Issue Date: **May 20, 2024**
Deadline for Questions: **May 31, 2024, 17:00 Belgrade time**
Closing Date: **June 30, 2024, 17:00 Belgrade time**

Subject: **Notice for Funding Opportunity (NOFO)**
Request for Applications (RFA) # 72016924RFA00001

Activity Title: **Advancing Digital Democracy in Serbia**

Catalog of Federal Domestic Assistance (CFDA) Number: 98.001

Ladies/Gentlemen:

The United States Agency for International Development (USAID) is seeking applications for a cooperative agreement from qualified entities to implement the Advancing Digital Democracy Activity. Eligibility for this award is not restricted.

USAID intends to make an award to the applicant who best meets the objectives of this funding opportunity based on the merit review criteria described in this RFA subject to a risk assessment. Eligible parties interested in submitting an application are encouraged to read this RFA thoroughly to understand the type of program sought, application submission requirements and selection process

To be eligible for award, the applicant must provide all information as required in this RFA and meet eligibility standards in Section C of this RFA. This funding opportunity is posted on www.grants.gov, and may be amended. It is the responsibility of the applicant to regularly check the website to ensure they have the latest information pertaining to this notice of funding opportunity and to ensure that the RFA has been received from the internet in its entirety. USAID bears no responsibility for data errors resulting from transmission or conversion process. If you have difficulty registering on www.grants.gov or accessing the RFA, please contact the Grants.gov Helpdesk at 1-800-518-4726 or via email at support@grants.gov for technical assistance.

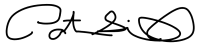
USAID may not award to an applicant unless the applicant has complied with all applicable Unique Entity Identifier (UEI) and System for Award Management (SAM) requirements detailed in Section D.6(g). The registration process may take several weeks to complete. Therefore, applicants are encouraged to begin registration early in the process.

Please send any questions to the point(s) of contact identified in Section D. The deadline for questions is shown above. Responses to questions received prior to the deadline will be furnished to all potential applicants through an amendment to this notice posted to www.grants.gov.

Issuance of this notice of funding opportunity does not constitute an award commitment on the part of the Government nor does it commit the Government to pay for any costs incurred in preparation or submission of comments/suggestions or an application. Applications are submitted at the risk of the applicant. All preparation and submission costs are at the applicant's expense.

Thank you for your interest in USAID programs.

Sincerely,



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Patricia Siaso
Agreement Officer

Attachment 1 - Budget Template
Attachment 2 - Bio Form 1420

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SECTION A: PROGRAM DESCRIPTION

This funding opportunity is authorized under the Foreign Assistance Act (FAA) of 1961, as amended. The resulting award will be subject to 2 CFR 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, and USAID's supplement, 2 CFR 700, as well as the additional requirements found in Section F.

A. GOAL

This Program Description (PD) describes the objective of the U.S. Agency for International Development (USAID/Serbia) for an Activity that will help ensure that Serbia's continued digital transformation protects and champions citizen's fundamental democratic rights.

The goal of the Activity is to foster and strengthen "digital democracies", i.e., open, secure, safe and inclusive digital ecosystems in which data-driven technologies advance, rather than undermine, democratic values and respect for human rights, including the rights of marginalized populations.

Through this Activity, USAID will support stakeholders in addressing and/or building resilience to digital repression and supporting rights-respecting digital transformation and growth of the digital economy. This approach is consistent with, and outlined in, the USAID Digital Strategy.

The Activity will engage a variety of stakeholders, including government counterparts, civil society, media, women organizations, private sector, academia, think tanks, and regional and multilateral organizations to build a comprehensive approach to deepen democratic values and respect for human rights in Serbia's digital ecosystem.

B. INTRODUCTION

The rapid development and deployment of digital technologies, the spread of information sharing platforms, and instant digital connectivity have profoundly changed the global economy, commerce, education, media and social interactions. Digital technology is becoming critical for citizens' ability to access accurate information online, education, political participation, organization and advocacy, interaction with public and health services through e-government portals, all of which can strengthen democratic institutions and processes. Moreover, digital technology provides a voice to underserved and oppressed communities, allows for greater public transparency, and spurs innovation. In order to facilitate all this, digital databases and other data management systems contain sensitive personally identifiable information, such as citizens' health records and biometric information.

The rapid pace of technological innovation has often outpaced the ability to assess and constrain potential harms. The same digital tools facilitate the spread of fake news, provide new ways of mass surveillance, and can be used to target political opponents or harm vulnerable groups. Lack of compliance mechanisms and tools in digital spaces also allows state and non-state actors to breach basic rule of law principles and human rights norms. Examples include unauthorized

collection and processing of citizens' private data and metadata; collection and unauthorized processing of biometric data; uncontrolled application of face recognition technologies in public spaces; online exploitation; cyber fraud; etc. Establishment and maintenance of technology-based norms and rights critically depend on digital spaces being secure from malicious attacks and interferences.

C. AREA OF INTEREST

The objective of this activity is to support open, secure, and inclusive digital ecosystems that advance, rather than undermine, democratic values and respect for human rights, based on principles for an open, free and secure digital future for all. USAID plans to support the development, implementation and oversight of legal and regulatory frameworks related to technology, data and information that embrace the norms and standards detailed in the European Declaration of Digital Rights and Principles and which fulfill Serbia's international human rights and democracy commitments, with a specific focus on Serbia's obligations under the European Convention on Human Rights (ECHR).

Serbia is a signatory of the European Convention of Human Rights[1] and the Constitution of Serbia[2] protects fundamental rights, including the right to privacy, prohibition of discrimination, freedom of movement, freedom of peaceful assembly and of expression. The rights convened under the Convention are directly applicable under the Serbian legal and regulatory system, and laws should be drafted and construed as to take in account the Convention rights. This makes the Convention an enforceable legal instrument for protecting human rights.

Serbia is also an EU candidate country, and is in the process of harmonizing its legislation with EU regulations, norms and standards. These two processes present an opportunity to develop and implement robust regulatory systems that protect human rights in the digital domain. This is also of importance knowing that certain groups in society, such as women and youth are more subject to rights violation in digital spaces as in everyday practices. USAID believes that assisting Serbia in preparing to align with EU digital sector policies will support the country to fulfill EU accession requirements. These include adoption and implementation of the General Data Protection Regulation, the Digital Services Act, the European Union's proposed European law on artificial intelligence (AI), EU Declaration on Digital Rights and Principles and other relevant laws and regulations.

Serbian independent oversight institutions have limited ability to understand, identify, and effectively respond to abuse of digital technologies and technology-enabled human rights abuses, including online harassment, unauthorized surveillance, censorship, and infringements on data privacy. Utilizing digital technology often includes accessing a web of complex sets of resources, tools and processes that span different countries, jurisdictions, and sometimes conflicting legal protection mechanisms. This makes it difficult to address any issues involving user's personal data

[1] https://www.echr.coe.int/Pages/home.aspx?p=basictexts&c
[2] https://www.srbija.gov.rs/tekst/en/130144/constitution-of-serbia.php

or intellectual property rights within any particular – including Serbian – legal system, and instead requires utilizing new, complex grievance redress mechanisms that may or may not exist for any particular issue arising from technology enabled abuse of human rights.

Recent USAID experience in supporting Serbian institutions, academia, educators to promote digital and media literacy shows that a whole of society approach can result in tangible improvements in public understanding of key media and digital literacy concepts, and in adopting media and digital literacy skills. USAID is confident that a similar approach can result in better public understanding of the risks, harms, and human rights implications of digital technologies - and in developing effective methods of prevention and mitigation of those risks and harms. Moreover, it can help us understand how different groups in society, especially marginalized groups such as women and youth, are experiencing these risks, and develop methods that reflect their experiences and address them properly.

At the same time, empowering citizens, civil society groups, civic advocates, women organizations, and media professionals to better understand the impacts of digital technologies on human rights can more effectively influence decision-making about digital technologies' human rights compliant development, use, and governance.

The activity is expected to be implemented based on the beneficiary community adopting strong ethical criteria, which could include adopting codes of conduct against harassment and having mechanisms to address instances of it. This includes principles of non-discrimination and equal opportunities, and in particular support for gender equality and female empowerment, empowering women leadership in implementing technology enabled human rights and norms, as well as a focusing on youth where programmatically possible. Further, based on USAID/Serbia Gender Analysis recommendations,[3] the activity is required to promote women rights and empower women leadership in implementing technology enabled human rights and norms.

C.1. Objectives

Addressing technology-enabled human rights challenges requires a comprehensive, whole of society approach. Through the activity, USAID intends to assist key stakeholders to:

1. Support Serbia in implementing its human rights obligations involving technology, and in addressing technology-enabled human rights abuses including ethical use of the Artificial Intelligence, preventing and addressing online harassment, unauthorized surveillance, censorship, infringements on data privacy, etc.
2. Empower civil society, technologists, professional associations, independent oversight bodies, media, academia, and citizens to engage directly and regularly with governments and private sector actors to promote rights respecting practices and ensure accountability for protecting human rights obligations across the digital ecosystem.

[3] USAID/Serbia Gender Analysis https://pdf.usaid.gov/pdf_docs/PA00WNPZ.pdf

C.2 Expected results

Expected results of the Activity are:

1. Selected sectors and institutions - legislative branch, government, public institutions, academia, private sector, professional associations - are better prepared to adopt or implement Serbia's international human rights and democratic commitments involving digital technology, including utilization of Artificial Intelligence; personal and biometric data acquisition, access, processing, safeguarding and management; digital surveillance; data privacy; etc.
2. Independent oversight institutions (the Ombudsperson, the Commissioner for Access to Information of Public Importance and Personal Data Protection , academia, technologists, professional associations, independent media and civil society groups increase their knowledge of technology-enabled human rights, and increase their capacity to provide an effective oversight and safeguard human rights involving digital technology, including development and use of Artificial Intelligence, personal and biometric data acquisition, access safeguarding, processing and management.
3. Independent oversight institutions - the Ombudsperson, the Commissioner for Access to Information of Public Importance and Personal Data Protection - judiciary, and regulatory agencies utilize accessible, transparent, and accountable grievance redress mechanisms in addressing technology-enabled human rights violations.

Applicants should propose initiatives they intend to undertake to address the objectives and contribute to results set forth above.

C.3 Illustrative areas

Applicants should ensure that the issue or issues they propose to address are commensurate with the cost proposed and that applications present a strategy to sustain applicants' efforts beyond the lifetime of the activity. The following is a list of illustrative areas of programming that could be considered; applicants may also offer their ideas and approaches to address the Activity Area of Interest, Goal and Objectives.

1. Identify and publicize key technology-enabled risks, threats and challenges for human rights, including development and deployment of Artificial Intelligence, online harassment, unauthorized surveillance, biometric data acquisition and processing, censorship, infringements on personal data and privacy; etc.
2. Identify and publicize key regulatory gaps and issues that can help public and commercial sector stakeholders, academia, media and civil society groups address identified risks, threats and challenges.
3. Identify and evaluate the existing grievance redress mechanisms concerning technology-enabled human rights abuses in Serbia and their effectiveness and applicability in the existing regulatory, institutional, and digital environment.

4. Support capacity building of key stakeholders - including independent oversight institutions, technologists, professional associations, judiciary, public and private sectors, academia, media, civil society, women organizations - to effectively identify, mitigate and address the key challenges and threats related to technology-enabled human rights abuses, including ethical use of the Artificial Intelligence, unauthorized surveillance, censorship, infringements on data privacy, etc.
5. Support key regulators, media, academia, technologists, professional associations and civil society groups in effective oversight of implementation of human rights and democratic norms in regulating application of digital technologies, including ethical use of Artificial Intelligence, regulating personal and biometric data acquisition, access, processing and management, etc.
6. Support education on how to embed respect for human rights and democratic values in the development, oversight and utilization of digital technologies, including Artificial Intelligence, personal and biometric data acquisition, access safeguarding, processing and management, etc..
7. Support the Commissioner for Access to Information of Public Importance and Personal Data Protection training efforts for the public sector (health, education, etc.), commercial sector (e-commerce, financial institutions, retailers, commercial health institutions, etc.) judiciary, academia, legislative and executive branch, and other stakeholders on how to safeguard human rights in technology development and utilization, and how to effectively protect personal and biometric data.
8. Increase public understanding and awareness about human rights and democratic norms in the development, application and governance of technology.
9. Increase advocacy efforts for human rights enabled technology development, including utilization and democratic oversight over use of Artificial Intelligence, biometric data acquisition, access, safeguarding, processing and management, etc.
10. Increase cooperation between Serbian and European civil society groups, regulators, executive and legislative branch, and think tanks in enhancing local skills and knowledge, and supporting local efforts to identify, regulate, address grievances and provide an effective oversight over development, use and application of digital technologies while respecting human rights and democratic norms in Serbia.
11. Support public-private partnerships in enhancing ethical use of digital technologies in the commercial and public sectors.

The following interventions and activities may <u>not</u> be considered for funding:

- Interventions that directly engage in support of individual political parties or candidates.
- Interventions that are partisan in nature or that promote content that is partisan in nature.
- Construction activities.

The provision of individual financial support solely for equipment purchase or as a subsidy for ongoing business activities.

D. INDICATORS OF A SUCCESSFUL PROGRAM

USAID seeks applications that demonstrate the following characteristics:

- In implementing the activity, Implementing Partner makes every effort to utilize local and regional knowledge and expertise, partnering with local experts, organizations, and institutions.
- Implementation of legal and regulatory frameworks related to preventing and addressing technology-enabled human rights abuses, including Artificial Intelligence, online harassment, unauthorized surveillance, censorship, and infringements on personal data privacy, which align with and fulfill its international human rights and democratic commitments, particularly European Convention on Human Rights and relevant EU regulations, policies and strategies.
- Ensure gender mainstreaming across program activities, including mapping and addressing gender-specific challenges, and by engaging women organizations and women in leadership positions meaningfully to implement all measures and actions through a gender-lens.
- Increased capacity of selected key institutions, including the Ombudsperson, the Commissioner for Personal Data Protection, and judiciary, to provide oversight, implement and employ grievance redress mechanisms in addressing technology-enabled human rights violations.
- Increased ability of selected stakeholders - including independent oversight institutions, public and private sectors, government,, media, civil society - to effectively identify, mitigate and address the key challenges and threats related to personal and biometric data acquisition, access safeguarding, processing and management.
- Effective engagement of civil society, women organizations, and citizens in democracy and human rights issues involving technology and personal and biometric data acquisition, access, safeguarding, processing and management..
- Increased capacity of civil society, women organizations, and the public to effectively advocate, influence and provide oversight of the public and commercial sector on human rights issues involving technology and personal and biometric data acquisition, access, safeguarding, processing and management.
- Increased cooperation and engagement between EU digital rights groups and Serbian civil society, academia, media and government stakeholders on democracy and human rights issues involving technology and personal and biometric data acquisition, access, safeguarding, processing and management..

- Improved engagement between diverse stakeholders and sectors critical for addressing technology-enabled human rights violations.

E. OTHER INFORMATION:

Continuous Learning and adaptive management

The implementing partner is expected to employ continuous learning and adaptive management in designing and implementing the Activity.

The Activity will enable adaptive approaches to achieving objectives, informed by ongoing changes in the operating environment (technological, contextual, political, etc.) relevant for the success of the Activity. Based on the continuous assessment of its interventions, stakeholder and USAID feedback, the implementing partner is expected to expand its initial stakeholder group, and quickly programmatically respond to successes in areas where and with stakeholders with whom it gets traction and measurable results. Conversely, the implementing partner is expected to pivot away from stakeholders and areas that are not likely to deliver results. The implementing partner must be ready to swiftly adapt its implementation approach and planned interventions to maximize results and lasting impact of the Activity.

USAID/Serbia recognizes that the success of the Activity will depend on the contributions of actors directly and indirectly engaged with the project, as well as institutions and processes beyond the manageable interests of the implementing partner, and that changes in the local context may have implications for the achievement of results. Therefore, significant shifts within the operating environment or the broader country context may require the adaptation of approaches and the revisiting of indicators to address these changes.

Coordination

The Activity will closely coordinate and cooperate with other USAID-funded activities, as well as with select media/or networks/partnerships/civil society/ public/ private sector and other initiatives, professional associations, government, the Ombudsperson, Commissioner for Personal Data Protection and Access to Information in Public Interest, as well as the initiatives of other donors, particularly those of the European Union. Given the current context for digital rights and cyber security development in Serbia, continuous monitoring and evaluation, and the ability of the program to adapt to a changing operating environment as well as what the partner/s and beneficiaries are learning from the initiatives they have undertaken will be as important as what activities are implemented.

Period of Performance

The initial period of Activity performance is 48 months. Subject to availability of funding, identified opportunities, Activity performance quality, and traction it gains with the stakeholders, the Activity might be eligible for potential additional USAID funding. The additional funding can

be used for expanding activities under the proposed Technical Approach. With the additional funding, the Period of Performance can be extended up to additional 12 months.

Subgranting

Applicants can propose a grant component. If Applicants propose to issue grants under the Award, they should clearly explain how grants will support the Activity Goal, Objectives and Expected Results. Grants should not be proposed as a substitute for the core competencies of the prime implementing partner, its sub-awardees, or a consortium that is applying for this NOFO.

F. Activity Monitoring Evaluation and Learning Plan (AMELP) guidelines

The application must contain an illustrative AMELP responding to objectives and expected results as set forth in this Program Description. Illustrative AMELP should clearly demonstrate how it will experiment with and perfect the monitoring methodology. Illustrative AMELP should also explain how the activity will identify best practices and lessons learned, adapt to programmatic and contextual changes, and seek to scale up successful practices. Applicants will propose outcome level indicators which will assist in managing project performance and outcomes. Illustrative AMELP must include gender monitoring sections and gender indicators.

G. Coordination with other USAID programs and other donors

Close coordination and regular consultation with USAID is expected. This activity will also coordinate with USAID activities on civil society, rule of law, media, and government accountability, as well as economic growth in order to be used as possible ways to educate stakeholders on issues of citizen concern and areas to champion for reforms. Activities include, but are not limited to, USAID's Political Processes Strengthening Activity, Civil Society Resilience Strengthening Activity, and the upcoming Strengthening Civil Engagement Activity. The activity will also coordinate with other organizations and donors engaged in election observation, including the OSCE. It is expected that election observation efforts under the EIA will seek to aggregate support from more than one donor, resulting in funding citizen election observation missions by more than one source from more than one country. This will ensure an unbiased public perception and multilateral international effort towards building domestic and grassroot capacity for election monitoring and advocating for the improvements in the integrity and transparency of the election process.

H. Gender and Youth Considerations

Women, youth, persons with disabilities and LGBTIQ+ persons face discrimination, harassment, and violence in digital spaces, which prevents them from becoming active in the digital ecosystems.[4] The Activity must promote women rights and capture and address different challenges underserved communities are facing in regards to the use of technology and exercise of their digital rights. Through this activity, USAID will support both furthering gender

[4] United States Agency for International Development (USAID) Serbia. Final Gender Analysis Report 2020. Belgrade: 2020. https://pdf.usaid.gov/pdf_docs/PA00WNPZ.pdf

considerations as an outcome and incorporating gender and underserved communities considerations across all actions.

[END OF SECTION A]

SECTION B: FEDERAL AWARD INFORMATION

1. Estimate of Funds Available and Number of Awards Contemplated

USAID intends to award one Cooperative Agreement pursuant to this notice of funding opportunity. Subject to funding availability and at the discretion of the Agency, USAID intends to provide approximately **$5,000,000**.

The estimated initial award period of performance is 48 months. The estimated start date of the activity is mid 2024.

Pending the availability of additional funding, identified opportunities for sustainable impact, successful engagement of key stakeholders, and success of interventions, USAID may open a "window of opportunity" to increase the total estimated amount of the resulting award by up to an additional **$3,000,000**. Should USAID decide to increase the total estimated amount, the Period of Performance could be extended for up to additional 12 months. If USAID opens this window of opportunity, the recipient will be expected to expand the activities under the existing Objectives. No new Objectives will be added.

USAID reserves the right to fund any one or none of the applications submitted, or to fund parts of applications. Issuance of this RFA does not constitute an award commitment on the part of USAID, nor does it commit USAID to pay for any costs incurred in the preparation and submission of any application.

2. Substantial Involvement

Substantial involvement is anticipated in this activity and specific elements of substantial involvement will be tailored in accordance with ADS 303.3.11 and final program description upon the award.

Cooperative agreements are grants with substantial involvement The specific areas of USAID substantial involvement will include, but not be limited to:

- USAID approval of the recipient's annual implementation plans;
- USAID approval of specified key personnel (limited to two (2) positions);
- USAID and recipient collaboration or joint participation, which includes one or more of the following:

    - USAID concurrence on the substantive provisions of sub-awards;
    - USAID approval of the recipient's AMELP (to the extent that such information is not included in the application);

- USAID monitoring to authorize specified kinds of direction or redirection because of interrelationships with other projects; and
- If the prospective recipient proposes a grant program under their application, within a reasonable time after the signing the agreement, the recipient must submit a draft Grants Management manual to the Agreement Officer for approval prior to the implementation grants scheme as described in the Program Description. The manual will guide applicants in their application to sub-awards under this award.

3. Authorized Geographic Code

The geographic code for the procurement of commodities and services under this program is 937, as described in ADS Chapter 310.

4. Telecommunications equipment

a. Prohibition on certain telecommunications and video surveillance services or equipment.

2 CFR 200.216

(a) Recipients and subrecipients are prohibited from obligating or expending loan or grant funds to:

(1) Procure or obtain;
(2) Extend or renew a contract to procure or obtain; or
(3) Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that use covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system.

As described in Public Law 115–232, section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).

(i) For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).

(ii) Telecommunications or video surveillance services provided by such entities or using such equipment.

(iii) Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

(b) In implementing the prohibition under Public Law 115–232, section 889, subsection (f), paragraph (1), heads of 109 §200.300 executive agencies administering loan, grant, or subsidy programs shall prioritize available funding and technical support to assist affected businesses, institutions and organizations as is reasonably necessary for those affected entities to transition from covered communications equipment and services, to procure replacement equipment and services, and to ensure that communications service to users and customers is sustained.

(c) See Public Law 115–232, section 889 for additional information.

(d) See also §200.471.

b. Special Award Requirement Relating to the Prohibition on Certain Telecommunication and Video Surveillance Services or Equipment (July 2022)

USAID has been granted a temporary waiver under Section 889(d)(2) that will allow the recipient to use award funds through September 30, 2028, to procure certain telecommunications and video surveillance services or equipment as specified in the standard provision “Prohibition on Certain Telecommunication and Video Surveillance Services or Equipment (JULY 2022).” Based on this waiver, all costs incurred for covered telecommunications and video surveillance services or equipment will be allowable through September 30, 2028 only if the recipient has determined that there is no available alternate eligible source for the covered telecommunications and video surveillance services or equipment, without regard to the cost principle at 2 CFR 200.471. Procurements made on or after October 1, 2028, will be unallowable in accordance with 2 CFR 200.471

5. Nature of the Relationship between USAID and the Recipient

The principal purpose of the relationship with the Recipient and under the subject program is to transfer funds to accomplish a public purpose to foster and strengthen "digital democracies", i.e., open, secure, safe and inclusive digital ecosystems in which data-driven technologies advance, rather than undermine, democratic values and respect for human rights, including the rights of marginalized populations which is authorized by Federal statute. The successful Recipient will be responsible for ensuring the achievement of the program objectives and the efficient and effective administration of the award through the application of sound management practices. The Recipient will assume responsibility for administering Federal funds in a manner consistent with underlying agreements, program objectives, and the terms and conditions of the Federal award.

6. Title to Property

Property title under the resultant agreement shall be vested in accordance with the requirements of Mandatory Standard Provision for Non-US Organizations, Title To And Use Of Property ,(December 2014), or TITLE TO AND CARE OF PROPERTY (COOPERATING COUNTRY TITLE) (DECEMBER 2022) for U.S. Nongovernmental Organizations.

[END OF SECTION B]

SECTION C: ELIGIBILITY INFORMATION

1. Eligible Entities

In accordance with ADS 303.3.6.5.a. Unrestricted eligibility refers to a funding opportunity that is open to all entities.

Through this RFA, USAID seeks to make awards to organizations and/or partnerships that can make concrete and meaningful contributions to sustainably strengthen Serbia's "digital democracies" by provision of capacity building, technical support, advocacy, public awareness and cross sectoral cooperation.

Eligibility for this RFA is not restricted. All U.S. and non-U.S. public, private, for-profit, and nonprofit organizations, as well as institutions of higher education, parochial, and other non-governmental organizations, are eligible to submit an application. Further, the organization must be a legally recognized organizational entity under applicable law. Foreign government-owned parastatal organizations from countries that are ineligible for assistance under the Foreign Assistance Act (FAA) or related appropriations acts are ineligible. Applications from individuals will not be accepted nor reviewed.

While for-profit firms may participate, pursuant to 2 CFR 200.400(g), it is USAID policy not to award profit to prime recipients and subrecipients under assistance instruments. However, the prohibition does not apply when the recipient acquires goods and services in accordance with 2 CFR 200.317 -326, "Procurement Standards." This is discussed more specifically in ADS 303 sai "Profit Under USAID Assistance Instruments," which can be found at this link: https://www.usaid.gov/sites/default/files/2022-05/303sai.pdf

Each applicant must be found to be a responsible entity before receiving an award. The Agreement Officer (AO) may determine that a pre-award survey is required in accordance with ADS 303.3.9.1 and if so, would establish a formal survey team to conduct an examination that will determine whether the applicant has the necessary organization, experience, accounting and operational controls, and technical skills – or ability to obtain them – in order to achieve the objectives of the program. Applicants who do not currently meet all USAID requirements for systems and controls may still be eligible under special award considerations and should not be discouraged from applying. USAID welcomes applications from organizations that have not previously worked with the Agency.

USAID strongly encourages applications from potential new partners who meet the above eligibility requirements and are willing to be subjected to a Pre-Award Responsibility Determination, which is a pre-award audit to determine fiscal responsibility (i.e., whether the prospective recipient has the necessary organization, experience, accounting and operational controls, and technical skills – or ability to obtain them – in order to achieve the objective of this

program and comply with the terms and conditions of the award).

Each applicant organization is limited to one application submission as the Prime applicant. There is no limitation on being included as a potential Sub-awardee. USAID discourages the use of exclusive teaming arrangements.

Submissions from organizations that do not meet the above eligibility criteria will not be reviewed and evaluated.

2. Cost Sharing or Matching

Cost Share is desirable and encouraged, but it is not a mandatory eligibility criterion under this RFA.

3. Unique Entity Identifier (UEI) and System Award Management (SAM)

SAM.gov Requirements can be found under this link. As of April 4, 2022, the federal government has moved away from the DUNS Number as its official entity identifier and replacing it with the new Unique Entity Identifier (UEI), which can be generated in SAM.gov. USAID will not award the applicant until the applicant has complied with all applicable SAM requirements and has obtained a unique entity identifier.

Each applicant is required to:

(i) Be registered in SAM before submitting its full application.
(ii) Provide a valid unique entity identifier in its full application; and
(iii) 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.

[END OF SECTION C]

SECTION D: APPLICATION AND SUBMISSION INFORMATION

1. Agency Point of Contact

Name: Branislav Bulatovic
Title: A&A Specialist
Email: bbulatovic@usaid.gov

Name: Armend Aliu
Title: A&A Specialist
Email: aaliu@usaid.gov

2. Questions and Answers

Questions regarding this RFA should be submitted by e-mail no later than the date and time indicated on the cover letter. Any information given to a prospective applicant concerning this RFA will be furnished promptly to all other prospective applicants as an amendment to this RFA, if that information is necessary in submitting applications or if the lack of it would be prejudicial to any other prospective applicant.

3. General Content and Form of Application

Preparation of Applications:

Each applicant must furnish the information required by this RFA. Applications must be submitted in two separate parts, Technical Application and the Business (Cost) Application. This subsection addresses general content requirements applying to the entire application. Please see subsections 5 and 6, below, for information on the content specific to the Technical and Cost applications. The Technical application must address technical aspects only while the Cost Application must present the costs, and address risk and other related issues.

Both the Technical and Cost Applications must include a cover page containing the following information:

- Name of the organization(s) submitting the application.
- Identification and signature of the primary contact person (by name, title, organization, mailing address, telephone number and email address) and the identification of the alternate contact person (by name, title, organization, mailing address, telephone number and email address). Applications signed by an agent on behalf of the applicant must be accompanied by evidence of that agent's authority unless that evidence has been previously furnished to the issuing office.
- Program name
- Notice of Funding Opportunity number (RFA # 72016924RFA00001)

- Name of any proposed sub-recipients or partnerships (identify if any of the organizations are local organizations, per USAID's definition of 'local entity' under ADS 303.

Applications must comply with the following:

- USAID will not review any pages in excess of the page limits noted in the subsequent sections. Please ensure that applications comply with the page limitations.
- Written in English
- Use standard 8 ½" x 11", single sided, single-spaced, 12 point Times New Roman font, 1" margins, left justification and headers and/or footers on each page including consecutive page numbers, date of submission, and applicant's name.
- a 10 point font can be used for graphs and charts. Tables, however, must comply with the 12 point Times New Roman requirement. It is expected that tables will not take a substantial part of the application.
- Submitted via Microsoft Word or PDF formats, except budget files which must be submitted in Microsoft Excel.
- The estimated start date identified in Section B of this RFA must be used in the cost application.
- The technical application must be a searchable and editable Word or PDF format as appropriate.
- The Cost Schedule must include an Excel spreadsheet with all cells unlocked and no hidden formulas or sheets. A PDF version of the Excel spreadsheet may be submitted in addition to the Excel version at the applicant's discretion, however, the official cost application submission is the unlocked Excel version.

Applicants must review, understand, and comply with all aspects of this RFA. Failure to do so may be considered as being non-responsive and may be evaluated accordingly. Applicants should retain a copy of the application and all enclosures for their records.

4. Application Submission Procedures

Applications in response to this RFA must be submitted no later than the closing date and time indicated on the cover letter, as amended. Late applications will not be reviewed nor considered at the discretion of the Agreement Officer. Applicants must retain proof of timely delivery in the form of system generated documentation of delivery receipt date and time/confirmation from the receiving office/certified mail receipt.

Sample Language for email submission:

Applications must be submitted by email to both individuals indicated in section D.1. Email submissions must include the RFA number and applicant's name in the subject line heading. In addition, for an application sent by multiple emails, the subject line must also indicate whether the email relates to the technical or cost application, and the desired sequence of the emails and their attachments (e.g. "No. 1 of 4", etc.). For example, if your cost application is being sent in

two emails, the first email should have a subject line that states: "[RFA number], [organization name], Cost Application, Part 1 of 2".

USAID's preference is that the technical application and the cost application each be submitted as consolidated email attachments, e.g. that you consolidate the various parts of a technical application into a single document before sending it. If this is not possible, please provide instructions on how to collate the attachments. USAID will not be responsible for errors in compiling electronic applications if no instructions are provided or are unclear.

After submitting an application electronically, applicants should immediately check their own email to confirm that the attachments were indeed sent. If an applicant discovers an error in transmission, please send the material again and note in the subject line of the email or indicate in the file name if submitted via grants.gov that it is a "corrected" submission. Do not send the same email more than once unless there has been a change, and if so, please note that it is a "corrected" email.

Applicants are reminded that email is NOT instantaneous, and in some cases delays of several hours occur from transmission to receipt. Therefore, applicants are requested to send the application in sufficient time ahead of the deadline. For this RFA, the initial point of entry to the government infrastructure is the USAID mail server.

There may be a problem with the receipt of *.zip files due to anti-virus software. Therefore, applicants are discouraged from sending files in this format as USAID cannot guarantee their acceptance by the internet server. File size must not exceed 25 MB. The size of each attachment is not limited as long as the total size of each individual email does not exceed 25 MB.

5. Technical Application Format

The technical application is limited to **20 pages, excluding annexes if any.** The technical application should be specific, complete, and presented concisely. The application must demonstrate the applicant's capabilities and expertise with respect to achieving the goals of this program. The application should take into account the requirements of the program and merit review criteria found in this RFA, and should include the following:

(a) Cover Page (not included in the page limit), see Section D.3 above for requirements

(b) Table of Contents (not included in the page limit)

Include major sections and page numbering to easily cross-reference and identify merit review criteria.

(c) Executive Summary (not more than two pages), included in the page limit.

The Executive Summary must provide a high-level overview of key elements of the Technical Application.

(d) List of acronyms (not included in the page limit)

(e) Technical Approach (included in the page limit)

The Technical Approach must demonstrate an understanding of the Program Description. It must be technically sound, feasible, informed by the implementation principles, and informed by, and adaptive to the local context.

USAID is looking towards supporting innovative, evidence-based, and effective applications that will address NOFO Area of Interest (Section C) and are able to demonstrate measurable impact. Applicants should propose initiatives they intend to undertake to address the two Objectives (Section C.1) and contribute to Results (set in the Section C.2).

Applications should demonstrate the extent to which the Applicants plan to incorporate continuous learning and adaptive management in designing and implementing the Activity; should be supported by evidence, either by lessons learned or examples of practical solutions to address Activity Objectives.

Applications should also demonstrate Applicant's approach towards risk management; ability to identify and address opportunities in a timely manner and quickly adapt to changes in the operating environment; the extent to which the application includes and presents a realistic and feasible plan to launch Activity operations in a timely manner.

In preparing Technical Approach, Applicants are advised to consult Sections A, C and D of the NOFO.

(f) Key Personnel, Management Approach and Staffing Plan

<u>b) Management Approach and Staffing Plan:</u>

Applications should include a statement of capability and capacity of the Applicant that will show:

1. how that capability and capacity will be utilized to address the Activity Objectives and contribute to the Results; and
2. how Applicant's capability and capacity corresponds to the proposed technical approach.

Applicant's capability and capacity includes the prime applicant itself, and any of the sub-awardees or consortia members if applicable. It should include the proposed technical team, both planned long and short term expertise, and relevant in-house expertise if applicable. Short

(no more than 1 paragraph) bio's of proposed key technical and management experts relevant for the Technical Approach should be included.

In addition, the applicant should propose no more than two Key Personnel. Proposed Key Personnel should have skills and experience to effectively manage and lead the Activity. The Applicant should explain how Key Personnel skills and experience is relevant for effective management and lead of the Activity. Key Personnel skills and experience should be complementary rather than repetitive/duplicative.
The Applicant should submit CVs/resumes as well as bio data form, using the Attachment 2 - Bio Form 1420, for Key Personnel candidates as an Annex (not included in the overall page limitation), and document the candidates' relevant experience and skills.

6. Business (Cost) Application Format

The Cost Application must be submitted separately from the Technical Application. While no page limit exists for the full cost application, applicants are encouraged to be as concise as possible while still providing the necessary details. The cost application must illustrate the entire period of performance, using the budget format shown in the SF-424A.

Applications shall submit an estimated budget that corresponds to the complexity of their proposed Technical Approach and proposed Management Plan.

Budget template is available in Attachment 1 - Budget Template

Budget should include:

* Base budget, not to exceed USD 5 million, for activities planned under the initial 48 months period.
* Extended budget, for additional up to USD 3 million, for up to an additional 12 month period, not to exceed the total USD 8 million and 60 month period of the total Activity implementation.
* Budget narrative should make clear linkages between proposed budget and proposed Technical Approach and Management Plan for both base budget and extended budget described above.

Prior to award, applicants may be required to submit additional documentation deemed necessary for the Agreement Officer to assess the applicant's risk in accordance with 2 CFR 200.206.

Applicants should not submit any additional information with their initial application.

The Cost Application must contain the following sections:

a) Cover Page (See Section D.3 above for requirements)

b) SF 424 Form(s)

The applicant must sign and submit the cost application using the SF-424 series. Standard Forms can be accessed electronically using the following links:

Instructions for SF-424	https://www.grants.gov/web/grants/forms/sf-424-mandatory-family.html
Application for Federal Assistance (SF-424)	https://www.grants.gov/web/grants/forms/sf-424-mandatory-family.html
Instructions for SF-424A	https://www.grants.gov/web/grants/forms/sf-424-mandatory-family.html
Budget Information (SF-424A)	https://www.grants.gov/web/grants/forms/sf-424-mandatory-family.html
Instructions for SF-424B	https://www.grants.gov/web/grants/forms/sf-424-mandatory-family.html
Assurances (SF-424B)	https://www.grants.gov/web/grants/forms/sf-424-mandatory-family.html

Failure to accurately complete these forms could result in the rejection of the application.

c) Required Certifications and Assurances

The applicant must complete the following documents and submit a signed copy:

(1) "Certifications, Assurances, Representations, and Other Statements of the Recipient" ADS 303mav document found at https://www.usaid.gov/ads/policy/300/303mav
(2) Certificate of Compliance: Please submit a copy of your Certificate of Compliance **if your** organization's systems have been certified by USAID/Washington's Office of Acquisition and Assistance (M/OAA).

d) Budget and Budget Narrative

The applicants must provide a complete budget by cost element, including the budgets for each sub-awardee if any, by utilizing the provided budget template in Attachment 1 to this RFA. The Budget must be submitted as one unprotected Excel file (MS Office 2000 or later versions) with visible formulas and references and must be broken out by project year. Files must not contain any hidden or otherwise inaccessible cells. **Budgets with hidden cells lengthen the cost analysis time required to make an award and may result in a rejection of the cost application.** The

Budget Narrative must contain sufficient detail to allow USAID to understand the proposed costs. The applicant must ensure the budgeted costs address any additional requirements identified in Section F, such as Branding and Marking. The Budget Narrative must be thorough, including sources for costs to support USAID's determination that the proposed costs are fair and reasonable.

The Budget must include the following worksheets or tabs, and contents, at a minimum:

- Summary Budget, inclusive of all program costs (federal and non-federal), broken out by major budget category and by year for activities implemented by the applicant and any potential sub-applicants for the entire period of the program. See budget template in Attachment 1 to this RFA.
- Detailed Budget, including a breakdown by year, sufficient to allow the Agency to determine that the costs represent a realistic and efficient use of funding to implement the applicant's program and are allowable in accordance with the cost principles found in 2 CFR 200 Subpart E.
- Detailed Budgets for each sub-recipient, for all federal funding and cost share, broken out by budget category and by year, for the entire implementation period of the project.

The Detailed Budget must contain the following budget categories and information, at a minimum:

1) Salaries and Allowances – Must be proposed consistent with 2 CFR 200.430 Compensation - Personal Services. The applicant's budget must include position title, salary rate, level of effort, and salary escalation factors for each position. Allowances, when proposed, must be broken down by specific type and by position. Applicants must explain all assumptions in the Budget Narrative. The Budget Narrative must demonstrate that the proposed compensation is reasonable for the services rendered and consistent with what is paid for similar work in other activities of the applicant. Applicants must provide their established written policies on personnel compensation. If the applicant's written policies do not address a specific element of compensation that is being proposed, the Budget Narrative must describe the rationale for all costs and the supporting market research.

2) Fringe Benefits – (if applicable) If the applicant has a fringe benefit rate approved by an agency of the U.S. Government, the applicant must use such rate and provide evidence of its approval. If an applicant does not have a fringe benefit rate approved, the applicant must propose a rate and explain how the applicant determined the rate. In this case, the Budget Narrative must include a detailed breakdown of all items of fringe benefits (e.g.,

superannuation, gratuity, etc.) and the costs of each, expressed in U.S. dollars and as a percentage of salaries.

3) Travel and Transportation – Provide details to explain the purpose of the trips, the number of trips, the origin and destination, the number of individuals traveling, and the duration of the trips. Per Diem and associated travel costs must be based on the applicant's normal travel policies. When appropriate, please provide supporting documentation as an attachment, such as company travel policy, and explain assumptions in the Budget Narrative.

4) Procurement or Rental of Goods (Equipment & Supplies), Services, and Real Property – Must include information on estimated types of equipment, models, supplies and the cost per unit and quantity. The Budget Narrative must include the purpose of the equipment and supplies and the basis for the estimates. The Budget Narrative must support the necessity of any rental costs and reasonableness in light of such factors as: rental costs of comparable property, if any; market conditions in the area; alternatives available; and the type, life expectancy, condition, and value of the property leased.
5) Contractual (Subawards, Contracts and Consultants) – If applicable, specify the budget for the portion of the program to be passed through to any subrecipients. See 2 CFR 200 for assistance in determining whether the sub-tier entity is a subrecipient or contractor. The subrecipient budgets must align with the same requirements as the applicant's budget, including those related to fringe and indirect costs.

6) Other Direct Costs – This may include other costs not elsewhere specified, such as report preparation costs, passports and visas fees, medical exams and inoculations, as well as any other miscellaneous costs which directly benefit the program proposed by the applicant. The applicant should indicate the subject, venue and duration of any proposed conferences and seminars, and their relationship to the objectives of the program, along with estimates of costs. Otherwise, the narrative should be minimal.

7) Indirect Costs – Applicants must indicate whether they are proposing indirect costs or will charge all costs directly. In order to better understand indirect costs please see Subpart E of 2 CFR 200. The application must identify which approach they are requesting and provide the applicable supporting information. Below are the most commonly used Indirect Cost Rate methods:

   <u>Method 1 - Direct Charge Only</u>
   Eligibility: Any applicant
   Initial Application Requirements: See above on direct costs

Method 2 - Negotiated Indirect Cost Rate Agreement (NICRA)
Eligibility: Any applicant with a NICRA issued by a USG Agency must use that NICRA
Initial Application Requirements: If the applicant has a current NICRA, submit your approved NICRA and the associated disclosed practices. If your NICRA was issued by an Agency other than USAID, provide the contact information for the approving Agency. Additionally, at the Agency's discretion, a provisional rate may be set forth in the award subject to audit and finalization. See USAID's Indirect Cost Rate Guide for Non Profit Organizations for further guidance.

Method 3 - De minimis rate of 10% of modified total direct costs (MTDC)
Eligibility: Any applicant that does not have a current NICRA
Initial Application Requirements: Costs must be consistently charged as either indirect or direct costs but may not be double charged or inconsistently charged as both. If chosen, this methodology once elected must be used consistently for all Federal awards until such time as a non-Federal entity chooses to negotiate an indirect rate, which the non-Federal entity may apply to do at any time. The applicant must describe which cost elements it charges indirectly vs. directly. See 2 CFR 200 for further information.

Method 4 - Indirect Costs Charged as A Fixed Amount
Eligibility: Non-U.S. non-profit organizations without a NICRA may request, but approval is at the discretion of the AO.

Initial Application Requirements: Provide the proposed fixed amount and a worksheet that includes the following:

- Total costs incurred by the organization for the previous fiscal year and estimates for the current year.
- Indirect costs (common costs that benefit the day-to-day operations of the organization, including categories such as salaries and expenses of executive officers, personnel administration, and accounting, or that benefit and are identifiable to more than one program or activity, such as depreciation, rental costs, operations and maintenance of facilities, and telephone expenses) for the previous fiscal year and estimates for the current year
- Proposed method for prorating the indirect costs equitably and consistently across all programs and activities using a base that measures the benefits of that particular cost to each program or activity to which the cost applies.

If the applicant does not have an approved NICRA and does not elect to utilize the 10% de minimis rate, the Agreement Officer will provide further instructions and may request additional supporting information, including financial statements and audits, should the application still be under consideration after the merit review. USAID is under no obligation to approve the applicant's requested method.

e) Prior Approvals in accordance with 2 CFR 200.407

Inclusion of an item of cost in the detailed application budget does not satisfy any requirements for prior approval by the Agency. If the applicant would like the award to reflect approval of any cost elements for which prior written approval is specifically required for allowability, the applicant must specify and justify that cost. See 2 CFR 200.407 for information regarding which cost elements require prior written approval.

f) Approval of Subawards (if applicable)

The applicant must submit information for all subawards that it wishes to have approved at the time of award. For each proposed subaward the applicant must provide the following:

- Name of organization
- Unique Entity Identifier (UEI) number generated from SAM.gov
- Confirmation that the subrecipient does not appear on the Treasury Department's Office of Foreign Assets Control (OFAC) list
- Confirmation that the subrecipient does not have active exclusions in the System for Award Management (SAM)
- Confirmation that the subrecipient is not listed in the United Nations Security designation list
- Confirmation that the subrecipient is not suspended or debarred
- Confirmation that the applicant has completed a risk assessment of the subrecipient, in accordance with 2 CFR 200.332(b)
- Any negative findings as a result of the risk assessment and the applicant's plan for mitigation.

g) SAM Requirements

USAID may not award to an applicant unless the applicant has complied with all applicable SAM requirements and has obtained the Unique Entity Identifier (UEI). Each applicant (unless the applicant is an individual or Federal awarding agency that is exempted from 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)) is required to:

1. Provide a valid UEI number for the applicant and all proposed sub-recipients.

2. Be registered in SAM **before** submitting its application. SAM is streamlining processes, eliminating the need to enter the same data multiple times, and consolidating hosting to make the process of doing business with the government more efficient (www.sam.gov).
3. 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.

The registration process may take many weeks to complete. Therefore, applicants are encouraged to begin the process early. If an applicant has not fully complied with the requirements above by the time USAID is ready to make an award, USAID may determine that the applicant is not qualified to receive an award and use that determination as a basis for making an award to another applicant.

SAM registration: http://www.sam.gov

Non-U.S. applicants can find additional resources for registering in SAM, including a Quick Start Guide and a video on how to obtain an NCAGE code, on www.sam.gov, navigate to Help, then to International Registrants.

h) Branding Strategy & Marking Plan

The apparently successful applicant will be asked to provide a Branding Strategy and Marking Plan to be evaluated and approved by the Agreement Officer and incorporated into any resulting award.

i) Conflict of Interest Pre-Award Term

Personal Conflict of Interest

1. An actual or appearance of a conflict of interest exists when an applicant organization or an employee of the organization has a relationship with an Agency official involved in the competitive award decision-making process that could affect that Agency official's impartiality. The term "conflict of interest" includes situations in which financial or other personal considerations may compromise, or have the appearance of compromising, the obligations and duties of a USAID employee or recipient employee.

2. The applicant must provide conflict of interest disclosures when it submits an SF-424. Should the applicant discover a previously undisclosed conflict of interest after submitting the application, the applicant must disclose the conflict of interest to the AO no later than ten (10) calendar days following discovery.

Organizational Conflict of Interest

The applicant must notify USAID of any actual or potential conflict of interest that they are aware of that may provide the applicant with an unfair competitive advantage in competing for this financial assistance award. Examples of an unfair competitive advantage include but are not limited to situations in which an applicant or the applicant's employee gained access to non-public information regarding a federal assistance funding opportunity, or an applicant or applicant's employee was substantially involved in the preparation of a federal assistance funding opportunity. USAID will promptly take appropriate action upon receiving any such notification from the applicant.

j) Potential Request for Additional Documentation

Upon consideration of award or during the negotiations leading to an award, applicants may be required to submit additional documentation deemed necessary for the AO to make an affirmative determination of responsibility (such as, bylaws, constitution, articles of incorporation, travel, procurement, financial management, accounting manual, and personnel policies and procedures, especially regarding salary, promotion, leave, differentials, etc.) Applicants should not submit this information with their applications. The information in this paragraph is provided so that applicants may become familiar with additional documentation that may be requested by the AO.

k) Funding Restrictions

Profit is not allowable for recipients or subrecipients under this award. See 2 CFR 200.331 for assistance in determining whether a sub-tier entity is a subrecipient or contractor.
Construction will not be authorized under this award.
USAID will not allow the reimbursement of pre-award costs under this award without the explicit written approval of the Agreement Officer.
Except as may be specifically approved in advance by the AO, all commodities and services that will be reimbursed by USAID under this award must be from the authorized geographic code specified in Section B.3 of this RFA and must meet the source and nationality requirements set forth in 22 CFR 228.

[END OF SECTION D]

SECTION E: APPLICATION REVIEW INFORMATION

Merit Review Criteria

The merit review criteria prescribed here are tailored to the requirements of this particular RFA. Applicants should note that these criteria serve to: (a) identify the significant matters which the applicants should address in their applications, and (b) set the standard against which all applications will be evaluated.

Technical and other factors will be evaluated relative to each other, as described here and prescribed by the Technical Application Format. The Technical Application will be rated by a Selection Committee (SC) using the criteria described in this section.

Review and Selection Process

The Agreement Officer (AO) makes the final selection of the Selection Committee (SC) members. SC members will be USAID personnel, also, representatives from the American Embassy, host government, or private sector individuals may be included as well, at the AO's discretion.

a) Technical Merit Review

USAID will conduct a merit review of all applications received that comply with the instructions in this RFA. Applications will be reviewed and evaluated in accordance with the following criteria, which are equal in importance.

1. Technical Approach

The extent to which the Applicant clearly articulates its technical approach and proposes activities and solutions that comprehensively address the NOFO Goal (NOFO Section A), and Area of Interest (NOFO Section C).

2. Key Personnel, Management Approach and Staffing Plan

The extent to which the management plan demonstrates that the Applicant and its sub awardees/coalition partners/consortia members (if/as applicable) will effectively and efficiently achieve the NOFO Goal (NOFO Section A), and address Area of Interest (NOFO Section C), as proposed under Applicant's Technical Approach.This criteria includes proposed Key Personnel and their ability to effectively manage and lead the Activity.

b) Business (Cost) Review

The Agency will evaluate the cost application of the applicant(s) under consideration for an award as a result of the merit criteria review to determine whether the costs are allowable in accordance with the cost principles found in 2 CFR 200 Subpart E.

Please note that the technical approach should be developed in conjunction with an estimate of $5 million base budget. The Applicant should include a separate “window of opportunity” - additional $3 million (as described in Section B.1) estimated cost of implementation - in the budget as estimated cost of extended operations (direct and indirect costs). “Window of opportunity” budget estimate does not have to be directly linked with the technical approach as it will depend on yet to be identified programmatic opportunities, and availability of funding.

The Agency will also consider (1) the extent of the applicant's understanding of the financial aspects of the program and the applicant's ability to perform the activities within the amount requested; (2) whether the applicant's plans will achieve the program objectives with reasonable economy and efficiency; and (3) whether any special conditions relating to costs should be included in the award.

Proposed cost share, if provided, will be reviewed for compliance with the standards set forth in 2 CFR 200.306, 2 CFR 700.10, and the Standard Provision "Cost Sharing (Matching)" for U.S. entities, or the Standard Provision "Cost Share" for non-U.S. entities.

The AO will perform a risk assessment (2 CFR 200.206). The AO may determine that a pre-award survey is required to inform the risk assessment in determining whether the prospective recipient has the necessary organizational, experience, accounting and operational controls, financial resources, and technical skills – or ability to obtain them – in order to achieve the objectives of the program and comply with the terms and conditions of the award. Depending on the result of the risk assessment, the AO will decide to execute the award, not execute the award, or award with “specific conditions” (2 CFR 200.208).

[END OF SECTION E]

SECTION F: FEDERAL AWARD ADMINISTRATION INFORMATION

1. Federal Award Notices

Award of the agreement contemplated by this RFA cannot be made until funds have been appropriated, allocated and committed through internal USAID procedures. While USAID anticipates that these procedures will be successfully completed, potential applicants are hereby notified of these requirements and conditions for the award.

2. Administrative & National Policy Requirements

The resulting award from this RFA will be administered in accordance with the following policies and regulations.

Standard Provisions for Non-U.S. Non-governmental Organizations. or

Standard Provisions for U.S. Nongovernmental Organizations

3. Reporting Requirements

The Recipient must adhere to all reporting requirements listed below. All plans and reports must be submitted in English. Documents must be submitted electronically by email. All reports must be submitted by the due date for review by the USAID Agreement Officer's Representative (AOR) designated by the Agreement Officer. The Agreement Officer and designated Acquisition & Assistance Specialist must be copied on each submission. The Applicant will consult the AOR on the format and expected content of reports prior to submission.

a) PLANS

1) **Annual Work Plan:** The Recipient shall submit an Annual Work Plan of its activities during the first year of the program within 45 days of the effective date of this Award for review, comments, or suggestions to the Agreement Officer's Representative (AOR) who will respond with comments/revisions or the approval within 10 days after the Annual Work Plan is submitted. The Recipient shall then submit the revised Work Plan to the AOR for approval not later than 15 days from receipt of USAID's comments and/or suggestions. Subsequent Annual Work Plans shall be submitted 30 days prior to commencement of the subsequent year of the Cooperative Agreement. The Work Plan shall include a timeline and benchmark indicators for achieving the objectives of each component of the program, all major activities that will be undertaken, rationale behind these activities, anticipated results of these efforts and how they will be measured. A sub-section with details of collaboration with other USAID- funded programs and other donors

shall also be included. A gender action plan is also required to be integrated as a component of the annual work plan,

The Recipient shall submit significant changes or revisions to the Work Plan to the USAID Agreement Officer's Representative (AOR) for his/her approval.

2) **Monitoring, Learning and Evaluation (MEL) Plan:** The Recipient shall submit a Monitoring, Learning and Evaluation (MEL) Plan within 90 days of the effective date of the award to the USAID Agreement Officer's Representative (AOR). The Recipient shall establish realistic expectations for what the project can produce in its various phases of implementation. The MEL Plan shall at a minimum include, and not be limited to the following:

(1) the results to be achieved by the program.
(2) qualitative or quantitative indicators to be used to measure achievement of the results.
(3) the method of data collection to be used to obtain the indicator data.
(4) baseline data and targets for each indicator by year.
(5) gender monitoring approaches.

The Recipient shall consult with USAID while developing its MELP. Once developed, the MEL Plan will be submitted to USAID for review and approved by the Agreement Officer's Representative (AOR).

3) **Close-out/Demobilization Plan:** Four months prior to the completion date of the Cooperative Agreement, a close-out/demobilization plan must be submitted to the USAID Agreement Officer for Approval with a copy to the AOR. The Plan must outline a clear phase-out exit strategy and timeline of execution, including a description of the methodology it will use in determining areas and levels of sustainability. The plan will also include a list of actions that are typically required for close-out activities to ensure that all activities are completed; conduct an analysis of progress to date and, if necessary, expedite timelines to ensure completion. The close-out plan must include:

- Current financial status report with a thorough pipeline analysis to ensure that there are sufficient funds available to finalize activities and complete all requirements.
- Final Financial Status Report timeline.
- A final inventory of residual non-expendable property, which was acquired or

furnished under the cooperative agreement.

- A disposition report of the following types of property, along with a proposed disposition of such property: (1) All equipment that has a per unit current fair market value at the end of this award of $5,000 or more; (2) New/unused supplies with an aggregate current fair market value at the end of this award of $5,000 or more. The plan will include proposed beneficiaries of the property as well as schedule for the transfers.
- A request for disposition instructions for any property acquired or furnished by the Government under the activity.
- Subcontractor/sub grantee/partnership phase out plan.
- Status of all program audit reports per the instrument's provisions.
- Final audit report timeline.
- Personnel phase-out timeline (who is expected to serve until when).
- Personnel phase-out plan (to include severance pay plan).

(a) Financial Reporting:

4) **Quarterly Financial Reports:** The Recipient shall submit the Standard Form (SF) SF-425 Federal Financial Report on a quarterly basis to the Financial Management Office and Agreement Officer's Representative, within 30 days following the end of each fiscal year quarter, regardless of the effective date of the Agreement. Each financial form shall be identified by the appropriate award number.

5) **Final Financial Report:** The original of the final financial report shall be submitted to the Paying Office, the Agreement Officer and the Agreement Officer's Representative not later than 90 calendar days after the estimated completion date of this award.

(b) Program Performance Reporting

1) **Quarterly Performance Reports:** The Recipient shall submit Quarterly Program Performance Reports to USAID during the duration of this Award. The quarterly performance reports are due 30 calendar days following the end of each fiscal year quarter, regardless of the effective date of the Agreement. Depending on the project start date, the first quarterly report may include somewhat more or less than one quarter's activities. The Recipient shall submit one copy of each Quarterly Program Performance Reports to the Agreement Officer's Representative (AOR) for her/his review and approval.

The quarterly reports shall describe project accomplishments and the progress made during the reporting period, include information on all activities, both ongoing and completed during the quarter, as well as any issues or problems that are affecting the delivery or timing of services provided by the Recipient. The reports shall also briefly present the following information:

(i) Reasons why established goals were not met, if applicable.
(ii) Other pertinent information including the status of finances and expenditures and, when appropriate, analysis and explanation of cost overruns or high unit costs.

The Recipient will report on activity performance quarterly, using a format agreed to with the AOR. The Recipient is encouraged to consult with the USAID Agreement Officer's Representative (AOR) in finalizing the reports.

2) **Annual Performance Report:** The annual performance report shall include the fourth quarter performance report and is due 30 calendar days following the end of each fiscal year. Annual Report will include performance reporting for the last quarter (July through September) as well as aggregated reporting for the entire fiscal year and will include the elements listed above, as well as a description of key lessons learned and how the lessons will be used to inform the coming year's Annual Work Plan. The annual report will also include the following information:

- An Executive Summary of major findings, challenges, and achievements
- Extent to which objectives and results in the Annual Work Plan were achieved;
- Highlights of major achievements.
- Significant implementation problems and challenges encountered during the year (if applicable) and mitigation measures taken to address these.
- Description of efforts to ensure coordination, collaboration, and information sharing during the reporting period and any problems encountered, agreements reached, and/or actions taken to ensure coordination with relevant stakeholders.
- Description of efforts and progress achieved with activities to address gender issues.
- Description of efforts and progress achieved with regards to sustainability of project activities.
- Progress achieved regarding MEL Plan indicators and targets for the fourth quarter and the entire fiscal year.
- Lessons learned, observations, and recommendations that might be relevant to the design and implementation of other related activities.
- Success stories, highlighting the role of USAID and the American people in improving

opportunities for Serbia. Success stories must include quality photos that will be shared for public outreach purposes.

3) **Ad hoc, Interim Reporting:** Events may occur between the scheduled performance reporting dates that have significant impact upon the activity. In such cases, the Recipient must notify the AOR and AO as soon as the following types of conditions become known:

- Problems, delays, or adverse conditions, which will materially impair the ability to meet the objective of the Federal award. This disclosure must include a statement of the action taken, or contemplated, and any assistance needed to resolve the situation.
- Waste, fraud, or abuse detected in the activity, and actions being taken to investigate the situation as well as to mitigate future occurrences. This reporting does NOT absolve the Recipient of the duty to disclose waste, fraud, or abuse to the USAID Inspector General Hotline (ig.hotline@usaid.gov); and
- Events or conditions that could have negative political or public relations perceptions affecting the activity. These include statements in the press or on social media, relationships with local officials or actors, etc. The Recipient will work with the AOR to determine a response strategy and to assist in mitigating any negative effects.
- Ad hoc reporting might also be required occasionally by the AOR, such as for example during Portfolio Review, or asking for a Monthly Update Report, Success Stories or similar reports to be submitted for the purpose of promoting our activities in Washington, or similar events.

Regular activity monitoring events and communication will be established between the Implementing partner and the AOR.

4) **Final Report:** The Recipient is required to submit a Final Report within 90 calendar days following the estimated completion or termination date of this award. The final performance report shall contain at a minimum the following information:

(i) An executive summary of the accomplishments and results achieved.
(ii) An in-depth analysis of progress and results that synthesizes achievements that contributed towards program objectives. This section should clearly describe activities, major accomplishments and results achieved under the award.
(iii) Final data, compared to baseline data, for all indicators included in the monitoring, learning and evaluation plan. This section should include disaggregated data by gender, regions, disenfranchised groups and other relevant groups identified.
(iv) A summary of problems/obstacles encountered during the implementation, and how

those obstacles were addressed and overcome if appropriate.

(v) Lessons learned, best practices, and other findings from the implementation of the program, along with recommendations for future programming under each of the program objectives.

A list of all reports, publications, evaluations, and information and media products produced under this agreement, as well as confirmation that all products were submitted to the USAID Development Experience Clearinghouse (DEC). For DEC submission instructions, see Standard Provision M.8 for Non-US NGOs and M.21 for US NGOs, entitled:

"SUBMISSIONS TO THE DEVELOPMENT EXPERIENCE CLEARINGHOUSE AND PUBLICATIONS (JUNE 2012)".

4. Environmental Compliance

(a) The Foreign Assistance Act of 1961, as amended, Section 117 requires that the impact of USAID's activities on the environment be considered and that USAID include environmental sustainability as a central consideration in designing and carrying out its development programs. This mandate is codified in Federal Regulations (22 CFR 216) and in USAID's Automated Directives System (ADS) Chapters 201 (http://www.usaid.gov/sites/default/files/documents/1870/201.pdf) and 204 (http://www.usaid.gov/sites/default/files/documents/1865/204.pdf), 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. The Recipient's environmental compliance obligations under these regulations and procedures are specified in the following paragraphs of this cooperative agreement.

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

(c) No activity funded under this cooperative agreement will be implemented unless an environmental threshold determination, as defined by 22 CFR 216, has been reached for that activity, as documented in the approved Request for Categorical Exclusion (RCE).

(d) Request for Categorical Exclusion (RCE) **DCN: 2023-SRB-003** has been approved for this activity, see Attachment 2 to this RFA. It has been determined that the activity is fully within the class of Categorical Exclusions. As per 22 CFR 216.2(c)(2), neither an Initial Environmental Examination, nor an Environmental Assessment is required for an activity which is determined to fall within one or more of the categories listed at 22 CFR 216.2(c)(2)(i) education, technical assistance or training programs; and at 22 CFR 216.2(c)(2)(iii) analysis, studies, academic research, workshops and meetings.

(e) As part of its Annual Work Plan, the Recipient, in collaboration with the AOR and Mission Environmental Officer (MEO), shall review all ongoing and planned activities under this cooperative agreement to determine if they are within the scope of the approved Regulation 216 environmental documentation. If the Recipient plans any new activities outside the scope of the approved Regulation 216 environmental documentation, it shall prepare an amendment to the documentation for USAID review and approval. No such new activities shall be undertaken prior to receiving written USAID approval of environmental documentation amendments. Any ongoing activities found to be outside the scope of the approved Regulation 216 environmental documentation shall be halted until an amendment to the documentation is submitted and written approval is received from USAID.

(f) Subaward Provision: A provision for subawards is included under this award; therefore, the Recipient will be required to use an Environmental Screening Report (ESR) or Environmental Review (ER) checklist using impact assessment tools to screen grant proposals to ensure the funded proposals will result in no adverse environmental impact, to develop mitigation measures, as necessary, and to specify monitoring and reporting. Use of the ERF or ER checklist is called for when the nature of the grant proposals to be funded is not well enough known to make an informed decision about their potential environmental impacts, yet due to the type and extent of activities to be funded, any adverse impacts are expected to be easily mitigated. Implementation of the grants program cannot go forward until the ERF or ER checklist is completed and approved by USAID. Recipient is responsible for ensuring that mitigation measures specified by the ESR or ER checklist process are implemented.

The Recipient will be responsible for periodic reporting to the USAID AOR, as specified in this award.

[END OF SECTION F]

SECTION G: FEDERAL AWARDING AGENCY CONTACT(S)

1. RFA Points of Contact

See Section D.1

2. Acquisition and Assistance Ombudsman

The A&A Ombudsman helps ensure equitable treatment of all parties who participate in USAID's acquisition and assistance process. The A&A Ombudsman serves as a resource for all organizations who are doing or wish to do business with USAID. Please visit this page for additional information: https://www.usaid.gov/work-usaid/acquisition-assistance-ombudsman

The A&A Ombudsman may be contacted via: Ombudsman@usaid.gov

[END OF SECTION G]

SECTION H: OTHER INFORMATION

USAID reserves the right to fund any or none of the applications submitted. The Agreement Officer is the only individual who may legally commit the Government to the expenditure of public funds. Any award and subsequent incremental funding will be subject to the availability of funds and continued relevance to Agency programming.

Applications with Proprietary Data

Applicants who include data that they do not want disclosed to the public for any purpose or used by the U.S. Government except for evaluation purpose, should mark the cover page with the following:

> "This application includes data that must not be duplicated, used, or disclosed – in whole or in part – for any purpose other than to evaluate this application. If, however, an award is made as a result of – or in connection with – the submission of this data, the U.S. Government will have the right to duplicate, use, or disclose the data to the extent provided in the resulting award. This restriction does not limit the U.S. Government's right to use information contained in this data if it is obtained from another source without restriction. The data subject to this restriction are contained in sheets {insert sheet numbers}."

Additionally, the applicant must mark each sheet of data it wishes to restrict with the following:

> "Use or disclosure of data contained on this sheet is subject to the restriction on the title page of this application."

[END OF SECTION H]

SECTION I: STANDARD PROVISIONS

Note: the full text of these provisions may be found at:

https://www.usaid.gov/ads/policy/300/303mab

Please note that the resulting award will include all standard provisions (both mandatory and required as applicable) in full text.

[END OF SECTION I]

[END OF RFA # 72016924RFA00001]