants should **not** submit the information below with their concept paper.

The information in this section is provided so that applicants may become familiar with additional documentation that may be requested by the Agreement Officer before award in order to make the responsibility determination.

These documents may include, but are not limited to:

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

- Has a satisfactory record of performance. Past relevant unsatisfactory performance is ordinarily sufficient to justify a finding of non-responsibility, unless there is clear evidence of subsequent satisfactory performance;
- Has a satisfactory record of integrity and business ethics; and,
- Is otherwise qualified and eligible to receive a Cooperative Agreement/Grant under applicable laws and regulations (e.g., Equal Employment Opportunity Laws).

An award may only be made by the cognizant AO upon his/her signature and only after she/he makes a positive responsibility determination that the apparently successful applicant possesses, or has the ability to obtain, the necessary management competence in planning and carrying out assistance programs, and specifically the proposed program, and that it will practice mutually agreed upon methods of accountability for funds and other assets provided by USAID.

For organizations that are new to working with USAID or for organizations with outstanding audit findings, or otherwise at USAID's discretion, USAID may perform a pre-award survey to assess the Applicant's management and financial capabilities. If notified by USAID that a pre-award survey is necessary, Applicants must prepare, in advance, the required information and documents. See ADS 303.3.9.1 for more information on pre-award surveys. Please note that a pre-award survey does not commit USAID to make any award.

**[END OF SECTION IV]**

## **SECTION V: CONCEPT PAPER AND FULL APPLICATION REVIEW CRITERIA**

### **OVERVIEW**

Concept papers will be evaluated in accordance with the Merit Review Criteria set forth under the Window and any other criteria deemed appropriate by the cognizant East Africa Mission. Thereafter, the cost application requested in conjunction with a full application will be evaluated for reasonableness, allowability, and allocability. While technical criteria are paramount, cost considerations may also be a factor for award.

The concept paper must be directly responsive to the terms, conditions, guidelines and provisions of this APS and applicable Window to be considered. Concept papers not conforming to the East Africa Prosper APS may be categorized as not meeting the minimum requirements of the Government, thereby eliminating them from further consideration.

Applicants are reminded that the U.S. Government is not obligated to make an award on the basis of lowest proposed cost or to the applicant with the highest technical evaluation score. The Agreement Officer will make award to the applicants whose applications are judged to be the most advantageous in accomplishing USAID's foreign assistance objectives. Programmatic diversity as well as other USG strategic and policy priorities will also be taken under consideration in making final award decisions.

### **COST EVALUATION CRITERIA**

Full applications must include a budget and budget narrative that details the total costs for full implementation of the proposed program and explains all contemplated costs. **An applicant must be invited by a Mission to submit a full application.** The budget should clearly show how funds will be used to support the activities proposed in the application's Technical Narrative. The budget should display unit costs (if applicable) and costs by year; and include sub-budgets for each component. Suggested line items include, but are not limited to: personnel, fringe benefits, office rent, utilities, equipment, communications, local travel, program expenses and sub-awards.

The budget and budget narrative will not be scored; however, they will be evaluated for cost effectiveness and realism. This will consist of a review of the cost portion of an application for the work to be performed, to determine whether the costs reflect that the Applicant understands the requirements of the APS, and whether the costs are consistent with the technical application.

## **MERIT REVIEW CRITERIA**

Applicants should note that these criteria, (a) serve as the standard against which all concept papers will be evaluated, and (b) serve to identify the significant matters that should be addressed in all concept papers.

Concept papers will be reviewed using the merit review criteria under each round.

**[END OF SECTION V]**

## **SECTION VI: FEDERAL AWARD AND ADMINISTRATION INFORMATION**

The Agreement Officer (AO) is the only individual who may legally commit the USG to the expenditure of public funds. Applicants are prohibited from charging or incurring costs to the proposed award prior to receipt of either a fully executed Award or a specific, written authorization from the AO. Awards will be administered in accordance with 2 CFR 200, 2 CFR 700, and Standard Provisions for US/Non US organizations as applicable.

### **Award Administration**

All awards under this APS will be administered by the cognizant AO for the Mission under which the award will be made and the standard USAID assistance award provisions, listed in Attachment E, apply. For U.S. organizations, 2 CFR 700, 2 CFR 200, and ADS 303maa [\*Standard Provisions for U.S. Non-governmental Organizations\*](#) are applicable. For non-U.S. organizations, ADS 303mab [\*Standard Provisions for Non-U.S. Non-governmental Organizations\*](#) will apply.

### **Reporting**

Reporting requirements will be specified during the full application stage or in the Window instructions.

### **Program Income**

Non-profit Organizations - If the successful applicant(s) is/are a non-profit organization, any program income generated under the award(s) will be added to USAID funding (and any cost-sharing that may be provided), and used for program purposes. Program income will be subject to 2 CFR 200.307 for U.S. non-governmental organizations or the Standard Provision entitled “Program Income” for non-U.S. non-governmental organizations.

For-profit Organizations - Pursuant to 2 CFR 200.307, if the successful applicant is a for-profit organization, any program income generated under the award(s) will be deducted from the total program cost to determine the amount of USAID funding. Program income will be subject to 2 CFR 200.307 for

U.S. NGOs or the Standard Provision entitled “Program Income” for non-U.S. NGOs.

### **Environmental Protection and Compliance**

The Foreign Assistance Act of 1961, as amended, Section 117 requires that the impact of USAID’s activities on the environment be considered and that USAID include environmental sustainability as a central consideration in designing and carrying out its development programs. This mandate is codified in Federal Regulations (ADS 204) and in USAID’s [ADS Parts 201.5.10g and 204](#), which, in part, require that the potential environmental impacts of

USAID-financed activities are identified prior to a final decision to proceed and that appropriate environmental safeguards are adopted for all activities.

No activity funded hereunder will be implemented unless an environmental threshold determination, as defined ADS 204, has been reached for that activity, as documented in a Request for Categorical Exclusion, Initial Environmental Examination, or Environmental Assessment duly signed by the Mission Environment Officer and/or Bureau Environmental Officer. Subsequently, over the Life of the Activity, these environmental mitigation measures are to be a standard component of program management.

Successful applicants will be advised by USAID how to satisfy these requirements.

### **Gender Analysis and Integration**

In accordance with USAID's [\*Gender Equality and Female Empowerment Policy\*](#), each activity must identify and address any gender gaps relevant to the implementation of the activity. Successful applicants submit proposed gender integration plans based upon existing gender analyses of the relevant OU, if available; if not available, or if preferred, applicants may utilize a preliminary gender analysis for purposes of application. Upon award, successful applicants must update the gender analysis for the specific development activities to be implemented, and update the gender integration plan. Applicants should seek to promote gender balance in their staffing plans and should ensure that volunteers have sufficient gender expertise to identify and address gender issues.

### **Authorized Geographic Code**

Due to federal regulations, there are restrictions on the location where recipients can purchase items funded by USAID. These rules do not apply to procurement by the recipient with cost-sharing or program income funds. The anticipated geographic code to be included in the full application for all standard assistance awards is code 937, which includes the United States, the recipient country, and developing countries other than advanced developing countries, but excluding any country that is a prohibited source.

For more information on authorized geographic code, please see [ADS 310](#).

### **Statutory and Regulatory Certifications**

Pursuant to ADS 303.3.8, an award recipient will be required to sign and provide to USAID an executed set of Certifications and Representations prior to award. The AO will request the requisite documentation from the successful Applicant at the time determined appropriate to do so. These required documents are located at ADS 303mav [\*Certifications, Assurances, Other Statements of the Recipient and Solicitation Standard Provisions\*](#).

## **Branding and Marking Plan**

Applicants are requested to note in their full application that in accordance with 2 CFR 700.16, USAID requires the submission of a Branding Strategy and a Marking Plan prior to award. The Marking Plan may include a request for approval of one or more exceptions to the marking requirements in 2 CFR 700.16. The AO will request the Branding Strategy and Marking Plan from the successful applicant at the time determined appropriate to do so. The AO evaluates the Branding Strategy and Marking Plan (including any requests for exceptions) for approval consistent with the regulations contained in 2 CFR 700.16, ADS 303 and [ADS 320](#).

## **Intellectual Property**

Intellectual Property is discussed in 2 CFR 200.448 (for US NGOs) and in Mandatory Provision 7 Title to and Use of Property (December 2014) (for non-US NGOs). In general, awardee(s) may elect to pursue ownership of intellectual property that is developed as a result of an award from a Window of this APS. In such cases, USAID would typically retain a nonexclusive, non-transferable, royalty-free license to use any such intellectual property.

**[END OF SECTION VI]**

## SECTION VII: FEDERAL AWARDING AGENCY CONTACT(S)

### For the Umbrella East Africa Prosper APS

Nya Kwai Boayue  
Agreement Officer  
USAID/Kenya and East Africa  
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Jennifer Kiiru  
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USAID/Kenya and East Africa  
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Points of Contacts for each Window will be stated in the Window document.

**Questions and Answers:** All questions on this umbrella APS must be submitted to Ms. Jennifer Kiiru at [jkiiru@usaid.gov](mailto:jkiiru@usaid.gov) and Mr. Nya Kwai Boayue at [nboayue@usaid.gov](mailto:nboayue@usaid.gov) by the stated deadline on the cover page.

[END OF SECTION VII]