April 21, 2011

Subject:	Amendment to Request for Applications 294-2011-206-USAID/ West Bank & Gaza/ Capacity Building for Education Reform (CBER) Program.
Amendment No.:	One (1)
Issuance Date of Amendment No. 1:	April 21, 2011
Issuance Date of RFA:	April 01, 2011
Closing Date:	May 25, 2011
Closing Time:	3:00 PM (Local Jerusalem Time UTC/GMT +3 hours)

Dear Applicant:

The purpose of this Amendment No. One (1) to RFA No. 294-2011-206 is to:

a. Provide answers to all questions received regarding the subject RFA (see Attachment 1).

b. Extend the closing date of the subject RFA from May 18, 2011 to May 25, 2011.

c. Add a new section to the RFA titled "Section I" (Please see Attachment 2 to this Amendment), titled: "*Survey on Ensuring Equal Opportunity for Applicants*".

d. Add three new mandatory standard provisions in full text to section E of the RFA as follows, "Central Contractor Registration and Universal Identifier" "Reporting Subawards and Executive Compensation" and "Trafficking in Persons". (See Attachment 3).

Any questions regarding this amendment must be submitted to Ms. Linda Maher in writing by e-mail at WBG-OCM-CBER@usaid.gov no later than Monday April 25, 2011.

Sincerely,

Bruce Gelband
Agreement Officer
USAID West Bank & Gaza

Attachment 1 – Questions & Answers
Attachment 2 – Survey on Ensuring Equal Opportunity for Applicants
Attachment 3 – New mandatory standard provisions in full text.

ATTACHMENT 1

April 21, 2011

Attachment 1 - Questions & Answers
USAID/West Bank and Gaza
RFA No. 294-2011-206
Capacity Building for Education Reform (CBER) Program

Question No. 1: On page 38, embedded in the Program Description it states, “The Ministry will provide transportation costs for teachers, pay for the substitute teachers and support learning environments in schools that will allow teachers to practice their newly acquired skills.”

Does this statement mean the Ministry of Education and Higher Education has guaranteed commitment and funding for local transportation of teachers from either their school or home to the training site, and similarly to provide all necessary substitute teachers for those engaged in training during school hours?

If so, can the implementing organization document this as cost share?

Answer No. 1: Please note that the MoEHE has orally expressed their intention to provide this support to teachers who are attending a Ministry approved training course to upgrade their qualifications. The Ministry has not guaranteed this support. Please refer to 22 CFR 226.23 concerning Cost Sharing.

Question No. 2: According to the Teacher Education Strategy, an unqualified teacher in grades 5-10 is any experienced teacher who does not

a. Hold a bachelor degree in education (teacher of a domain), OR
b. Hold a bachelor degree in a school subject in addition to an Education Diploma

Does USAID have a specific requirement that all or part of these 3,000 teachers fit into either category A or B?

Answer No. 2: The Ministry of Education and Higher Education is determining the specific qualifications that each public school teacher from grades 5 through 10 must have. The Program should adhere to the determination of the MoEHE and train teachers accordingly.

Question No. 3: On page 28 of the RFA, the Introduction notes, “USAID is proposing a 4-year, $16 million program ($2 million for Gaza) that focuses on educational reform in Palestine”

Must the implementer budget exactly $2 million for the Gaza program? Otherwise, can more or less be allocated between the West Bank and Gaza, depending upon the implementer's program of proposed activities so long as the baseline of deliverables is met in both geographical areas? Could USAID also please clarify if they expect the Gaza portion of the budget to be priced separately from the West Bank components?

Answer No. 3: The $2 million set-aside for Gaza is an estimate only. The applicant should budget according to its proposed activities for Gaza and what makes the most sense. The Gaza portion of the budget is o be priced separately from the West Bank components.

Question No. 4: Page 31 specifies that the implementer would conduct a needs assessment in collaboration with the various other international organizations supporting the Palestinian education sector. Is the expectation that USAID and the other organizations will produce a single assessment or multiple assessments that complement one another?

Answer No. 4: The Mission expects that the program and other organizations will produce multiple assessments that complement one another.

Question No. 5: Page 9 of the RFA requests four references from each person proposed for key personnel. Page 12 requests three. Could USAID please clarify the number of references required?

Answer No. 5: We apologize for the oversight, resumes for key personnel should include at least <u>four</u> references for each proposed key position.

Question No. 6: Could USAID please clarify if the Cover Page, Table of Contents, and any tables, charts and graphs such as an Organizational Chart and Staffing plan chart are included in the 25 page limit for the Technical Application?

Answer No. 6: Cover Page, Table of Contents, and any tables, charts and graphs such as an Organizational Chart and Staffing plan chart <u>will not</u> count for the 25 pages limit.

Question No. 7: Could USAID please clarify if they would like the full cost application submitted on CD or only the budget?

Answer No. 7: As explained in page 12 of the RFA, the full Cost/Business application, and the budget (in excel accessible format) are to be submitted on CD.

Question No. 8: Could USAID please clarify if the information requested for Appendix B, Past Performance and Experience be in a chart or would USAID prefer to receive Past Performance Forms in a separate table?

Answer No. 8: Past Performance Forms are preferred to be submitted is a separate table.
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Question No. 9: The submittal instructions are clear for separate Technical and Cost proposals. However, the instruction for the Executive Summary (Section A, II-(iii)d requires "State the total funding requested from USAID for your program…" kindly confirm that the cost is to mentioned in the technical proposal.

Answer No. 9: In page 9, under: II. TECHNICAL APPLICATION FORMAT- (iii) Executive Summary, please delete (d) "State the total funding requested from USAID for your program, and, if applicable, the funding from other sources which is or will be made available to implement proposed program activities".

Question No. 10: Section B Evaluation Criteria II, Cost Sharing sates, " USAID recommends that the Applicant and its partners provide a cost share of 15 percent (15%) of the total USAID Contribution. Leveraged non-USAID resources from private firms and institutions ...."
We are not clear on what is expected from the firm that receives the grant. Kindly clarify

Answer No. 10: Cost share refers to the resources a recipient is expected to contribute to the total cost of an agreement which are not borne by the Federal Government. Cost sharing becomes a condition of an award when it is part of the approved award budget. Cost sharing must be verifiable from the recipient's records, is subject to the requirements of 22 CFR 226.23, and can be audited. Please refer to ADS 303.3.10 Cost Share and to 22 CFR 226.23 for more information and guidance regarding Cost Share.

Question No. 11: Section C, Authorized Geographic Codes, the code specified is 000 which is the United States. We are aware of the referenced Blanket Waiver which allows procurements up to $5 million per award/instrument from the cooperating country. Does the waiver apply to the yearly cost? Or does it apply to the total of $16 million which exceeds the waiver stated amount? Also, the waiver states cooperating country as (West Bank, Gaza and Israel) we assume the firms that will qualify will be either American (code 000) Palestinian, Israeli or a combination .

Answer No. 11: Please note that the specified authorized geographic code is for goods and services to be procured under the anticipated Cooperative Agreement. As for the referenced blanket waiver, please note that this waiver authorizes local procurement from the cooperating country in an aggregate amount of up to $5 million of commodities and services per USAID prime award regardless of the total cost/amount of the award. Again, the $5 million threshold is for the life of the award and it includes procurement by sub-awardees. As specified in the RFA, for detailed guidance, please refer to

Mission Notice No. 2011-WBG-03
http://www.usaid.gov/wbg/misc/2011WBG/2011-WBG-03.pdf.
For more information about the eligibility for award, please refer to page 1 of the RFA.

Question No. 12: It is specified that April 15th is the last day to submit requests for questions/clarifications. Would USAID consider extending this period an additional one week?

Answer No. 12: Unfortunately, we will not extend this period.

ATTACHMENT 2

Survey on Ensuring Equal Opportunity for Applicants

OMB No. 1890-0014 Exp. 1/31/2006

Purpose: The Federal government is committed to ensuring that all qualified applicants, small or large, non-religious or faith-based, have an equal opportunity to compete for Federal funding. In order for us to better understand the population of applicants for Federal funds, we are asking nonprofit private organizations (not including private universities) to fill out this survey.

Upon receipt, the survey will be separated from the application. Information provided on the survey will not be considered in any way in making funding decisions and will not be included in the Federal grants database. While your help in this data collection process is greatly appreciated, completion of this survey is voluntary.

Instructions for Submitting the Survey: If you are applying using a hard copy application, please place the completed survey in an envelope labeled "Applicant Survey." Seal the envelope and include it along with your application package. If you are applying electronically, please submit this survey along with your application.

Applicant's (Organization) Name: ______________________________

Applicant's DUNS Number: ______________________________

Grant Name: ______________________________ **CFDA Number:** ____________

1. Does the applicant have 501(c)(3) status?

   ☐ Yes ☐ No

2. How many full-time equivalent employees does the applicant have? *(Check only one box).*

   ☐ 3 or Fewer ☐ 15-50
   ☐ 4-5 ☐ 51-100
   ☐ 6-14 ☐ over 100

3. What is the size of the applicant's annual budget? *(Check only one box.)*

   ☐ Less Than $150,000
   ☐ $150,000 - $299,999
   ☐ $300,000 - $499,999
   ☐ $500,000 - $999,999
   ☐ $1,000,000 - $4,999,999
   ☐ $5,000,000 or more

4. Is the applicant a faith-based/religious organization?

   ☐ Yes ☐ No

5. Is the applicant a non-religious community-based organization?

   ☐ Yes ☐ No

6. Is the applicant an intermediary that will manage the grant on behalf of other organizations?

   ☐ Yes ☐ No

7. Has the applicant ever received a government grant or contract (Federal, State, or local)?

   ☐ Yes ☐ No

8. Is the applicant a local affiliate of a national organization?

   ☐ Yes ☐ No

Survey Instructions on Ensuring Equal Opportunity for Applicants

Provide the applicant's (organization) name and DUNS number and the grant name and CFDA number.

1. 501(c)(3) status is a legal designation provided on application to the Internal Revenue Service by eligible organizations. Some grant programs may require nonprofit applicants to have 501(c)(3) status. Other grant programs do not.

2. For example, two part-time employees who each work half-time equal one full-time equivalent employee. If the applicant is a local affiliate of a national organization, the responses to survey questions 2 and 3 should reflect the staff and budget size of the local affiliate.

3. Annual budget means the amount of money your organization spends each year on all of its activities.

4. Self-identify.

5. An organization is considered a community-based organization if its headquarters/service location shares the same zip code as the clients you serve.

6. An "intermediary" is an organization that enables a group of small organizations to receive and manage government funds by administering the grant on their behalf.

7. Self-explanatory.

8. Self-explanatory.

Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1890-0014. The time required to complete this information collection is estimated to average five (5) minutes per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. **If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to:** U.S. Department of Education, Washington, D.C. 2202-4651.

If you have comments or concerns regarding the status of your individual submission of this form, write directly to the USAID Agreement Officer.

OMB No. 1890-0014 Exp. 1/31/2006

ATTACHMENT 3 – NEW MANDATORY STANDARD PROVISIONS IN FULL TEXT

(This provision is required in accordance with 2 CFR 25 Award Term for Central Contractor Registration and Universal Identifier. AOs must include this provision in all assistance solicitations and all awards made on or after October 1, 2010.)

CENTRAL CONTRACTOR REGISTRATION AND UNIVERSAL IDENTIFIER (OCTOBER 2010)

a. **Requirement for Central Contractor Registration (CCR).** Unless you are exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in the CCR until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.

b. **Requirement for Data Universal Numbering System (DUNS) numbers.** If you are authorized to make subawards under this award, you:

(1) Must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive a subaward from you unless the entity has provided its DUNS number to you.

(2) May not make a subaward to an entity unless the entity has provided its DUNS number to you.

c. **Definitions.** For purposes of this award term:

(1) Central Contractor Registration (CCR) means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the CCR Internet site (currently at http://www.ccr.gov).

(2) Data Universal Numbering System (DUNS) number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D&B) to uniquely identify business entities. A DUNS number may be obtained from D&B by telephone (currently 866-705-5711) or the Internet (currently at http://fedgov.dnb.com/webform).

(3) Entity, as it is used in this award term, means all of the following, as defined at 2 CFR part 25, subpart C:

(i) A Governmental organization, which is a State, local government, or Indian tribe;

(ii) A foreign public entity;

(iii) A domestic or foreign nonprofit organization;

(iv) A domestic or foreign for-profit organization; and

(v) A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

(4) Subaward:

(i) This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.

(ii) The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. --.210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").

(iii) A subaward may be provided through any legal agreement, including an agreement that you consider a contract.

(5) Subrecipient means an entity that:

(i) Receives a subaward from you under this award; and

(ii) Is accountable to you for the use of the Federal funds provided by the subaward.

[END OF PROVISION]

(This provision is required in accordance with 2 CFR 170 Award Term for Reporting Subawards and Executive Compensation. AOs must include this provision in all assistance solicitations and all awards made on or after October 1, 2010.)

REPORTING SUBAWARDS AND EXECUTIVE COMPENSATION (OCTOBER 2010

a. Reporting of first-tier subawards.

(1) Applicability. Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates $25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e of this award term).

(2) Where and when to report.

(i) You must report each obligating action described in paragraph a.1. of this award term to www.fsrs.gov.

(ii) For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)

(3) What to report. You must report the information about each obligating action that the submission instructions posted at www.fsrs.gov specify.

b. Reporting Total Compensation of Recipient Executives.

(1) Applicability and what to report. You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if –

(i) the total Federal funding authorized to date under this award is $25,000 or more;

(ii) in the preceding fiscal year, you received—

(A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and

Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(B) $25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(iii) The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at http://www.sec.gov/answers/execomp.htm.)

(2) Where and when to report. You must report executive total compensation described in paragraph b.(1) of this award term:

(i) As part of your registration profile at www.ccr.gov.

(ii) By the end of the month following the month in which this award is made, and annually thereafter.

c. Reporting of Total Compensation of Subrecipient Executives.

(1) Applicability and what to report. Unless you are exempt as provided in paragraph d. of this award term, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if –

(i) in the subrecipient's preceding fiscal year, the subrecipient received—

(A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(B) $25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at http://www.sec.gov/answers/execomp.htm.)

(2) Where and when to report. You must report subrecipient executive total compensation described in paragraph c.(1) of this award term:

(i) To the recipient.

(ii) By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (i.e., between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

d. Exemptions

If, in the previous tax year, you had gross income, from all sources, under $300,000, you are exempt from the requirements to report:

(1) subawards, and

(2) the total compensation of the five most highly compensated executives of any subrecipient.

e. Definitions. For purposes of this award term:

(1) Entity means all of the following, as defined in 2 CFR part 25:

(i) A Governmental organization, which is a State, local government, or Indian tribe;

(ii) A foreign public entity;

(iii) A domestic or foreign nonprofit organization;

(iv) A domestic or foreign for-profit organization;

(v) A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

(2) Executive means officers, managing partners, or any other employees in management positions.

(3) Subaward:

(i) This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.

(ii) The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. --.210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non- Profit Organizations").

(iii) A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.

(4) Subrecipient means an entity that:

(i) Receives a subaward from you (the recipient) under this award; and

(ii) Is accountable to you for the use of the Federal funds provided by the subaward.

(5) Total compensation means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):

(i) Salary and bonus.

(ii) Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.

(iii) Earnings for services under nonequity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.

(iv) Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.

(v) Above-market earnings on deferred compensation which is not tax-qualified.

(vi) Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds $10,000.

[END OF PROVISION]

(This provision is required in accordance with 2 CFR 175 Award Term for Trafficking in Persons. AOs must include this provision in all new awards. AOs must modify existing awards to include this provision at the earliest practicable opportunity.)

TRAFFICKING IN PERSONS (OCTOBER 2010)

a. **Provisions applicable to a recipient that is a private entity**.

(1) You as the recipient, your employees, subrecipients under this award, and subrecipients' employees may not—

(i) Engage in severe forms of trafficking in persons during the period of time that the award is in effect;

(ii) Procure a commercial sex act during the period of time that the award is in effect; or

(iii) Use forced labor in the performance of the award or subawards under the award.

(2) We as the Federal awarding agency may unilaterally terminate this award, without penalty, if you or a subrecipient that is a private entity —

(i) Is determined to have violated a prohibition in paragraph a. (1) of this award term; or

(ii) Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph a. (1) of this award term through conduct that is either—

(A) Associated with performance under this award; or

(B) Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," as implemented by our agency at 22 CFR 208 or its superseding Part in 2 CFR.

b. **Provisions applicable to a recipient other than a private entity**.

(1) We as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity—

(i) Is determined to have violated an applicable prohibition in paragraph a. (1) of this award term; or

(ii) Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in paragraph a. (1) of this award term through conduct that is either—

(A) Associated with performance under this award; or

(B) Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," as implemented by our agency at 22 CFR 208 or its superseding Part in 2 CFR.

b. Provisions applicable to any recipient.

(1) You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph a. (1) of this award term.

(2) Our right to terminate unilaterally that is described in paragraph a. (2) or b of this section:

(i) Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and

(ii) Is in addition to all other remedies for noncompliance that are available to us under this award.

(3) You must include the requirements of paragraph a. (1) of this award term in any subaward you make to a private entity.

d. Definitions. For purposes of this provision:

(1) "Employee" means either:

(i) An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this award; or

(ii) Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.

(2) "Forced labor" means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

(3) "Private entity":

(i) Means any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR 175.25(b).

(ii) Includes:

(A) A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR 175.25(b).

(B) A for-profit organization.

(4) "Severe forms of trafficking in persons," "commercial sex act," and "coercion" have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

[END OF PROVISION]