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**The USAID Broad Agency Announcement for
“Establishing Conflict Free Supply Chains in Eastern DRC and
Reducing the Vulnerability of Artisanal and
Small-Scale Mining Communities to Conflict”**

USAID/DRC Office of Economic Growth

BAA Number: 720660BAA1800001

I. Overview

The United States Agency for International Development (USAID) is issuing this Broad Agency Announcement (BAA) to seek participants to co-create, co-design, co-invest, and collaborate on research and development¹ (R&D) interventions to address the continued link between minerals and the funding of armed groups, which facilitates insecurity and instability in eastern Democratic Republic of the Congo (DRC). USAID invites organizations and companies to submit an Expression of Interest, as provided in Section III below. USAID and stakeholders, through the co-creation process, will strive to design a program that will use innovative, private-sector led, scalable, transparent, and sustainable approaches or models that facilitate increased exports of conflict-free minerals, particularly gold; and refine and accelerate the adoption of approaches and models in gold mine sites that strengthen artisanal and small-scale (ASM) miners/ASM communities’ resilience to conflict through enhanced economic activity.

The intent of the BAA is to allow co-creation and co-design to the maximum extent to create high-quality, effective partnerships with great efficiency in time and resources. USAID will invite selected public, private, for-profit, and nonprofit organizations, as well as institutions of higher education, public international organizations, non-governmental organizations, U.S. and non-U.S. governmental organizations, multilateral and international donor organizations, as detailed below, to co-create R&D solutions to the Problem and Challenge Statements stated in this BAA in Section II below.

¹ Research is defined in the Federal Acquisition Regulations (FAR) 2.101 as: “**Basic research**” means that research directed toward increasing knowledge in science. The primary aim of basic research is a fuller knowledge or understanding of the subject under study, rather than any practical application of that knowledge. And in FAR 35.001: “**Applied research**” means that effort which (1) normally follows basic research, but may not be severable from the related basic research, (2) attempts to determine and exploit the potential of scientific discoveries or improvements in technology, materials, processes, methods, devices, or techniques, and (3) attempts to advance the state of the art. Applied research does not include efforts whose principal aim is design, development, or test of specific items or services to be considered for sale; these efforts are within the definition of the term “development,” defined in this subsection. FAR 35.001: “**Development**” as used in this part, means the systematic use of scientific and technical knowledge in the design, development, testing, or evaluation of a potential new product or service (or of an improvement in an existing product or service) to meet specific performance requirements or objectives. It includes the functions of design engineering, prototyping, and engineering testing; it excludes subcontracted technical effort that is for the sole purpose of developing an additional source for an existing product.

Co-Investing: The purpose of this BAA is to align USAID goals with a range of partners to facilitate shared responsibility, shared risk, and shared resourcing. Shared resourcing requires that cash and other resources, both tangible and intangible, such as in-kind contributions, expertise, intellectual property, brand value, high-value coordination, and access to key people, places, and information, are directed towards reaching the solution to the Problem/Challenge. Co-investing does not require equal shared resources (such as 1:1 leverage), but rather resource contributions that are appropriate to the specific project's objectives, considering the comparative advantages brought by the participation of each party.

B. **Federal Agency Name:** The United States Agency for International Development (USAID)

C. **Opportunity Title:** Establishing Conflict Free Supply Chains in Eastern DRC and Reducing the Vulnerability of Artisanal and Small-Scale Mining Communities to Conflict.

D. **Opportunity Number:** 720660BAA1800001

E. **Authority:** This BAA is issued under Federal Acquisition Regulations (FAR) Part 35.016 (c). This is not a FAR Part 15 Procurement.

F. **Catalog of Federal Domestic Assistance (CFDA) Number:** 98.001 USAID Foreign Assistance Programs for Overseas

II. **Problem and Challenge Statement.**

PROBLEM: Over the past decade, the United States and the international community have sought to improve security in the DRC, with international policy makers, regional governments, and users throughout the mineral value chain still concerned by the role that minerals play in benefitting armed groups, fueling human rights abuses, and threatening the integrity of supply chains. The DRC is home to over 1,100 mineral substances and has an estimated mineral wealth of \$24 trillion,² but various armed groups in the DRC specifically continue to profit from exploiting the mining and trade of the “conflict minerals” - tin, tantalum, tungsten (3Ts) and gold - at ASM sites. To varying degrees, illegal armed groups and some military units occupy ASM sites to illicitly tax minerals as they are extracted from the ground. Other armed groups seek to illegally tax minerals along mineral transport routes.³

Because of the magnitude and complexity of the challenge of breaking the link between ASM and conflict, no fewer than ten donors and three private sector initiatives play a role in funding, implementing, and/or auditing

² Morgan, M.J. “DR Congo’s \$24 trillion fortune,” African Business Magazine, 2009-02-01. Hyperlink: [https://www.thefreelibrary.com/DR+Congo's+\\$24+trillion+fortune.-a0193800184](https://www.thefreelibrary.com/DR+Congo's+$24+trillion+fortune.-a0193800184)

³ GAO-10-1030: Published: Sep 30, 2010.

programs designed to promote conflict-free minerals trade reform in the eastern DRC.⁴ In July 2010, Congress passed the Dodd-Frank Act, of which Section 1502 included several provisions concerning conflict minerals in the DRC and adjoining countries.⁵ In support of Dodd-Frank Act Section 1502, USAID programs have mainly focused on maximizing efforts to establish and scale up a responsible minerals trade from the region in order to transform the region's mineral wealth into economic growth and development.

In 2011, the Department of State and USAID also developed the U.S. Strategy to Address the Linkages between Human Rights Abuses, Armed Groups, Mining of Conflict Minerals and Commercial Products,⁶ which called, among other things, for the protection of artisanal miners and reducing the vulnerability of communities near mining sites to conflict. ASM, or artisanal/hand mining by simple tools, spread throughout the DRC starting in the 1980's due to a general lack of other viable economic opportunities. ASM provides survival incomes to many inhabitants of eastern DRC, an area struggling to recover from war, still wracked by conflict, and lacking viable economic alternatives. Roughly 500,000 persons directly depend on ASM for survival income in eastern DRC, while estimates for the entire country are as many as 1.5 million.⁷ In turn, it is estimated that income from ASM in eastern DRC indirectly benefits family members numbering around 3 million persons.⁸ These miners work under very difficult safety, health, and security conditions and almost always within an illegal and illicit environment which make them and ASM communities extremely vulnerable to exploitation by armed groups.

However, since the passage of Dodd Frank Section 1502, great strides have been made by governments, NGOs, and other stakeholders to eliminate the role of 3Ts in financing conflict in these ASM communities. To date, it is estimated that over 90 percent of 3T mine sites are free of armed groups.⁹ Yet, despite these successes in 3Ts, conflict-free, clean gold still remains a major challenge in the DRC. It is estimated that 65 percent of artisanal gold sites in DRC still have a presence of armed groups¹⁰ and over 98 percent of the ASM gold that is produced in the DRC is eventually smuggled out of the country through regional buyers in neighboring African countries.¹¹ The quantity of this smuggled gold from the DRC is staggering - estimated to be 40 metric tons per year with an estimated value of \$1.8 billion.¹² In addition to financing conflict, lost revenue from the smuggling of artisanal gold to neighboring countries is hindering development and robbing the citizens of DRC, especially in the East, of economic opportunities to improve their well-being.

⁴ Donors contributing include the U.S., Canada, South Africa, Germany, Britain, Netherlands, Australia, the European Union, United Nations and the World Bank. The private sector initiatives include the Public-Private Alliance for Responsible Minerals Trade, the International Tin Supply Chain Initiative—iTSCI, and several “closed-pipe” industry supply chains.

⁵ Dodd-Frank Act, hyperlink: <https://www.sec.gov/spotlight/dodd-frank/speccorpdisclosure.shtml>

⁶ See Annex 1.

⁷ International Peace Information Service (IPIS), https://reliefweb.int/sites/reliefweb.int/files/resources/Analysis-and-map-artisanal-mining-DR-Congo_v005-1.pdf

⁸ Ibid.

⁹ UN Group of Experts, 2017, hyperlink: <https://reliefweb.int/report/democratic-republic-congo/final-report-group-experts-democratic-republic-congo-s2017672>

¹⁰ IPIS, supra at 5.

¹¹ UN Group of Experts, supra at 11.

¹² Ibid.

CHALLENGE: It is USAID’s vision that clean mineral supply chains in the DRC have the potential to generate needed revenue to transform the region’s mineral wealth into an engine of economic growth and development, promoting peace and security in eastern DRC, and benefitting thousands of artisanal miners and communities which surround extractive zones. USAID seeks systematic ways to use research, and scientific and technical knowledge in the design, development, testing, or evaluation of potential new or improved approaches or models for Responsible Minerals Trade (RMT). Specifically, these approaches or models should be private-sector led, scalable, transparent, and sustainable, increasing exports of conflict-free minerals, particularly gold, and strengthening ASM miners/communities’ resilience to conflict through enhanced economic activity.

Such approaches should consider incorporating the following factors, which are illustrative and not exhaustive:

- Leveraging existing USAID tools for engaging with the private sector, such as Global Development Alliance (GDA),¹³ Development Credit Authority (DCA),¹⁴ and the Public Private Partnership for Responsible Minerals Trade (PPA-RMT).¹⁵
- Partnerships and synergies with other private sector stakeholders, including investors, companies, and NGOs, as well as with other international development organizations.¹⁶
- Partnerships and synergies with other relevant USAID and donor (Health, Water, Sanitation and Hygiene (WASH), environment, agriculture, etc) activities.¹⁷

¹³ GDAs have been USAID’s premier model for Public-Private Partnerships (PPPs). USAID issued a [Global Development Alliance \(GDA\) Annual Program Statement \(APS\)](#) Number APS-OAA-16-000001 to create a process for USAID and the private sector to advance core business interests and achieve sustainable development impact. USAID seeks to partner with the private sector beyond the term of the GDA APS, which closes on February 23, 2018. USAID invites the private sector—and organizations committed to engaging the private sector—to work with USAID to analyze our respective interests and objectives in RMT, determine how those interests align, and jointly identify and define problems, challenges, and opportunities where we can develop transformation partnerships in the DRC. To learn more about USAID PPPs and GDAs, see: <https://www.usaid.gov/gda/>

¹⁴ For further information on DCAs, see: <https://www.usaid.gov/what-we-do/economic-growth-and-trade/development-credit-authority-putting-local-wealth-work>

¹⁵ From 2011-2017, Phase I of the Public-Private-Alliance Memorandum of Understanding (PPA MOU) existed as a platform for bolstering progress on responsible sourcing from the Great Lakes Region of Africa. Since its inception, this coalition of companies, civil society organizations, and governments has promoted conflict-free-supply-chains, alignment of due diligence practices, and local government and civil society capacity building. Phase II of the PPA MOU, was signed in September 2017 for a five-year period and offers a broader scope for public-private partnerships. For further information on and to apply for the PPA-RMT, see: <https://www.usaid.gov/democratic-republic-congo/fact-sheets/usaiddrc-fact-sheet-responsible-minerals-trade> and <http://www.resolve.org/site-ppa/>.

¹⁶ USAID has a long history of fostering PPPs in the minerals sector in DRC. In addition to the PPA-RMT, applicants are encouraged to submit Expressions of Interest through this BAA to create PPPs and GDAs that harness resources for impactful social and economic development programs in the three targeted Areas of Interest contained herein.

¹⁷ For further information on USAID/DRC’s development and assistance portfolio, see: <https://www.usaid.gov/democratic-republic-congo>

- Conflict sensitivity: The drivers of conflict should be considered and proposed approaches should address the positive and negative impact of interventions on conflict and incorporate do-no-harm principles.
- Leveraging innovative technological tools that can provide break-through solutions to challenges of RMT and can be scaled-up through integration into a wider program.
- Given that 25-50% of artisanal miners are estimated to be women, explore new ideas that could potentially provide greater empowerment and economic participation of women.
- Sustainability: Approaches should contemplate how far each investment/activity moves us closer to that day when these models for conflict-free mineral trade are fully developed, tested, and free from U.S. donor subsidies.
- Geography: Approaches should encompass provinces of North and South Kivu, northern Katanga, and parts of Orientale and Maniema. USAID development activities are mostly concentrated in the territories of Walungu, Kabare, and Kalehe in South Kivu and Masisi and Walikale in North Kivu, thus proposed activities should be within this area in order to facilitate greater synergies amongst interventions, economies of scale, and impact.
- Environmental compliance: USAID promotes environmentally sound design by requiring that all USAID funded activities undergo an environmental impact assessment and comply with Title 22 of the Code of Federal Regulations Part 216, commonly known as 22 CFR 216 or "Reg 216."

Areas of Interest

USAID will bring together stakeholders from industry, civil society, research entities, government, implementing partners and donors in a co-creation process. The Expression(s) of Interest must include a proposed R&D intervention to address one, two, or all of the three areas listed below with the ultimate goal of reducing insecurity in eastern DRC and breaking the continued link between minerals and conflict. Expressions of Interest submitted can include any or all three of the following areas listed below:

- 1) **Sustainable Mine Site Validation for 3Ts:** Great success has been achieved in mine site validation for 3Ts, as 90 percent of 3T mine sites are now free from the influence of armed groups. However, 3T supply chains are not quite yet sustainable. Currently, more than one functional option exists for traceability and due diligence of conflict free¹⁸ 3Ts exports. Yet, all of these systems are predicated on mine sites that are validated through a model heavily financed by donors. Over the last five years, USAID and other donors have funded activities to facilitate the validation over 400 ASM mine sites as conflict free and in order for this to continue, a plan for transition must be made. Thus, the objective of Area of Interest 1 is to identify and deliver an approach which ensures or improves the integrity and transparency of the current mine

¹⁸ Conflict-free mines are defined as meeting the ICGLR Mine Site Inspection and Certification Standards and ensure that Designated Minerals are sourced only from mine sites that are conflict free and meet minimum social standards (for example, no child labor, no armed groups, and no illegal taxation).

validation model yet also addresses the long-term viability and sustainability of mine site validation in 3Ts. Additional questions to consider under Area of Interest 1:

- How do interested actors ensure a realistic glide path towards a fully funded 3T mine validation model which enables a donor exit from the activity?
- Are there more efficient and cost-effective methods to conduct mine site validations?
- Is there a more substantive role for PPA-RMT in funding/supporting the systems which will ensure the sustainability of conflict free trade in 3Ts?

2) Conflict-Free Gold Supply Chain Model: With 70% of gold mine sites still controlled by armed groups, gold is currently the most conflict-prone mineral in the DRC and constitutes a real challenge in breaking the linkages between human rights abuses, armed groups, mining of conflict minerals, and commercial products. The United Nations Group of Experts has noted that “there has been little progress towards the regulation of artisanally-sourced gold and factors such as taxation, limited state capacity, and lack of demand from legitimate international buyers drive some miners and traders to illicit trading.”¹⁹ Indeed, opportunities exist to learn from previous successes in increasing conflict-free trade in the 3Ts, but the gold market is structured very differently from the 3Ts and surely will require a more nuanced approach. USAID supported the “Just Gold” pilot²⁰ which has exported responsible, conflict-free artisanal gold from the DRC. Yet, a truly replicable, sustainable, private-sector led model has yet to be developed that breaks the link between gold and conflict. To this end, USAID seeks to develop and deliver a sustainable, private-sector financed model for a transparent, clean gold supply chain that can be effectively scaled and linked vertically. Additional questions to consider under Area of Interest 2:

- How do interested actors convince/incentivize the private sector to engage in artisanal mining? Why buy from the DRC?
- Is there a model for a possible private-sector financed endowment to fund aspects of RMT in gold?
- Can a model be developed to where the private sector is willing to “sponsor” conflict-free gold mine sites?

3) ASM Gold Cooperatives: The ASM gold sector continues to be largely an illicit market with revenue from conflict minerals continuing to finance armed groups and criminal elements within the army,²¹ contributing to insecurity and human rights abuses in eastern DRC. Protecting and formalizing communities near mining sites is critical to minimizing conflict by limiting civilian vulnerability to forced

¹⁹ United Nations Group of Experts Report, August 2017, Hyperlink: <https://www.un.org/sc/suborg/en/sanctions/1533/work-and-mandate/expert-reports>

²⁰ Just Gold Pilot, hyperlink: <https://impacttransform.org/en/work/project/just-gold/>

²¹ UN Group of Experts, 2017, hyperlink: <https://reliefweb.int/report/democratic-republic-congo/final-report-group-experts-democratic-republic-congo-s2017672>

labor, exploitation, and violence. Despite donor attempts, viable economic alternatives do not exist to artisanal mining for millions of Congolese, especially following decades of conflicts that have depleted numerous economic sectors in the eastern DRC.

USAID seeks to explore a vertically linked, ASM cooperative based model, which builds capacity of ASM cooperatives to enhance economic outcomes for artisanal miners and engender a more transparent, and regulated conflict-free minerals trade in gold while reducing the influence of armed groups on mining communities. Combined concepts, particularly in Areas of Interest 2 and 3, are highly recommended as the topics are interconnected, and Area of Interest 3 should be vertically linked to conflict-free gold chains. Additional questions to consider under Area of Interest 3:

- How can interested actors incentivize artisanal miners and ASM cooperatives to continue working in a clean supply chain?
- How can USAID use an ASM integrated approach to improve other aspects of artisanal life such as clean water, sanitation, health, nutrition, energy, etc?
- How can USAID incorporate research to identify structural gender inequalities that impact on access to resources and relationships.
- Would a refine and implement²² period be useful in partnership development, site selections, model design, proper application of the conflict lens, and/or ensuring a more holistic program?

III. The BAA Process

The amount of resources made available under this BAA will depend on the concepts received and the availability of funds from USAID and other resource partners. Some award types may not include any funding. The award process under this BAA has the following steps:

STAGE 1 - SUBMISSION OF EXPRESSIONS OF INTEREST (EOIs)

Please submit an Expression of Interest addressing the criteria below, in the format required in Section VII below. More than one Expression of Interest can be submitted.

²²Refine and Implement (R&I) is a pilot approach that has been used by USAID with recent success. ([See Office of Food for Peace Development Food Security Activities.](#)) The R&I approach has two phases -- a refinement phase and an implementation phase. The first year the award is the refinement phase. During this refinement phase, successful awardees refine their activity's theory of change and interventions in close collaboration with USAID staff, based on the baseline data, community priorities and needs, institutional mapping, assessments and studies, and research that will be conducted during the year. The R&I approach contributes to an evidence based, effective activity design that considers the priorities of the communities, operating environment, contextual factors, capacities of local institutions and service providers, and other investments in the target area. The remaining years of the award, "Implementation," are dedicated to the full scale implementation of the refined theory of change.

USAID will review the Expressions of Interest to determine the extent to which each Expression of Interest addresses the criteria/eligibility stated below. Not all organizations that submit an Expression of Interest will be invited to proceed to Stage 2. Due to the number of Expressions of Interest received, USAID is unable to provide details on why Expressions of Interest were not selected.

Criteria for Expressions of Interest:

1. Expressions of Interest must indicate the research or development (R&D) idea or ideas likely to lead to solutions to the Problem and Challenge Statements, by increasing knowledge and understanding of potential solutions, exploiting scientific discoveries or improvements in technology, materials, processes, methods, devices, or techniques, advancing the state of the art, or using scientific and technical knowledge in the design, development, testing, or evaluation of a potential new product or service (or of an improvement in an existing product or service).

Any awards issued under this solicitation will be for Applied Research or Development, as those terms are defined in 48 USC 35.001, as follows:

“Applied research” means the effort that:

- (a) normally follows basic research²³, but may not be severable from the related basic research;
- (b) attempts to determine and exploit the potential of scientific discoveries or improvements in technology, materials, processes, methods, devices, or techniques; and
- (c) attempts to advance the state of the art. When being used by contractors in cost principle applications, this term does not include efforts whose principal aim is the design, development, or testing of specific items or services to be considered for sale; these efforts are within the definition of “development,” given below.

“Development” means the systematic use of scientific and technical knowledge in the design, development, testing, or evaluation of a potential new product or service (or of an improvement in an existing product or service) to meet specific performance requirements or objectives. It includes the functions of design engineering, prototyping, and engineering testing; it excludes subcontracted technical effort that is for the sole purpose of developing an additional source for an existing product.

²³ The primary aim of basic research is a fuller knowledge or understanding of the subject under study, rather than any practical application of that knowledge. (FAR 2.101)

2. Expressions of Interest must demonstrate the potential to have a significant impact (e.g. breakthroughs, not incremental improvements), that ultimately could achieve greater impact at scale.
3. Expressions of Interest must indicate the background and expertise of the organization, and the managerial and technical staff or team engaged in the endeavor.
4. Expressions of Interest must indicate what co-investment resources are available to bear on the solution, including those from the submitting organization and those from other third party businesses, donors, foundations, or other organizations. Such resources include cash and other resources, both tangible and intangible, such as in-kind contributions, expertise, intellectual property, brand value, high-value coordination, and access to key people, places, and information.
5. USAID will also consider the reputation of an organization and its past performance in assessing the ability of the organization to contribute to the co-creation.

STAGE 2 - CO-CREATION AND CO-DEVELOPMENT OF THE CONCEPT PAPER

During Stage 2, key stakeholders will co-create potential solutions to the Problem/Challenge by brainstorming and innovating solutions and resources, potentially leading to concept papers that USAID or other resource partners will consider for funding.

Stage 2: Part 1: Co-Creation

USAID will review the Expressions of Interest and will select those organizations that USAID determines have addressed the criteria/eligibility stated within the BAA to an extent that the organization will make a significant contribution to co-creation. Co-creation will include USAID and other co-investment organizations that may be able to contribute cash and other resources, both tangible and intangible, such as in-kind contributions, expertise, intellectual property, brand value, high-value coordination, and/or access to key people, places, and information.

Co-creation may take the form of a workshop, conference, meeting, or other method at the discretion of USAID. For this BAA, co-creation is expected to be in the form of a one-week conference comprised of a series of sessions. The sessions will focus on each of the Areas of Interest above, and, additional sessions may be held to include cross-cutting issues, such as security considerations, the regulatory environment, etc. Depending on the results of the co-creation conference, additional required workshops may be planned at the discretion of USAID. For more information on co-creation and its design approaches, see <https://usaidlearninglab.org/library/co-creation-discussion-note-ads-201>.

Unless provided otherwise, organizations are responsible for all costs incurred by the organization to participate in the co-creation process.

Not all organizations that participate in the co-creation process will be invited to co-design and co-develop a Concept Paper (Stage 2: Part 2).

Stage 2: Part 2: Co-Development of Concept Papers

Working together, USAID and the potential partner(s) will collaborate on Concept Paper(s), taking a holistic approach to addressing the Problem/Challenge based on learnings from the co-creation process, and identifying creative approaches to resourcing projects. Such Concept Papers will consider and include additional implementing and co-investment partners to complement the project, including reasonable cost sharing, leverage, or other exchange of resource arrangements.

The Concept Paper, generally 5-10 pages, will further detail and explain the project.

STAGE 3 - REVIEW BY THE PEER AND SCIENTIFIC REVIEW BOARD

USAID and the organizations connected with each Concept Papers will submit the Concept Paper to the Peer and Scientific Review Board, comprised of experts from USAID, partners, and/or outside parties. The Peer and Scientific Review Board will review Concept Papers and recommend which applicants should be considered to be Apparently Successful Partners. Using its technical expertise, the Peer and Scientific Review Board will recommend whether to move forward with the project, including revisions/additions to the project, and potential partners and resources.

Not all organizations that submit a Concept Paper to the Peer and Scientific Review Board will be invited to move to Stage 4.

STAGE 4: AWARD DETERMINATION

USAID will review the Peer and Scientific Review Board's recommendations and consider other information, such as resource availability and Agency priorities, and will make a determination whether to move forward with the Concept Paper. For Concept Papers that demonstrate a valid innovation to address the Problem/Challenge Statement, the Contracting/Agreement Officer will assess the partner's responsibility and identify the anticipated instrument type to facilitate project design.

Request for Additional Information. USAID will work with partners identified by the Peer and Scientific Review Board, and co-design the project and assist the partner to provide additional information with respect to the proposer's technical approach, capacity, management and organization, past performance, and budget, as well as representations and certifications, as needed.

Final Review and Negotiation. The USAID Contract/Agreement Officer will engage in final review, negotiation, responsibility, cost reasonableness, etc., and will co-develop/craft an award instrument with the Apparently

Successful Partner. If the Apparently Successful Applicant and USAID cannot arrive at a mutually agreeable arrangement, USAID may cancel the project at no cost to the Government.

Award. Awards under this BAA will be made to the Apparently Successful Partners on the basis of their ability to achieve solutions to the Problems/Challenges, as provided herein. The standard clauses or provisions for awards are generally prescribed by law and regulation and will vary considerably by award type. Information regarding clauses and provisions will be offered to the Apparently Successful Applicant when the award type is identified.

IV. Additional Considerations

A. Expressions of Interest are not evaluated against other Expressions of Interest. USAID evaluates the Expression of Interest on solely whether USAID believes that the submitter will be a valuable contributor to the co-creation process. USAID may limit the number of initial submissions selected to move forward based on efficiencies.

B. Concept Papers are not evaluated against other Concept Papers, but solely based on USAID's determination that the Concept Paper will successfully address the Problem and Challenges set forth herein. USAID may limit the number of Concept Papers selected to move forward based on efficiencies.

C. Decisions regarding USAID's pursuit of a particular project, technology or relationship are based on all available information, evidence, data, and resulting analysis.

D. Eligibility Information. Public, private, for-profit, and nonprofit organizations, as well as institutions of higher education, public international organizations, non-governmental organizations, U.S. and non-U.S. governmental organizations, multilateral and international donor organizations are eligible under this BAA. All organizations must be determined to be responsive to the BAA and sufficiently responsible to perform or participate in the final award type.

V. Specific Rights Reserved for the Government under this BAA

The Government reserves specific rights, in addition to rights described elsewhere in this document or by law or regulation, including:

1. The right to award multiple awards, a single award, or no awards.
2. The right to make award without discussions, or to conduct discussions and/or negotiations, whichever is determined to be in the Government's interest.

3. The right to accept proposals in their entirety or to select only portions of proposals for award or co-investment.
4. The right to select for award an instrument type that is appropriate to the specific development context, partner relationship, and proposal selected for award. Instruments types include, but are not limited to, contracts, grants, cooperative agreements, public-private partnerships, Inter-Agency Agreements, Government to Government Agreements, Donor to Donor Agreements, and Memorandums of Understanding. In addition, the Government may craft a new instrument type to meet the needs of a specific relationship.
5. The right to co-create projects with one or more proposers under the BAA, when it is in the best interest of the Government.
6. The right to request any additional, necessary documentation upon initial review. Such additional information may include, but is not limited to, a further detailed proposal, budget, and representations and certifications.
7. The right to fund or co-invest in proposals in phases, with options for continued work at the end of one or more of the phases.
9. The right to award instruments under this BAA that do not commit or exchange monetary resources.
10. The right to remove organizations from the BAA process if USAID determines it is no longer in the best interests of the Government to proceed with the organization.

VI. Information Protection:

USAID's goal is to facilitate research and development that will lead to innovative, and potentially commercially viable, solutions. Understanding the sensitive nature of submitters' information, USAID will work with organizations to protect intellectual property.

Expressions of interest should be free of any intellectual property that submitter wishes to protect, as the expressions of interest will be shared with USAID partners as part of the selection process. However, once submitters have been invited to advance beyond co-creation, submitters can work with USAID to identify proprietary information that requires protection.

Therefore, organizations making submissions under this BAA grant to USAID a royalty-free, non-exclusive, and irrevocable right to use, disclose, reproduce, and prepare derivative works, and to have or permit others to do so to

any information contained in the Expressions of Interest submitted under the BAA. If USAID further engages with the organization regarding its submission, the parties can negotiate further intellectual property protection for the organization's intellectual property.

Organizations must ensure that any submissions under this BAA are free of any third party proprietary data rights that would impact the license granted to USAID herein.

VII. Expression of Interest Formatting

- A. Questions regarding the BAA must be submitted electronically by **January 18, 2018, 17:00 Kinshasa local time** to: The USAID/DRC Office of Acquisition and Assistance Contracting/Agreement Officer Amy McQuade (amcquade@usaid.gov) with a copy to kinshasaproposals@usaid.gov

Expressions of Interest must:

- B. Be in English, no more than 2 pages in length, and no smaller than 12 point font;
- C. Submitted electronically by **February 12, 2018, 17:00 Kinshasa local time** to: The USAID/DRC Office of Acquisition and Assistance Contracting/Agreement Officer Amy McQuade (amcquade@usaid.gov) with a copy to kinshasaproposals@usaid.gov
- D. Include your preferred location for co-creation workshop, should you be selected to participate, from the following list of options: Kinshasa, DRC; Goma, DRC; Kigali, Rwanda.
- E. Contain a header with the following information (included in the page count):
 - a. Respondent Name/Group and Contact Information;
 - b. Response Title;
 - c. BAA Title/Number;
 - d. Optional graphic that fits on an 8.5"x11" or A4 piece of paper (included in the page limit);
- F. Be in .pdf, .docx, or .odf format

Annex 1