

Market Development Cooperator Program 2021

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NOTICE OF FUNDING OPPORTUNITY

EXECUTIVE SUMMARY

Federal Agency Name(s): Industry & Analysis (INA), International Trade Administration (ITA), Department of Commerce

Funding Opportunity Title: Market Development Cooperator Program 2021

Announcement Type: Initial

Funding Opportunity Number: ITA-INA-OIE-2021-2006761

Catalog of Federal Domestic Assistance (CFDA) Number: 11.112, Market Development Cooperator Program

Dates: ITA will hold a conference call to discuss Market Development Cooperator Program (MDCP) proposal preparation, procedures, and selection process on Thursday, February 18, 2021.

The ninety-minute meeting will begin at 2:30 p.m. EST. ITA will not discuss specific proposals during this conference call. Participation is not required in order to apply or seek an eligibility determination. Interested parties may participate by dialing 203-280-9578, then passcode 6504789.

Funding Opportunity Description: ITA requests that eligible organizations submit proposals (applications) for the fiscal year (FY) 2021 competition for MDCP awards. ITA creates economic opportunity for U.S. workers and firms by promoting international trade and investment, strengthening industry competitiveness, and ensuring fair trade.

FULL ANNOUNCEMENT TEXT

I. Funding Opportunity Description

A. Program Objective

Market Development Cooperator Program (MDCP) financial assistance awards help to underwrite the start-up costs of new foreign market development projects that industry organizations are often reluctant to undertake without federal government support. MDCP projects strengthen the competitiveness of U.S. industry by generating exports of nonagricultural goods and services produced in the United States.

Trade associations, other non-profit industry organizations, and departments of trade and other regional associations are eligible to apply for MDCP awards. These organizations are particularly effective in reaching small- and medium-size enterprises (SMEs). Through MDCP cooperative agreements, ITA provides technical and financial assistance that these organizations match. Organizations compete for a limited number of MDCP awards. See III. Eligibility Information below.

B. Program Priorities

Each applicant must demonstrate how its proposed project will help ITA to create or sustain U.S. jobs by increasing or maintaining exports. This could include:

1. Addressing non-tariff barriers to U.S. exports such as discriminatory regulations, local content requirements, onerous standards or conformity assessment procedures, and other measures that may be unreasonably trade restrictive;
2. Securing strong intellectual property rights protection and combating counterfeiting and piracy;
3. Countering discriminatory trade policies;
4. Participating in the formulation and encouraging the adoption of standards that are industry developed, market-driven, science-based, and internationally recognized; and
5. When appropriate, encouraging the development of aligned regulatory requirements that avoid unnecessary costs on businesses.

C. Program Authority

MDCP is provided for in 15 U.S.C. § 4723. The program strengthens U.S. industry's competitiveness by developing, maintaining, and expanding foreign markets for nonagricultural goods and services produced in the United States.

II. Award Information

A. Funding Availability

Approximately \$1,500,000 is expected to be available through this announcement for fiscal year 2021. The total number of awards made will depend on the amounts requested by top-scoring applicants and the availability of funds. No award will exceed \$300,000. ITA anticipates concluding five (5) to seven (7) cooperative agreements.

B. Project/Award Period

The project period is the time span established in the award document during which federal sponsorship begins and ends. Each applicant proposes a project period of at least three (3) years but not to exceed five (5) years. An applicant should propose a project period that allows ample time to complete project activities and generate exports. The start date for all projects is October 1, 2021. The project period may be extended. Extensions usually do not exceed 12 months. All extensions must be approved by the grants officer. The MDCP award covers the entire project period and shall not be increased, even if the project period is extended.

C. Type of Funding Instrument

MDCP awards are cooperative agreements, see definition in section VIII.I.2. Cooperative Agreement. The awards are not grants. Accordingly, an applicant that is selected to receive an MDCP award is called a “cooperator.” ITA expects to have substantial involvement with a cooperator as it works on its MDCP project. This involvement is discussed below in VIII.D. Working as a Team with ITA.

III. Eligibility Information

A. Eligible Applicants

Entities that fall within the following categories are generally found to be eligible to apply for an MDCP award: trade associations; state departments of trade and their regional associations; and non-profit industry organizations, including organizations such as World Trade Centers, standards-developing organizations, centers for international trade development, and small business development centers. In cases where no entity described above represents the industry, private industry firms or groups of firms may be eligible to apply for an MDCP award. Such private industry firms or groups of firms must provide documentation in their eligibility determination request demonstrating that no entity in the first three categories listed below represents their industry.

1. Trade Association A trade association is a fee-based organization consisting of member firms in the same industry, or in related industries, or which share common commercial

concerns. The purpose of the trade association is to further the commercial interests of its members through the exchange of information, legislative activities, and the like.

2. Non-Profit Industry Organization To be found eligible within this category an entity must be found to be a/an: a. Non-profit small business development center operating under agreement with the Small Business Administration; or b. Non-profit World Trade Center chartered or recognized by the non-profit World Trade Centers Association; or c. Organization granted status as a non-profit organization under 26 U.S.C. § 501(c)(3), (4), (5), or (6), which operates as one of the following:

- (1) Chamber of commerce;
- (2) Board of trade;
- (3) Business, export or trade council/interest group;
- (4) Visitors bureau or tourism promotion group;
- (5) Economic development group;
- (6) Standards-developing or conformity-assessment organization;
- (7) Small business development center; or
- (8) Port authority.

3. State Departments of Trade and Their Regional Associations To be eligible within this category an entity must be found to be a/an:

- a. Department of a state government tasked with promoting trade, tourism, or another type of economic development; or
- b. Association of the departments of trade (as defined above) of two or more states; or
- c. Entity within a state or within a region that is associated with a state department of trade, tourism, or other type of economic development including non-profit, non-private, noncommercial entities, which is at least partially funded by, directed by, or tasked by a state government to promote trade, tourism, or another type of economic development.

4. Special Note Regarding Educational Institutions

Educational institutions, such as schools, colleges, and universities, are not eligible. However, organizations that are part of or affiliated with an educational institution for administrative, accounting, financial, legal, or logistical reasons may be eligible. Such organizations that are not independent legal entities, for example, an unincorporated organization, that otherwise may be classified under III.A. Eligible Applicants, above, as a trade association, non-profit industry association, or state department of trade and its regional associations, are eligible. In such a case, the eligible organization will include in its application a signed letter from the educational institution stating that MDCP funds will be used only by the eligible organization for the purposes outlined in its application and that no such funds will be used by or retained by the educational institution, even though the funds may need to go through the educational institution because of the eligible organization's lack of a separate accounting system or lack of status as a separate legal entity.

B. Cost Sharing or Matching Requirement

A cooperator must contribute at least \$2 for each federal dollar received. The first dollar's-worth of contribution must be cash, the second dollar can be either cash or an in-kind contribution worth \$1. See VIII.B. Supplemental Explanation of Cost Share and Match.

C. Other Criteria that Affect Eligibility

An applicant that fails to meet the eligibility criteria cannot receive an MDCP award even if its application is reviewed. An eligible applicant may submit more than one application.

1. Eligibility of Current or Past Cooperators

ITA seeks to foster foreign market development activities by offering MDCP financial awards to encourage new initiatives. MDCP awards are not intended to replace funds from other sources, nor are they intended to replace previous MDCP awards. A current or past cooperator may propose a new project. See V.A.4. Creativity and Capacity below.

2. Determination of Eligibility

A prospective applicant that has not already been determined by ITA to be eligible must request an eligibility determination in writing accompanied by the most current version of all of the following documents that apply:

- a. Articles of incorporation or state-level certificate of corporate good standing;
- b. Charter;
- c. Bylaws;
- d. Information on types of members and membership fees;
- e. Internal Revenue Service acknowledgment of non-profit status;
- f. Annual report;
- g. Audited financial statements;
- h. Documentation of ties to state trade departments or their regional associations; and
- i. Letter described in III.A.4. Special Note Regarding Educational Institutions above, if applicable.

A prospective applicant should submit an eligibility determination request as soon as possible if it wishes to have a determination prior to the application deadline.

Prospective applicants should send such requests to Mrs. Jessica Dulkadir, via email to Jessica.Dulkadir@trade.gov. If unable to submit an eligibility determination request via email, an eligibility requester may send its determination request via mail: Attn: Mrs. Jessica Dulkadir, U.S. Department of Commerce, HCHB 2061, 1401 Constitution Avenue, N.W., Washington, DC 20230.

The eligibility requirements above are also summarized at trade.gov/mdcp. An applicant that has requested an eligibility determination should continue to work on its application while awaiting ITA's eligibility determination. An applicant may submit an application even if it

has not yet received an eligibility determination. An applicant does not need to include in its MDCP application the letter it receives from ITA regarding determination of eligibility. ITA keeps determinations of eligibility on file.

3. Exclusion of Entities from MDCP Project Activity

As noted in I.C. Program Authority, above, MDCP projects must be designed to develop, maintain, and expand "foreign markets for nonagricultural goods and services produced in the United States." This term is defined below in VIII.H. Definitions Regarding Nonagricultural Goods and Services Produced in the United States. Accordingly, entities that are found not to be exporters of goods and services produced in the United States will be excluded from MDCP project activity. ITA may also exclude an entity from MDCP project activity where participation in such activity would be contrary to applicable U.S. law, federal government policy, or Department of Commerce policy. For example, ITA is prohibited by law from promoting exports to North Korea, therefore, any exporter that proposes prohibited exports will be excluded based on the legal prohibition.

IV. Application and Submission Information

A. Address to Request Application Package

Application packages are available at grants.gov and at trade.gov/mdcp. Applicants are strongly encouraged to submit applications via grants.gov. If unable to obtain an application package via grants.gov or trade.gov/mdcp, an applicant may request an application package via email from Jessica.Dulkadir@trade.gov or by contacting Ms. Jessica Dulkadir U.S. Department of Commerce, HCHB 2872, 1401 Constitution Avenue, N.W., Washington, DC 20230. Ms. Dulkadir can be reached via telephone at 202-482-2026.

B. Content and Form of Application

Applicants should register on grants.gov as soon as possible. It often takes several days between registration on grants.gov and approval to submit an application. Applicants download forms from grants.gov then complete them offline. Applicants should note that the bulk of a complete MDCP application is made up of documents other than forms. Simply downloading the forms, completing them, and posting them at grants.gov is not enough to constitute a complete MDCP application. The non-form majority of the application must be drafted, assembled, and saved as .pdf files prior to attempting to submit via grants.gov. (An example of a complete MDCP "mock" application is available online at trade.gov/mdcp.) An applicant organizes its application into three parts in accordance with the grants.gov filing protocols: forms, project, and budget. Every page of the application must be easily legible. Textual documents generated by an applicant should have a one-inch margin on either side and top and bottom, and the typeface should be no smaller than 11-point. Headers

and footers can lie outside the margins. Pages that are not easily legible may be ignored by reviewers. The three parts of the application are set forth below.

1. Forms (page limit: the number of forms required, 9-10 for most applicants)

An applicant downloads forms from grants.gov and completes them offline. After the project and budget parts are prepared, an applicant can submit the forms as well as project and budget at grants.gov.

a. Forms required of all applicants:

i. SF-424 Application for Federal Assistance

ii. SF-424A Budget Information - Non-Construction Programs

The applicant must submit a line item budget (SF-424A) and corresponding budget narrative for each of the funding periods anticipated. Prior to completing the SF-424A most applicants find it helpful to use linked electronic spreadsheets to prepare a detailed project budget.

Example spreadsheets are available in a "mock application" document in the application kit at trade.gov/mdcp. Most applicants find it helpful to download this file and use it, with modifications as needed, to prepare the MDCP project budget. One of the spreadsheets in the document is an SF-424A that is automatically populated with required information as the budget detail is entered on other spreadsheets. The information generated within the spreadsheet document is not a replacement for the submission of the actual SF-424A. Once the final budget information displays on the SF-424A spreadsheet in this document, applicants can enter that information on the SF-424A that they download from grants.gov. In addition to the sample MDCP project budget available at trade.gov/mdcp, see https://www.ago.noaa.gov/grants/docs/gmd_budget_narrative_guidance_-_05-242017_final.pdf for more detail on budget narratives.

iii. SF-424B Assurances - Non-Construction Programs

iv. CD-511 Certifications Regarding Lobbying.

b. Forms required only for special circumstances:

i. SF-LLL Disclosure of Lobbying Activities

This form is only required of applicants that plan to engage in lobbying the federal government as part of their MDCP project. (It is rare that an MDCP project would require submission of an SF-LLL.)

ii. CD-512 Certifications Regarding Lobbying-Lower Tier Covered Transactions

The CD-512 is required if an applicant plans to sub-contract work or make sub-awards. If so, the applicant completes the CD-512 but does not submit it with the application. In such case, the applicant should keep the completed CD-512 on file.

2. Project Narrative File (page limit: 12)

a. Executive summary

In accordance with V.B. Review and Selection Process below, ITA will distribute each applicant's one-page summary to its experts to solicit comments. The executive summary may be included either at the first page of the project narrative or as the first page of the

budget narrative. This summary should communicate the essence of the application including the following:

- (1) Applicant: entity name, headquarters city/state, and website;
- (2) Industry(s): Primary U.S. industry that will benefit from project activity; if another U.S. industry will benefit, list it as the secondary industry; if more than two industries will benefit, list them in descending order of priority as "other" industries;
- (3) Specific foreign markets targeted: list each sovereign state (or economic zone, e.g. Hong Kong special administrative region) in descending order of priority focus (not listing a market will not preclude you from claiming exports to that market generated by your project); do not list a region such as "Latin America" or an organization of sovereign states such as the "European Union"; specify each sovereign state or special economic/administrative zone;
- (4) Market size: value in U.S. dollars of annual sales for the sector of the foreign market targeted by the project;
- (5) U.S. market share: size in U.S. dollars of the current U.S. share of each targeted foreign market;
- (6) Project period: a minimum of three (3) years and a maximum of five (5) years, proposed by applicant, to begin on October 1, 2021;
- (7) Project exports: sales to foreign buyers anticipated to be generated during the project period;
- (8) Post-project exports: exports anticipated to be generated during the four years following the project period;
- (9) Federal share: amount of federal funds requested;
- (10) Match: amount of cash and in-kind match that applicant pledges to support the project;
- (11) Project description: planned activities and methods in list form;
- (12) ITA and other federal collaborators: names of federal staff with whom applicant has discussed the project; and
- (13) Partner(s): if applicable, the name of any partner organization other than ITA, that will work with applicant. Omit if there are none.

b. Background

The applicant should make clear why it believes that the project is needed and has a good chance to succeed. Applicants should rely on solid research and address appropriate considerations that may have a bearing on how well proposed projects address I.B. Program Priorities above. The considerations to address will depend entirely on the nature of the proposed project. The list of considerations below is provided as an example. The actual considerations addressed in a given proposal may or may not include all of those listed below and may well include others. Examples include:

- (1) Current competitive position of the U.S. industry, including market potential for the industry's products and services;

- (2) Local and third-country competitors in the target market(s);
- (3) Target market economic conditions and the likelihood that potential buyers will purchase U.S. goods or services to be offered;
- (4) U.S. industry resources that can be brought to bear on developing target market(s);
- (5) U.S. industry's ability to meet potential market demand; and
- (6) U.S. industry's after-sales service capability in the target market(s).

c. Project description

The project description should include a work plan listing specific activities planned, including the different phases of the project identifying relevant milestones and activity in chronological order; and the location where activities will take place.

d. Performance measurement

Each cooperator reports its performance on its own distinct performance measures as well as on ITA performance measures. The reports are due 30 days after the end of each calendar quarter. An applicant may address performance measurement in either the project narrative or the budget narrative.

(1) ITA performance measures (quarterly report part A)

An applicant must demonstrate that it will report the effect of MDCP project activity on the value of exports of services or goods delivered or contracted. A report template is available at trade.gov/mdcp. The information requested is summarized below. Dollar value of exports generated by the project, (a) below, is the primary index of project success. Applicants should focus on how they will generate exports and get U.S. firms participating in the project to report.

(a) Exports

Each cooperator reports the dollar value of any of the following that are relevant:

- (i) Actual, verified export sales, leases, or rentals of U.S. goods or services;
- (ii) Export-related developments including the value of agent contracts and other export related agreements, loss avoided, trade complaints resolved; and/or
- (iii) Exports that are not transaction-specific that must be extrapolated from reliable sources.

(b) Export class

Each cooperator reports as much of the following information as is available and relevant regarding the class of each type of:

- (i) Export-related development such as an agent agreement or removal of a market-access barrier; and/or
- (ii) Exports that are not transaction-specific such as an extrapolation of exports from other data.

(c) Other export-related information

Each cooperator reports as much of the following information as is available regarding exports: foreign market and exporter's name/city/state/email address.

(d) Progress indicators If relevant to the project, each cooperator reports the number of firms

that have signed a success agreement and have been identified to its ITA-MDCP team.

(e) Projected exports

Each cooperator estimates future export results for the next four quarters. Accordingly, in the report for the quarter just completed, a cooperator estimates the dollar value of exports its MDCP project activity will generate during the next calendar quarter, the quarter following that quarter, the next quarter after that, and the next quarter after that.

(2) Applicant-designed performance goals (quarterly report part B). In its application an applicant should develop and utilize performance goals that reasonably gauge project success. All applicants selected as cooperators report on ITA performance measures; therefore, an applicant should not duplicate ITA performance measures in its discussion of applicant-designed goals. Most cooperators find that three (3) to eight (8) measures suffice. Each cooperator has its own distinct template identified as part B of the quarterly report. These are posted at trade.gov/mdcp.

(3) Estimate performance in the application

With regard to ITA performance measures (quarterly report part A), an applicant must describe the methodology used to estimate the dollar value listed in its executive summary of project-period exports IV.B.2.a.(7) and post-project-period exports IV.B.2.a.(8). With regard to IV.B.2.d.(2) applicant-designed performance goals (quarterly report part B), an applicant must establish a quantifiable goal for each milestone it proposes to include on its part B quarterly report template. For example, a technical seminar every six (6) months during a three (3) year project would have a performance goal of six (6) for technical seminars, two (2) per year for three (3) years.

(4) Performance measure recording and reporting system

Each applicant describes its recording and reporting system in its proposal. Ultimately, it is the export success of individual companies that demonstrates an industry's strengthened competitiveness. Therefore, each applicant should explain how it plans to get export success information from participant companies and any/or other relevant sources.

e. Partnership

As noted under VIII.D.1. Project Team below, each cooperator will work with a project team leader and other ITA-MDCP team members. Team members from other federal agencies also may be invited to participate. Each applicant must describe in detail how it plans to work with ITA.

f. Credentials

Each cooperator must ensure adequate development, supervision, and execution of project activities for itself and for each non-federal partner with significant involvement in the project. Therefore, for itself and each such partner, each applicant must:

- (1) Address its ability to provide a competent, experienced staff and other resources;
- (2) Describe its structure and composition;
- (3) Discuss the degree to which it represents the industry in question;

- (4) Describe the role, if any, foreign membership plays in its affairs;
 - (5) Provide a short summary of experience for the project director and professional personnel who plan to participate in project activities; and
 - (6) Include in the budget the amount of time each professional will devote to the project.
- g. Evidence of support from U.S. firms interested in participating

Perhaps the best indication of whether an MDCP project will generate exports is the level of interest among the companies of the U.S. industry that would export. Each applicant should document the interest of potential U.S. exporters in leveraging the proposed MDCP project to generate exports.

h. Use of ITA emblem

Each applicant must provide at least one mock-up example indicating how it anticipates using the ITA emblem in the course of the project. Use of the ITA emblem is a graphic reminder that the project is backed by a partnership with ITA. The example will help secure formal clearance for use of the emblem by applicants selected for MDCP awards. An example of the proposed use of the ITA emblem is available in the mock application at trade.gov/mdcp.

i. Success agreement

Any applicant that plans to solicit export or other performance measurement data from companies participating in project activity must append a draft success agreement with these three parts:

- (1) A list of the benefits that participants will receive,
- (2) A notice that participants are obligated to report exports and other performance measurement information, and
- (3) An affirmation that the goods or services that the participant seeks to export are produced in the United States. See the definition in VIII.H.8. Goods and Services Produced in the United States. An example of a success agreement is available at trade.gov/mdcp.

3. Budget Narrative Attachment Form (page limit: 20)

Each applicant must provide a detailed budget for the project including the elements listed below.

a. Budget for project period

This spreadsheet breaks down the budget into the categories used on the SF-424A and apportions it over the project period. This spreadsheet should allow an applicant to identify all of the figures needed to complete the SF-424A, which is submitted separately as described in IV.B.1 Forms above. An applicant is free to create its own way of accomplishing this, but an example spreadsheet is available for download at trade.gov/mdcp.

b. Supporting worksheets and explanations

The figures summarized on the budget for project period are derived from more detailed spreadsheets that must be provided. Applicants may organize these supporting spreadsheets

in whatever manner supports the figures on the budget for project period and SF-424A and do so in a way that explains the details of the budget. For example, total travel expenses should be derived from adding up the cost of individual trips that take into account destination, number of travelers, and length of time. Most applicants find that it is helpful to group their supporting explanations on three worksheets: personnel, non-personnel direct expenses, and benefits. Example spreadsheets are available for download at trade.gov/mdcp.

c. Financial systems

Each applicant should include a discussion of financial systems and projections that identify how, when, and from what sources the matching funds will be or have been raised. This discussion should address any of the following items that are relevant:

- (1) Source of funds as documented in the applicant's financial statements or annual budget if the financial statements do not allow a sufficient level of specificity;
- (2) Proof of past performance generating program income; and
- (3) Letters of commitment from partners and others who have pledged to provide cash donations or in-kind resources.

d. Other financial assistance awards

Each applicant sums the grants and similar financial assistance awards that it has received over the last three (3) years. Only awards of \$100,000 or more need to be considered when summing the amounts. If the total of such awards exceeds \$300,000, the applicant must provide a summary of each award in excess of \$100,000. The summary should include the following information about the award-making entity and its official charged with monitoring performance on the award: entity name, award identifier/reference number, contact name, and current email. Awards of less than \$100,000 should neither be included in the sum of awards nor in the summary of awards.

e. Financial statements

Each applicant must include in its application its most recent audited financial statements, even if the applicant has recently submitted them as part of an eligibility determination request. If the applicant is a sub-unit of an audited entity, in addition to the financial statements of the audited entity, the applicant should provide financial statements at the most specific level available, whether or not these are audited. If the applicant's most recent financial statements are not audited, it should submit the most recent un-audited financial statements and a statement indicating whether it currently has an auditor and when it plans to issue audited financial statements. At a minimum, the financial statements an applicant should provide include:

- i. Statement of income or revenue,
- ii. Balance sheet, and
- iii. Auditor notes.

f. Evidence committing cash or in-kind support

If a significant source of cash or in-kind support is coming from any entity other than the

applicant, then the applicant must provide evidence that such support will be forthcoming if the applicant wins an MDCP award. Examples of evidence of such support include a letter from an official in a position to pledge support, line items in official budget documents, and public laws.

g. Any additional evidence of financial responsibility

If none of the methods described above are sufficient to demonstrate its financial responsibility, an applicant may choose to provide other suitable proof of same.

h. Project comparison table

Only applicants that are current or past cooperators are required to provide a table comparing the proposed project to current or past projects. See V.A.4.a.ii. current or past MDCP projects, below.

i. Letters of commitment from partner organizations

If an applicant's proposed MDCP project will rely upon input or support from a partner organization other than ITA, the applicant should provide a letter of support from each partner confirming the amount of support that it will provide.

j. Letters of support from public officials

Letters of support from public officials are welcome but are not required or expected. However, an applicant should submit a support letter from any public official who has pledged financial or in-kind support for the proposed project. See IV.B.3.f. credentials, above. An applicant that chooses to submit a letter of support should secure it soon enough to include it in the application as an attachment. This will ensure that the merit review panel and other reviewers see the letter. It also reduces administrative burden because ITA does not respond to letters included as attachments in MDCP applications.

In order to include a letter of support in its application, an applicant should request that the author of a letter of support send it to the applicant. It is the responsibility of the applicant to include a copy of the letter in its application.

ITA officials, including all employees of Industry & Analysis (I&A) and Global Markets (GM) and its Commercial Service, a unit within GM, are instructed not to provide letters of support for MDCP applications.

ITA officials have the opportunity to comment on applications as part of the review and selection process as set forth in V.B. Review and Selection Process.

k. Other documentation

An applicant may include anything else it feels is relevant for ITA reviewers to consider. There may be documents relevant to an application that are not specified under IV.B.1. Content and Form of Applications above. An applicant may include any such documentation within the budget part. Any documentation provided should support or explain the other portions of the application and should be labeled to identify its relevance to the application. Other documentation provided under this part will be considered to constitute part of the application. As such it will undergo the same type of review as the rest of the application.

C. Unique Entity Identifier and System for Award Management (SAM)

Pursuant to 2 C.F.R. part 25, applicants and recipients are required to: (i) be registered in SAM before submitting its application; (ii) provide a valid unique entity identifier in its 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, unless otherwise excepted from these requirements pursuant to 2 C.F.R. § 25.110. ITA will not make a Federal award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements and, if an applicant has not fully complied with the requirements by the time that ITA is ready to make a Federal award pursuant to this NOFO, may determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another applicant.

D. Submission Dates and Times

Complete applications must be received and validated by grants.gov on or before 5:00 p.m. EDT, May 25, 2021. Validation or rejection of an application by grants.gov may take up to two (2) business days after submission. Applicants that wish to receive validation of submission from grants.gov prior to the May 25 deadline should submit their applications by May 21. Applications received after the May 25 deadline will be rejected/returned to the sender without further consideration. Applicants whose applications have been received by the deadline will be notified via e-mail not later than 10 days after the submission deadline.

E. Intergovernmental Review

There are no intergovernmental review requirements beyond those already noted.

F. Funding Restrictions

1. Non-Construction Project

Neither an MDCP award nor any portion of the matching funds is to be used for construction projects.

2. Pre-Project-Period Activities

There is no obligation on the part of ITA to cover pre-award costs. Except as noted below in VIII.G. Approved Pre-Project-Period Expenditure, if an applicant incurs any costs prior to an award being made, it does so solely at its own risk of not being reimbursed from award funds.

3. Joint Ventures

Entities may submit an application as a joint venture; however, only one eligible organization can be the designated award recipient/cooperator. For example, two trade associations may pool their resources and submit one application, but only one of the two

will be the cooperator. Foreign businesses and private groups also may join with eligible U.S. organizations to submit applications and to share project costs. Applicants should pay special attention to VIII.B.1. Cash Contribution and VIII.B.2. In-Kind Contribution, below, when formulating a partnership or joint venture.

G. Other Submission Requirements

1. Number of Pages

Each of the application parts has a page limit. The maximum number of pages for an entire application is 32 plus the number of pages for all required forms as identified in IV.B.1. Forms, above. These page limits are summarized below.

- a. Forms: limited to the number of required forms, typically nine or 10 pages;
- b. Project: 12 pages; and
- c. Budget: 20 pages.

The page limits are not fungible. Over-limit pages from one part cannot take the place of under-limit pages from another. For example, if an applicant has 15 pages in the budget part, five (5) less than the limit, it is not allowed to submit 17 project part pages, five (5) over the 12-page limit for the project part. Each page counts towards the limit including cover pages. In order to stay within the page limits, applicants may need to omit irrelevant pages from financial statements, label the tops of pages instead of using cover pages, or omit reports and promotional brochures that are not necessary.

2. Retention of Applications

Copies of winning applications are made available to ITA-MDCP teams for use in coordinating project work with the entire MDCP project team. ITA will keep the winning application on file for at least seven (7) years. For each eligible applicant whose application is not selected for MDCP funding, ITA will retain the signed original or its electronic equivalent for at least seven (7) years. Late applications are not accepted. ITA may choose to retain a copy of the cover page, transmittal letter, or electronic equivalent of a late application. In such cases ITA's policy is to keep such documentation for seven (7) years. Otherwise, applications that are late or submitted by ineligible applicants are destroyed if submitted as hardcopy and erased if submitted electronically. In no event will ITA be responsible for proposal preparation costs. Publication of this announcement does not obligate ITA to award funds for any specific project or to obligate any available funds.

3. Method of Submission

In order to expedite the application evaluation process, ITA posts the applications electronically to ITA reviewers and distributes them to each of the merit review panels.

a. Electronic submissions

In order to facilitate the electronic access to applications by reviewers, applicants should submit their applications via [grants.gov](https://www.grants.gov).

b. Hardcopy submissions

If, instead of submitting via grants.gov, the applicant submits hard copy, ITA will scan the unbound original with a pass-through scanner to create an electronic copy that can be easily transmitted to ITA reviewers. Any applicant that chooses hardcopy submission must present a signed, unbound original application in addition to the two copies. It is important that the original be unbound in order to facilitate scanning. It is the responsibility of the applicant to ensure prompt delivery of its application to ITA. Applicants should not rely on first-class mail because this service has no guaranteed delivery time. Even if an applicant chooses an express delivery service, it must use one that represents that it can deliver the application to ITA by the deadline. If the guaranteed delivery time is not fulfilled, the applicant should contact the official listed in VII. Agency Contacts below, as soon as the delivery delay or failure is known. If the applicant can document that the chosen delivery service should have delivered the application on time, ITA will grant a reasonable amount of time to receive the application or allow the applicant to resend it if the previously sent application was lost, destroyed, or mutilated. Otherwise, ITA will reject the application as untimely. Complete applications must be received and validated by grants.gov, or if submitted as hardcopy, received by ITA on or before 5:00 p.m. EDT, May 25, 2021. Applicants should note: Validation or rejection of an application by grants.gov may take up to two (2) business days after submission. Applications received by grants.gov or ITA after the deadline will be rejected/returned to the sender without further consideration. For applicants who choose to send hard copy: (1) use of U.S. priority or express mail or other delivery service must be documented with a receipt, and (2) applicants whose applications are received by the deadline will be notified via e-mail within ten (10) days of the submission deadline.

4. Freedom of Information Act and Public Release of Winning Applications

ITA may make applications publicly available pursuant to the Freedom of Information Act (FOIA). An application might contain information or data that the applicant does not want disclosed prior to award for purposes other than the evaluation of the application. In such case, the applicant should:

- a. Bracket such information and mark each page containing such information or data with the words "Privileged, confidential, commercial, or financial information identified between brackets [] - limited use" at the top of the page; and
- b. Explain why the information should not be disclosed and mark each affected page to assist ITA in making disclosure determinations. Department of Commerce regulations implementing FOIA, 5 U.S.C 552, are found at 15 C.F.R. Part 4, which sets forth rules for the Department and its bureaus, including ITA, to make requested materials, information, and records publicly available under FOIA. The contents of funded applications may be subject to requests for release under FOIA. Based on the information provided by the applicant, the confidentiality of the content of funded applications will be maintained to the maximum extent permitted by law. There are FOIA exemptions, but the fact that an

exemption is claimed does not mean that it will be granted. If ITA does not agree with the justification, it informs the applicant or MDCP award winner that offered the justification. ITA may then take appropriate action, including release of the information if requested. By bracketing such information in its application, an applicant can, if it is selected to receive an MDCP award, easily redact bracketed information to create a public version of its application that will be posted on trade.gov/mdcp. ITA's policy is to post only applications that are funded. Applicants should apply online at grants.gov. If unable to apply electronically, hard-copy submissions will be accepted.

Applicants should submit electronically via grants.gov or in hard-copy, not both. Hard-copy submissions must be addressed to: Ms. Jessica Dulkadir, U.S. Department of Commerce, 1401 Constitution Ave., N.W., HCHB 2872, Washington, DC 20230.

V. Application Review Information

A. Evaluation Criteria

The magnitude of a score that ITA assigns to an application is based on the degree to which proposed project activity addresses and/or has a positive effect on the criteria below.

1. Potential to Engage U.S. Firms in Generating Exports that Create or Sustain U.S. Jobs (20 points)

Each applicant must demonstrate how, as a result of project activity, executives of export-capable U.S. economic entities will commit to actions that result in exports that create or sustain U.S. jobs. These U.S. economic entities include companies, partnerships, sole proprietorships, etc. These are referred to collectively as “firms.” Of primary and particular interest are firms that are SMEs.

As a general matter, an applicant must demonstrate that firms that appear to be well-positioned to generate exports resulting from project activity support the proposed MDCP project and intend to participate as appropriate.

ITA will not allow any MDCP award recipient to include in a funded project, activity that appears to result in exports that do not create or sustain U.S. jobs. In this regard, applicants should keep in mind the following:

a. Exports that create or sustain U.S. jobs are sales by U.S. firms to non-U.S. customers where, as a consequence, there is ongoing or increased paid employment of U.S. entities engaged in producing the good sold or providing the service sold. ITA can infer the jobs created or sustained directly and indirectly from the exports generated by the project.

Applicants are not required to estimate jobs created or sustained.

b. Exports that do not create or sustain U.S. jobs are usually characterized by one-time transfers of technology or know-how in exchange for a fee. While such transactions may be considered to be exports, they do not generally result in the creation of new U.S. jobs or the sustaining of existing U.S. jobs to any significant degree, if at all. ITA does not fund projects

that include activities likely to result in such non-job-sustaining exports. Applications that propose such activities receive a score of 0 for criterion 1.

2. Export estimate (5 points)

Each applicant must estimate the dollar value of exports that its project is likely to generate during the proposed project period and during the four years following the proposed project period. While no applicant that becomes an award winner is required to report to ITA MDCP-project-generated exports after the end of the project period, estimating such exports as part of the application process helps ITA to consider to what degree the applicant is designing the project to be sustainable. See criterion 11 below. As described below, ITA considers both the estimate methodology and significance.

3. Export Estimate Methodology (5 points)

To be considered credible, estimates should normally be based either on prior experience or extrapolation from reliable, objective data. Failure to provide a methodology results in a score of 0.

4. Export estimate significance (5 points)

In addition to the total value of exports projected, as measures of significance, ITA will consider the projected export value in the context of credibility as described in criterion 3 above and as compared to the amount of the MDCP award requested. ITA may also consider other measures of export significance, including, but not limited to, the extent to which the industry to be helped has already engaged in exports and the ITA priorities listed in I.B. Program Priorities, above.

5. Export recording procedures and reporting likelihood (10)

Each applicant must demonstrate that it will have effective export-reporting procedures in place.

a. Trade-barrier-focused projects

For many applicants with projects focused on addressing standards or other trade barrier issues, export reporting is derived from reliable trade statistics. For such projects an applicant must identify the source of the statistics, justify the pre-project baseline it proposes to use for comparison, and explain why its proposed export reporting procedures are the most accurate and practical way to estimate the export impact of the project.

b. Exports reported by individual firms

In most situations, exports by individual companies generated by project activity constitute the most compelling evidence of project success. When reporting by this method, an applicant must do the following.

i. Describe in detail how it intends to ensure that U.S. firms report exports. ITA will consider the extent to which an applicant demonstrates that it has previous or ongoing experience getting firms to report information or to respond to surveys.

ii. Include a draft success agreement as described in IV.B.2.i. success agreement, above.

6. Prospects for partnership with ITA (15 points)

To earn the highest score possible, an applicant should identify in its application, individual ITA officials with whom it has worked in the past and with whom it has discussed the MDCP proposal. This normally includes from ITA's I&A unit relevant industry specialists, and from ITA's GM unit the applicant's local CS domestic field office, country desk officers, and CS staff based in target markets. The applicant should also outline how it intends to leverage not just the MDCP award funds, but also ITA's network of trade professionals worldwide as part of a unified project team.

7. Compatibility with ITA Priorities (5 points)

It should be evident in the application how the proposed MDCP project furthers or is compatible with ITA priorities. These are stated under I.B. Program Priorities above.

8. Creativity (12 points)

The applicant must demonstrate creativity, innovation, and realism in the work plan.

a. Demonstrating creativity

Creativity may be demonstrated by proposing new ideas not previously developed or by promoting a particular industry in a market. Creativity may also be demonstrated in ways that are less straight-forward. For example, it may be that the U.S. exporters targeted for help have never before engaged in the types of activities included in the proposed project. Or, it may be that the manner in which techniques are customized to meet the specific needs of certain U.S. exporters is novel.

b. Current or past MDCP projects

For demonstrating creativity, there are special requirements for an applicant that has previously received an MDCP award. A current or past cooperator must submit a table comparing its current or past MDCP project(s) to its proposed project. As noted above in I. Funding Opportunity Description, MDCP awards are designed to help underwrite the startup costs of new projects. Accordingly, a current or past cooperator can earn the maximum number of points under this criterion only if it proposes a project that is entirely new. In determining the number of points under this criterion, ITA considers the level to which an applicant has incorporated elements of its previously-funded MDCP projects. To assist in this analysis, a current or past cooperator must submit a table wherein it estimates the amount of resources devoted to each major project element for each project. See VIII.C. Table Comparing Application to Current or Past MDCP Projects. A current or past cooperator that proposes a project that is not entirely new will receive substantially fewer points under this criterion than it would receive otherwise.

9. Institutional capacity (10 points)

ITA measures institutional capacity by what each applicant submits.

a. Each applicant must summarize the qualifications and experience of its own personnel whose work contributes significantly to the project as well as those of any of its in-kind contributing partner organizations.

b. Evaluation of match generally includes the following: amount of cash match available at

the beginning of the project period, likelihood of in-kind match being provided over the course of the project period, and likelihood of program income being generated during the project period.

c. One indicator of institutional capacity is the extent to which the applicant abides by the MDCP application parameters stated in this notice. For example, for an applicant to score as high as possible with regard to institutional capacity, it must comply with the page limitations and submit an application that is easily legible.

d. An applicant that is a current or past cooperator should not assume that success with a prior MDCP project will be considered automatically by the merit review panel when reviewing its application.

10. Budget (5 points)

ITA evaluates a budget based on the inclusion of good financial statements and the extent to which the cost of individual project activities is set forth logically depending on the type of expense. For example, travel expenses must be based on the number of travelers, specific destinations, number of days, per diem, etc. A reviewer should be able to follow the detail on such explanations to the required form 424A. Explained costs should appear to be reasonable when compared to the proposed work plan.

11. Sustainability (8 points)

Each applicant must show how the proposed project will self-sustain after the end of the project period. ITA does not assume that completed or ongoing projects undertaken by current or past cooperators are self-sustaining. As noted in V.A.4.b. institutional capacity, above, ITA assesses each application based on its contents as submitted.

ITA sums the points assigned for each of the 11 criteria. The total possible score is 100.

B. Review and Selection Process

The applicant is responsible for submitting a complete application by the application deadline. Prior to selection, each complete application receives a thorough evaluation as set forth below.

1. Eligibility Determination

No applicant may receive an MDCP award until it has first been found to be eligible as defined under III.C.2. Determination of Eligibility, above. Staff of the Office of Industry Engagement (OIE) in I&A reviews all applications to ensure that each applicant has received a determination that it is eligible to receive an MDCP award. Each applicant should ensure that it has an eligibility determination from ITA before submitting its application.

Nevertheless, ITA accepts applications from entities that have not yet requested an eligibility determination. An applicant may request an eligibility determination after submitting its application, but not later than 10 days after the application deadline. Eligibility determination requests should be submitted separately from the MDCP application. See III.C.2.

Determination of Eligibility, above, for more information. Eleven (11) days or more after the

application deadline has passed, ITA will decide which applications are from eligible entities and which are not. If ITA lacks sufficient evidence for making an eligibility determination it reserves the right to determine that an entity is not eligible.

2. Program Area Review

Relevant program areas, within I&A and GM, have the opportunity to review the submitted applications. These reviewers provide comments based on the evaluation criteria identified above. This allows experts in the industry sector or geographical region to assess applicant claims. These reviewers provide insights into both the potential benefits and the possible difficulties associated with the applications. However, the merit review panel is free to consider or disregard the comments as it sees fit.

3. OIE Review

One or more of OIE staff reviews and comments on applications using the evaluation criteria identified above. Other ITA staff may also participate in this OIE review. OIE prepares for the merit review panel a review packet including the applications and reviewer comments. The OIE staff and program area comments afford the merit review panel the insights and breadth of experience of ITA professionals; however, the merit review panel is free to consider or disregard these comments as it sees fit. As part of its review, OIE may need to contact an applicant to verify technical details such as budget information or to resolve discrepancies between information formatted through grants.gov utilities and information included in attachments that were not formatted through grants.gov utilities. Being contacted by OIE for such verification should not be construed to suggest that an application will be selected for funding, regardless of when the OIE verification comes during the review and selection process. OIE does not handle award notices. For more information on award notices, see section VI.A. Award Notices below.

4. Merit Review Panel Composition

The MDCP Director forwards all eligible applications, along with all related materials, to the merit review panel of at least three senior ITA managers. This panel is chaired by the OIE Director. The panel includes one other I&A member and at least one GM member. At their discretion, the selecting official may ask GM to designate two panel members, instead of one. If GM designates two panel members upon request, one must be from the ranks of GM's CS unit, and one from outside CS. Panel members are office director level or higher.

5. Merit Review Panel Scoring

The MDCP Director gives the merit review panel comments generated from the program area review and the OIE review. Each merit review panel member reviews each eligible application and assigns a score for each of the eleven (11) criteria in V.A. Evaluation Criteria, above. ITA maintains the scores of each panel member for each application reviewed in its files for at least seven (7) years. ITA averages the individual criteria scores to determine the total score for each application. The panel assigns evaluation criteria scores which determine which applications are recommended for funding.

6. Ranked Recommendations

The merit review panel ranks applications based on the panelists' scores. The panel forwards top-ranked applications, those with the highest total scores, to the Assistant Secretary for Industry & Analysis and recommends which organizations submitting the top-ranked applications should receive funding. The number of top-ranked applications will be large enough that the amount of funds requested will exceed the pool of funds available; therefore, funding will not be available for all of the top-ranked applications. The minimum number of top-ranked applications to be forwarded is 10.

The merit review panel's recommendations will not deviate from the rank order. This means, for example, that the panel cannot recommend funding for the application ranked seventh without recommending funding for applications ranked first through sixth. The merit review panel recommendations include the panel's written assessment of the strengths and weaknesses of the top-ranked applications.

C. Selection Factors

From the top-ranked applications forwarded by the merit review panel, the Assistant Secretary for Industry & Analysis selects those applications that will receive funding. In addition to the criteria in V.A. Evaluation Criteria above, the Assistant Secretary for Industry & Analysis may consider the selection factors listed below:

1. Merit review panel's written assessments;
2. Degree to which applications satisfy the ITA priorities established under I.B. Program Priorities above;
3. Geographic distribution of the proposed awards;
4. Diversity of industry sectors and international markets covered by the proposed awards;
5. Diversity of project activities represented by the proposed awards;
6. Avoidance of redundancy and conflicts with the initiatives of other federal agencies;
7. Availability of funds; and
8. Past performance.

D. Anticipated Announcement and Award Dates

Applications are reviewed simultaneously. ITA anticipates announcing the awards as early as mid-August to as late as mid-September 2021.

VI. Award Administration Information

A. Award Notices

Award winners will be notified via electronic mail. This e-mail notification will come from a Department of Commerce grants officer, not from ITA. The notification includes

login information to access Grants Online, a web-based financial assistance management system used by the Department. The award winner will use Grants Online to officially accept the award. Award winners are expected to participate in MDCP orientation in Washington, DC on October 6, 2021. Not later than 10 days after all of the award winners have formally accepted their awards, ITA will notify unsuccessful applicants via e-mail and invite them to receive an MDCP debriefing.

A universal identifier is used to enhance the quality of information available to the public as required by the Federal Funding Accountability and Transparency Act of 2006. Any award made in response to this announcement will be required to use the Central Contractor Registration and Dun and Bradstreet Universal Numbering System, unless exempt under 2 C.F.R. § 25.110 and be subject to reporting requirements, as identified in OMB guidance published at: <https://www.govinfo.gov/app/details/CFR-2012-title2-vol1/CFR-2012-title2-vol1-sec25-11>.

B. Administrative and National Policy Requirements

1. Department of Commerce Financial Assistance Standard Terms and Conditions

Successful applicants who accept an MDCP award from ITA under this solicitation will be bound by the Department of Commerce Financial Assistance Standard Terms and Conditions. These terms and conditions will be provided in the award package in NOAA's Grants Online system and at https://www.commerce.gov/sites/default/files/2020-11/DOC%20Standard%20Terms%20and%20Conditions%20-%202012%20November%202020%20PDF_0.pdf.

2. Notification Requirements

The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements contained in the Federal Register notice of December 30, 2014 (79 FR 78390) are applicable to this solicitation and may be accessed online <http://www.gpo.gov/fdsys/pkg/FR-2014-12-30/pdf/2014-30297.pdf>.

3. Limitation of Liability

Funding for programs listed in this notice is contingent upon the availability of appropriations. Applicants are hereby given notice that funds may not have been appropriated yet for the programs listed in this notice. The Department of Commerce's National Oceanic and Atmospheric Administration (NOAA) provides financial assistance management support for ITA's MDCP awards. In no event will ITA, NOAA, or any other unit of the Department of Commerce be responsible for proposal preparation costs. Publication of this announcement does not oblige ITA or NOAA to make an award to fund any specific project or to obligate any available funds.

4. Certifications Regarding Federal Felony and Federal Criminal Tax Convictions, Unpaid Federal Tax Assessments and Delinquent Federal Tax Returns

In accordance with Federal appropriations law, an authorized representative of the selected

applicant(s) may be required to provide certain pre-award certifications regarding federal felony and federal criminal tax convictions, unpaid federal tax assessments, and delinquent federal tax returns.

5. Review of Risk

After applications are proposed for funding by the selecting official, the grants office will perform administrative reviews, including an assessment of risk posed by the applicant under 2 C.F.R. 200.206. These may include assessments of the financial stability of an applicant and the quality of the applicant's management systems, history of performance, and the applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on non-federal entities. Special conditions that address any risks determined to exist may be applied. Applicants may submit comments to the Federal Awardee Performance and Integrity Information System (FAPIIS) about any information included in the system about their organization for consideration by the awarding agency.

6. Uniform Administrative Requirements, Cost Principles, and Audit Requirements Through 2 C.F.R. § 1327.101, the Department of Commerce adopted Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 C.F.R. Part 200, which apply to awards in this program. Refer to <http://go.usa.gov/SBYh> and <http://go.usa.gov/SBg4>.

C. Reporting

1. Quarterly Performance Report

Throughout the project period, each cooperator reports its performance quarterly for periods not to exceed three (3) months of activity ending on March 31, June 30, September 30, and December 31. These quarterly performance reports are due 30 days after the last day of the quarter. Much of the content of the report is discussed above in IV.B.2.d. performance measurement. A copy of the template used for filing the report online is available at trade.gov/mdcp, cooperator resources, cooperator basics, quarterly performance reports.

2. Quarterly Financial Status Report

Following the same time periods and deadlines as those set forth above for performance reports, each cooperator files a quarterly Federal Financial Report, SF 425, electronically in the Grants Online system.

3. Financial Reporting for Sub-Awards Over \$25,000

VI.C. Reporting: The Federal Funding Accountability and Transparency Act, 31 U.S.C. 6101 note, includes a requirement for awardees of applicable federal grants to report information about first-tier subawards and executive compensation under federal assistance awards. All awardees of applicable grants and cooperative agreements are required to report to the Federal Sub-award Reporting System (FSRS) available at <https://www.fsrs.gov/> on all sub-awards over \$30,000. Refer to 2 CFR Parts 170.

VII. Agency Contacts

The agency contact is Mr. Brad Hess, Director, Market Development Cooperator Program, Office of Industry Engagement, Industry & Analysis, ITA, U.S. Department of Commerce, 1401 Constitution Avenue, N.W., HCHB 2872, Washington, D.C. 20230. The email and telephone contacts are as follow: Brad.Hess@trade.gov and 202-482-2969.

VIII. Other Information

A. Pre-Application Counseling

Applicants with questions should contact ITA as soon as possible, while continuing to prepare their applications. ITA will respond to the questions of potential applicants and review application ideas to ensure that they meet program criteria. ITA will not extend the deadline for submitting applications.

B. Supplemental Explanation of Cost Share and Match

As explained above in III.B. Cost Share or Matching Requirement, a cooperator must contribute at least \$2 for each federal dollar received.

1. Cash Contribution

Cash contribution is a new outlay of cooperator funds for project activity. The term describes only the amount of a cooperator's own funds that it spends as match. By definition, MDCP award funds or any other federal funds are never part of cash contribution or any other portion of the match. Any expenditure for project activity by an organization other than the cooperator is in-kind contribution, not cash contribution. The cooperator can only use its own funds, not the funds of a partner or of any other entity, as cash contribution. In-kind contribution is not part of cash contribution.

a. One dollar of match must be cash

One dollar of a cooperator's minimum \$2 match must be cash contribution. The other dollar of minimum match may be either in-kind contribution or cash.

b. Program income

Program income, including project fees generated under the award, must be used for project-related purposes during the project period. An applicant should explain any such fees and include projected income in its budget.

(1) Project benefits and reasonable fees

Benefits from the project must be made available to all companies in the industry whether or not a company is a member or constituent of the cooperator or its partner(s). In some situations, a cooperator may charge lower fees to one class of companies than to another. For example, a trade association could charge a lower participation fee to a member company than it does to a nonmember. This is permitted as long as the difference in fees is reasonable.

(2) Program income claim as cash match only if value added

Program income expended on project activity may be counted as cash match if it represents value added by the cooperator for project activity. For example, a cooperator could claim as program income, fees paid to it by the prospective exporter for participation in a technical seminar if these fees are paid in recognition of the value added by the cooperator's project. In this example, the value could be evident in the technical seminar participation package that the cooperator creates. This might include organizing pre-seminar training, finding optimal hotel accommodations, securing group airfare, meeting with seminar organizers beforehand, and organizing a reception. Such a cooperator package helps determine project success. When companies seeking to export pay to the cooperator fees for such a package, they are doing more than getting themselves to a technical seminar; they are agreeing that the project itself has value. Because the cooperator's package adds value and furthers project goals, the cooperator could charge fees, use the fees to pay for the project package, and claim the fees paid as cash match.

Payment by a prospective exporter to a cooperator may only be claimed as program income and cash match if the payment is for a project participation package created by or facilitated by the cooperator. If it is a prospective exporter that makes the arrangements, then the cooperator has not added value that the exporter is paying for and the cooperator cannot claim any program income. This can be illustrated in the example of a prospective exporter that attends a technical seminar as part of a cooperator's project. If the prospective exporter negotiates amounts for its own arrangements with vendors, pays the total amount to the cooperator, then has the cooperator pay the amount to the vendors, the cooperator has not added value that the exporter is paying for. Except for the final payment to vendors, it is the prospective exporter, not the cooperator that has made all of the arrangements. The prospective exporter's payment to the cooperator is not in recognition of any value that the cooperator had added with its project. Accordingly, the cooperator could not claim it as program income. When structuring participation packages designed to elicit program income an applicant may include expenses that a prospective exporter might otherwise arrange and pay by itself. Common examples include hotel accommodations and exhibition hall booth rental. By grouping such expenses together, negotiating more favorable group rates, and adding additional activities that a prospective exporter is unlikely to arrange on its own, the cooperator adds value. The prospective exporter's payment to the cooperator for the full amount of the participation package recognizes this value. Accordingly, it is program income to be counted as cash match.

(3) Third party contributions

In order for a cooperator to outlay cash contributed by a third party, the third party must transfer the funds to the cooperator. Otherwise, expenditures for goods and services contributed by a third party are considered to be in-kind contributions.

2. In-Kind Contribution

An in-kind contribution is a match other than a cash contribution. Examples include the value of staff time of a partner organization, airfare donated by a U.S. airline, and cash paid by partner organizations for project expenses. With regard to in-kind contribution that is donated to a cooperator by another organization, only the fair market value of donated property or services may be claimed. In a proposed budget, an applicant should list all in-kind contributions separately from cash contributions. An applicant must describe these in-kind contributions in sufficient detail to determine that the requirements of 15 C.F.R. Part 14.23(a) or 15 C.F.R. Part 24.24 (a) and (b) are met.

a. Primary benefit accrues to project, not in-kind contributor

An applicant should structure its budget carefully when expenditures by companies that benefit from project activity are involved. An expenditure by such a company that primarily benefits only that company cannot be claimed as in-kind match.

For example, a company may have made and paid for its own arrangements to attend an industry exhibition that a cooperator has included in its project. The cooperator could not claim the amount paid by the company as in-kind match. The company incurs airfare and other expenses for its own benefit, but not necessarily to accomplish project objectives. Such expenditures are more self-serving than are true in-kind contributions to project success. Compare this proposed in-kind contribution with VIII.B.1.b.(2) program income claim as cash match only if value added, above. This policy should not deter applicants from proposing in-kind match. For example, a cooperator can claim the value of airfare donated by a U.S. airline. Although the airline benefits from goodwill associated with donating the service, it is the cooperator's project that benefits directly when the airfare is used to achieve project objectives. Unlike the company in the example in the previous paragraph above, the airline does not use the donated airfare itself and thereby benefit directly from it. (Because of the Fly America Act airfare donated by non-U.S.-flag air carriers cannot be claimed as a match.)

b. ITA-MDCP team use of complementary services as in-kind match As explained in VIII.B.7. Complementary Services, there are situations when a cooperator that is offered services free of charge may pass on such complementary services to ITAMDCP team members to use to further project goals. In such cases, the value of such complementary services should be counted as in-kind match.

3. Minimum Match

An example illustrates the minimum match. An applicant requesting \$100,000 of federal funds must supply, at a minimum, \$100,000 of cash contribution. The remaining \$100,000 of the required match can be made up of additional cash and/or in-kind contribution.

4. Cost Share Ratio or Reimbursement Percentage

ITA will use the MDCP award funds to reimburse the cooperator for no more than one third of claimed project budget expenditures. Therefore, at a minimum, the cooperator assumes two thirds of the total cost. The example in VIII.B.3. Minimum Match, above, establishes a

cost-share ratio of two-to-one: two cooperator dollars for each federal dollar. In other words, about 67 percent of the funding is provided by the cooperator and 33 percent by the federal government. In this case the reimbursement percentage would be 33 percent. This means that the cooperator will receive one \$1 for every \$3 in project expenditures.

5. Additional Match

Cooperators may contribute more than \$2 for each federal dollar received; however, doing so will lower below 33 percent the share of project costs reimbursable by MDCP award funds. For example, a cooperator with a federal share of \$100,000 that contributes \$100,000 cash and \$200,000 in-kind has a total match of \$300,000. This is \$100,000 more than the \$200,000 minimum. Including this additional match in its budgets decreases the reimbursement percentage from 33 percent to 25 percent. In other words, 75 percent of the funding (\$300,000) is provided by the recipient and 25 percent (\$100,000) by the federal government. This means that in order to receive \$1 of federal reimbursement, the cooperator must expend \$4. ITA will use the MDCP award funds to reimburse the cooperator for no more than 25 percent of claimed project budget expenditures.

6. Documentation of Match

An applicant must demonstrate how it will meet match requirements -- also known as cost-sharing commitments -- if an award is made. Below are two examples of providing such documentation; there may be many other ways to accomplish this. First, if matching funds are to come from cash on hand, the applicant should explain, in reference to its financial statements and/or annual budget, where such funds will come from. Second, if matching funds are to come from a state or local government appropriation, the applicant should provide an authoritative statement from the government that the amount of matching funds are or will be available.

7. Complementary Services

Cooperators tend to be organizations that are generally effective at fulfilling the MDCP objective to reach SMEs. Cooperators are known as export multipliers because there is a high likelihood that a cooperator can enlist the participation of numerous SMEs in project activities. These activities may include trade shows, technical seminars, and other events. Many different types of service vendors such as hoteliers, airlines, and venue providers support or make possible such activities. In the realm of international trade development, it is common for such vendors to provide export multipliers some services free of charge. These may be known as complementary hotel room nights or simply "comp hotel rooms."

Collectively we refer to the entire category of no-charge services and benefits as "complementary services" or simply "comp services." Offering complementary services is a common business practice. The volume of customers export multipliers bring to service vendors by scheduling an event -- e.g. visitors to a trade show who need hotel rooms -- make it worthwhile for service vendors to offer comp services. These can be used rather than discounts. For example, an export multiplier may get one comp hotel room for every nine

hotel-staying guests recruited. Vendors may also offer complementary services because of the prospect of future business -- e.g. travelers who will come to a tourism venue that a travel journalist or travel agent has visited for free. (Tourism-related complementary services packaged to be provided to a travel professional are known specifically as “familiarization tours” or “fam tours.”)

The normal procedure for federal officials who are members of the ITA-MDCP team supporting the cooperator's project is to pay their own expenses of traveling, venue admission fees, lodging, etc. to support project events in person. See VIII.D.4.

Team Participation in Project Activities. Each year ITA sets aside its own “administrative funds” to cover appropriate team support of MDCP project activities.

Notwithstanding ITA’s normal procedure, because of the common industry practice to offer complementary services like hotel room nights and fam tours described above, each cooperator may consider including a provision for complementary services in its MDCP project budget. This provision would allow ITA-MDCP team members to accept complementary services offered to the cooperator that relate directly to MDCP project activity. In this regard, federal officials serving as part of the ITA-MDCP team supporting a cooperator's MDCP project may accept complementary services if the costs are reasonable, necessary, and allocable (2 C.F.R. §200.403 (a)), the following conditions are met, and the grants officer approves the requested use.

a. Including complementary service in the project budget as match

The value of the complementary service is claimed as part of the cooperator's match (nonfederal share), and the fair value amount claimed as match includes only the value of the benefit -- e.g. comp hotel room, fam tour, or airline seat -- and not the value of the time of federal staff traveling to support the event.

b. The cooperator includes in its budget:

(1) A description of the specific project activity associated with the complementary services;

(2) The purpose of the ITA-MDCP team member’s participation showing a nexus to the MDCP project purposes;

(3) The method of payment, cash or in-kind; and

(4) The amount to approve as a non-federal cost (match) in the award budget. If a cooperator fails to include provisions for complimentary services in its initial budget and post-award wishes to allow an ITA-MDCP team member to use complementary services offered to it, the cooperator is required to:

(1) Fulfill requirements 7.a. and 7.b. above; and

(2) Explain if the dollar value of the complementary services will be reallocated from the approved MDCP project budget.

i. If yes, the cooperator must provide a brief description of how the funds will be reallocated; and

ii. Describe the impact resulting from any such allocation.

C. Table Comparing Application and Current or Past MDCP Projects

An applicant that has received one or more MDCP awards in the past must include a table in its application. In this table the applicant provides a column for each MDCP project, the one(s) previously funded as well as the one that is subject of its application. It breaks out each project by significant elements. These should not exceed six (6) per project. The applicant lists these in the appropriate column along with a very approximate dollar value for each element. The per-element dollar values must sum to the total project budget; however, as they are rough approximations only, they do not need to reconcile to the detailed project budget. The table is attached to the budget narrative but is not considered to be part of the budget for the new proposed project. The purpose of the table is to determine the similarity of the current proposed project and past projects.

D. Working as a Team with ITA

As noted below, ITA will have substantial involvement with the cooperator. This involvement results primarily from the activities of the project team. 1. Project Team To administer each cooperative agreement, ITA establishes a project team including key personnel from the cooperator, key partners, and ITA officials who can help the cooperator achieve MDCP project objectives. If needed, officials from other federal agencies may be invited to participate in the project team. Each project team acts as the project's "board of directors," establishing direction, recommending changes when necessary, and working on project activities. The federal officials who are part of the project team are referred to as the ITA-MDCP team.

2. Fiscal Year Operating

Plan Each year during the project period, the project team formulates an operating plan based on the work plan submitted in the application. The plan identifies events, projected dates, team responsibilities, and a rough cost estimate for each event and ongoing activity scheduled during the fiscal year (October 1 through September 30). An applicant does not submit a fiscal year operating plan in its application. An operating plan is developed only after receipt of an award and designation of the ITA-MDCP team.

3. Regular Team Meetings

Project teams should meet via telephone or video conference every four (4) to six (6) weeks. In-person meetings are encouraged as often as is practicable, including a meeting every year or two at the cooperator's business premises.

4. Team Participation in Project Activities

Project team members, including the ITA-MDCP team leader and other members of the ITA-MDCP team, participate as appropriate in project activities. For example, in the past, ITA-MDCP team members have recruited participants for technical seminars, delivered presentations at seminars, and attended meetings where international standards are discussed. As noted above in VIII.D.2. Fiscal Year Operating Plan, ITA-MDCP team members

normally draw on separate government-administered funds to pay the costs associated with their participation. As explained in VIII.B.7. Complementary Services, above, there are often situations when ITA-MDCP team members may accept complementary services passed on from the cooperator.

5. Fees for Some Government Services

GM participates on each ITA-MDCP team. Applicants should understand that GM -- particularly CS -- is required to charge fees to cover costs for many of the services it provides. The policy set forth below applies to GM resources that are provided as part of MDCP cooperative agreements.

GM will provide, as part of the cooperative agreements, a limited amount of reasonable assistance to MDCP cooperators at no charge. Such assistance does not extend to a cooperator's constituent member companies or to any other for-profit enterprises. These will pay the GM normal user-fees as applicable.

For assistance that goes beyond the "limited amount of reasonable assistance" as defined below, an applicant should make provision in its budget. To determine fees for services provided by GM, an applicant should contact the relevant CS domestic field office(s) and CS international field offices. These may be identified by choosing "International Offices" at export.gov. There may be situations that prevent GM from providing no-charge services to cooperators. Perhaps the most common example is another event to which the CS international field office has already committed its resources.

The definitions below will guide the domestic or overseas CS offices in implementing this policy.

a. CS international field offices

(1) Limited amount of reasonable assistance

No-charge assistance will not exceed two days' CS effort per cooperator, per country, per fiscal year. Depending on the availability of resources at the time that it is needed, the assistance could include briefings on market conditions, temporary use of CS office space, help in making appointments and hotel reservations, and organization of seminars and conferences. Direct costs and specially-prepared market research are not included in the cost-free assistance.

(2) No-charge

No-charge means that no fees are collected. The term applies only to indirect costs such as time expended by GM employees. Cooperators should always expect to pay direct costs, such as hiring an interpreter or transportation.

b. CS domestic field offices

CS domestic field offices can generally implement the policy as a no-charge extension of normal client support. Such offices generally provide these services as part of long-term relationships developed in local exporting communities throughout the United States.

E. Anticipated Start Dates

The project period begins October 1, 2021. An applicant that begins award activity prior to the official award date assumes the risk of pre-award activities not receiving funding. ITA is not required to pay unauthorized pre-award costs. See VIII.G. Approved Pre-Award-Period Expenditure, below, for more details on pre-award costs.

F. Existing Projects

ITA is soliciting only new applications for new projects. ITA does not renew or supplement existing MDCP awards. See V.A.4.b. Creativity and Capacity, above.

G. Approved Pre-Project-Period Expenditure

As a general matter, a cooperator can request reimbursement only for project costs incurred during the project period. However, a cooperator may expend project funds to attend the cooperator orientation on September 29 and 30, 2021, even though it precedes the beginning of the project period.

H. Definitions Regarding Nonagricultural Goods and Services Produced in the United States
Definitions in this part shall guide MDCP applicants, U.S. exporters wishing to participate in MDCP project activity, ITA, and any other relevant entities in determining what constitutes exporters of "nonagricultural goods and services produced in the United States" to be included in MDCP project activity. The definitions are provided in an order most likely to be helpful in determining "goods and services produced in the United States."

1. Goods

Tangible merchandise or products.

2. Services

Economic activities whose outputs are other than tangible goods.

3. Nonagricultural Goods and Services

The term "nonagricultural goods and services" means goods and services other than agricultural products as defined in 7 U.S.C. § 451. This definition includes "agricultural, horticultural, viticultural, and dairy products, livestock and the products thereof, the products of poultry and bee raising, the edible products of forestry, and any and all products raised or produced on farms and processed manufactured products thereof transported or intended to be transported in interstate and/or foreign commerce."

4. Produce

To produce is to manufacture or create economic goods and services; to create by physical or mental effort a service which has value.

5. Product

The term "product" refers to a U.S. nonagricultural good.

6. Manufacture

To manufacture is to make or process a material into a different product; to make or process a product with industrial machines.

7. United States Exporter

This term, which may appear abbreviated as "U.S. exporter" or simply as "exporter," means

a:

- a. U.S. citizen;
- b. Corporation, partnership or other association created under the laws of the United States or of any state within the United States; or
- c. Foreign corporation, partnership, or other association, more than 95 percent of which is owned by persons described in a. or b. above that exports or seeks to export, goods or services produced in the United States.

8. Goods and Services Produced in the United States

Goods and services produced in the United States must be either: a. Produced or manufactured in the United States (of U.S. origin as defined in VIII.H. Definitions Regarding Nonagricultural Goods and Services Produced in the United States);

or,

- b. If produced or manufactured outside of the United States, marketed under the name of a U.S. firm and have U.S. content representing at least 51 percent of the product or service being exported.

The cooperator must allow any U.S. firm selling goods or services produced in the United States to participate in MDCP project activity if such U.S. firm is a part of an industry that is a focus of such project activity. A cooperator organized to focus specifically on U.S. firms that are members of the cooperator's organization in a particular geographic area in the United States may focus its MDCP project efforts on member firms or firms in the geographic area, however, such cooperator may not exclude a U.S. producer from participating because it is not a member or is not considered to be from the geographic area that is the focus of the cooperator. For any special considerations, the cooperator works with members of its ITA-MDCP team, including GM staff, to determine whether the product or service should be considered as having been "produced in the United States," whether to include a given U.S. firm selling such a product or service in MDCP project activity, and whether the cooperator's outreach efforts are broad enough to recruit sufficient firms to participate in MDCP project activity, whether they be from the cooperator's membership or not, and whether they be from the cooperator's normal geographic focus area or not.

9. United States Origin

In defining goods and services produced in the United States, "United States origin" describes goods or services produced in the United States that are:

- a. Goods that are produced or manufactured in the United States, including technology and software;
- b. Commodities of foreign origin that have been changed in the United States, including changes made in a U.S. Foreign Trade Zone, from the form in which they were imported, or that have been enhanced in value or improved in condition by further processing or manufacturing in the United States; or
- c. Services that are provided:

- (1) From the territory of the United States into the territory of another country;
- (2) In the territory of the United States to a service consumer of another country; or
- (3) By a United States service supplier, through the presence of United States natural persons in another country.

10. Goods and Services That Have at Least 51 Percent U.S. Content But Not of United States Origin

If goods and services cannot be found to be "of United States origin" as defined above under VIII.H.9. United States Origin, they may be found to be goods and services produced in the United States if they have at least 51 percent U.S. content as set forth below in VIII.H.11.

Alternative U.S. Content Policy of 51 Percent.

11. Alternative U.S. Content Policy of 51 Percent

Goods and services can be found to have U.S. content of 51 percent based on the following definitions.

- a. U.S. content for manufactured goods equals the ex-factory price of a good less the aggregate value contributed by non-U.S. sources. Non-U.S. sources are costs or payments to suppliers/providers/employees not resident in the United States.
- b. U.S. content for services equals the contract value of the service whether delivered in the United States or abroad less the aggregated value contributed by non-U.S. sources.
- c. The "ex-factory price of a good" and "contract value of the service" should reflect the actual price paid or payable for the goods or services. Accordingly, no additions to ex-factory price or contract value based on costs or other expenses are appropriate.

12. Self-Certification

Whether an entity seeking to participate in MDCP project activity is eligible should be determined using the required self-certification which appears on every MDCP success agreement. The wording of this self-certification is set forth below. I certify that I am, that my company is, or that I or my company represents: (a) a United States citizen; (b) a corporation, partnership or other association created under the laws of the United States or of any State; or (c) a foreign corporation, partnership, or other association, more than 95 percent of which is owned by persons described in (a) and (b) above; AND I am, my company is, or the entity I or my company represents is, exporting, or seeks to export goods or services produced in the United States, or goods or services that contain at least 51 percent U.S. content. I understand that this certification is a requirement to participate in the MDCP project activity described above and that an intentionally false certification may result in termination of participation in such activity. Information provided to the International Trade Administration (ITA) is intended solely for internal use. ITA will protect business confidential information to the full extent permitted by law and Administration policy. U.S. law prohibits U.S. government employees from disclosing trade secrets.

13. Participation Agreement versus Success Agreement

In its participation agreements GM uses a self-certification regarding goods and services

produced in the United States. This is similar to the self-certification required in an MDCP success agreement; however, for the participation agreement, the purpose of the self certification is to determine the eligibility for receiving fee-based export promotion services. In the MDCP success agreement the purpose is to determine eligibility for participation in MDCP project activity.

14. United States Goods and Services

This term, which may appear abbreviated as "U.S. goods and services," is the same as "goods and services produced in the United States" defined under VIII.H.8. Goods and Services Produced in the United States.

I. Other Definitions

Several definitions are provided below to assist readers in preparing MDCP applications. These definitions are specific to the context of applying for an MDCP award and carrying out the MDCP project work once an award has been made. These definitions are provided below in alphabetical order.

1. Commercial Service (CS)

CS is part of the GM unit of ITA. See Global Markets below for more information.

2. Cooperative Agreement

This legal instrument used for MDCP awards reflects a relationship between ITA and a recipient whenever:

- a. The principal purpose of the relationship is to transfer money, property, services, or anything of value to accomplish a public purpose of support or stimulation authorized by federal statute; and
- b. Substantial involvement (e.g., collaboration, participation, or intervention by ITA in the management of the project) is anticipated between ITA and the recipient during performance of the contemplated activity. Cooperative agreements are subject to the same OMB, Treasury, and other federal laws and policies as grants. See 31 U.S.C. § 6305. See VIII.D. Working as a Team with ITA, above, for additional information about ITA's involvement.

3. Cooperator

A cooperator is an applicant organization that receives an MDCP financial assistance award. A cooperator is a "recipient" of federal financial assistance. Cooperator status is accorded for the term of the MDCP project period.

4. Cooperator Event

This term applies to an activity undertaken as part of an MDCP project. Other examples include, but are not limited to, those listed above in I.A.2. Examples of Project Activity.

5. CS Domestic Field Office

Offices of Global Markets located in the United States are also known as Commercial Service domestic offices or simply CS domestic field offices. They were formerly known as U.S. Export Assistance Centers (USEACs).

6. CS International Field Office

These offices are part of GM's CS with ITA employees based in U.S. embassies, consulates, and other locations abroad. Also included are U.S. State Department posts with which CS partners in certain locations where ITA does not have a presence.

7. Current or Past Cooperator

An organization that currently has or previously had an MDCP financial assistance award is referred to as a current or past cooperator.

8. Direct and Indirect Costs

Generally, direct costs are readily identifiable with a particular project, function, or activity. Examples include salary/benefits of personnel engaged in accomplishing project work, project travel, and payments to contractors for project work. Federal funds may be used only to cover direct costs. The applicant must pay direct costs incurred that equal or exceed the amount of federal funds. In contrast to direct costs, indirect costs (also known as facilities and administration or F&A costs), while necessary to the general operation and activity of an organization, are not readily identifiable with a particular project, function, or activity. These are often referred to as "overhead" and usually include such costs as depreciation, administrative salaries, general telephone expense, and operation and maintenance of buildings and equipment.

9. Fiscal Year (FY)

The fiscal year of the federal government is the twelve-month period from October 1 through September 30.

10. Global Markets (GM)

GM is the unit of ITA with domestic and international offices that promotes exports of goods and services from the United States, particularly by SMEs, and protects U.S. business interests abroad. CS is part of GM. GM professionals participate on ITA-MDCP project teams.

11. Indirect Cost Rate

The indirect cost rate is the ratio, expressed as a percentage, of an organization's total indirect costs (numerator) to its direct cost base (denominator). ITA has an agency approved 10 percent indirect cost rate. The indirect cost rate is limited to the de minimis rate of 10 percent of total direct costs. (The de minimis rate is discussed in 2 C.F.R. §200.414.) Indirect costs constitute part of the cash match. Indirect costs are included in the budget by multiplying the indirect cost rate by the total direct costs of the project.

12. Industry & Analysis (I&A)

I&A is a unit of ITA that focuses on trade and competitiveness of U.S. industries from an industry perspective. I&A's Assistant Secretary makes the final selection of MDCP award winners. ITA-MDCP teams are usually led by I&A professionals. For purposes of Grants Online coding and NOFO publication, Industry & Analysis is also referred to as "INA."

13. Notice of Funding Opportunity (NOFO)

ITA's official publication of an MDCP competition appears in the form of a notice of

funding opportunity (NOFO). The complete NOFO is posted on grants.gov and at trade.gov/mdcp.

14. Office of Industry Engagement (OIE)

OIE is the I&A office that administers MDCP.

15. Orientation

MDCP orientation is scheduled to be held October 6, 2021, after MDCP awards are announced. An applicant should include travel to the orientation in its application budget. The financial assistance award notification that a successful applicant receives from ITA via Grants Online serves as official approval to expend project funds for this purpose, even if the orientation precedes the beginning of the project period. This expenditure is limited to allowable expenses (e.g., air fare, ground transportation, lodging, etc.) associated with attending the orientation.

16. Priority Market

Foreign markets of particular interest to ITA are identified in the priorities listed under I.B.2. Priorities, above.

17. Project

A project is a series of activities proposed in an MDCP application or, after an MDCP award is made, in an amendment request, and approved by the Department, which occurs during the project period.

18. Project Team Leader

A project team leader is an ITA employee who leads the ITA-MDCP team, coordinates MDCP project activity with a cooperator, and serves as the cooperator's primary point of contact with ITA. See VIII.D.1. Project Team above.

19. Recipient

A recipient is a cooperator, the applicant organization that receives an MDCP award.

20. Small- or Medium-size Enterprise (SME)

SMEs are U.S. companies with fewer than 500 employees.

21. Target market

An international market that an applicant identifies in its application as a focus of MDCP project activity is a target market.

22. Team Meetings

A cooperator has regular conference calls and face-to-face meetings with members of its ITA-MDCP team. An ITA-MDCP team leader usually requests and receives sufficient ITA administrative funds to pay for travel to the cooperator's location for project team meetings once a year. A cooperator usually makes provision in its project budgets to travel to Washington, D.C. for at least one or two meetings per project period in order to familiarize itself with all of the resources available, both federal and non-federal. The first team meeting usually happens in conjunction with the MDCP orientation.

23. Third-Party Contributions

A third party's direct expenditure for project activity is counted as in-kind contribution. However, if the third-party contributes funds to the cooperator, the funds are no longer those of the third party. They become the cooperator's funds, which, when expended on project activity constitute cash contribution.

24. Value of Donated Property

This term describes the monetary limit to in-kind contribution of property. Property does not include land, buildings, or any other real estate. Only the value of the property that could reasonably be charged in the marketplace can be claimed. The value of donated property is governed by the relevant cost principles. See 2 C.F.R. § 200.434 contributions and donations, and see § 200.306 cost sharing or matching.

25. Value of Donated Services

This term describes the monetary limit to in-kind contribution of services. Only the value that could reasonably be charged in the marketplace can be claimed. For example, a consultant who donates their time to a cooperator as in-kind contribution cannot attach a monetary value to their contributed time that is greater than the amount they would actually be paid if they were to charge a paying client for the same type of work. The value of donated services is governed by the relevant cost principles found in 2 C.F.R. § 200.434 contributions and donations, and 2 C.F.R. § 200.306 cost sharing or matching. Some terms are best understood in the context of a more detailed discussion. For terms that do not appear above, refer to the NOFO section where the term is discussed.

__Appendix A.

Representation by Corporations Regarding an Unpaid Delinquent Tax Liability or a Felony Conviction Under Any Federal Law

In accordance with current federal appropriations law, none of the appropriated funds made available by relevant appropriations acts may be used to issue a financial assistance award to any corporation that:

- (a) Was convicted of a felony criminal violation under any federal law within the preceding 24 months, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the government; and/or
- (b) Has any unpaid federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the government.

For purposes of the below certification, a corporation is defined as an entity that has filed articles of incorporation in one of the fifty states, the District of Columbia, or the various territories of the United States including American Samoa, Federated States of Micronesia,

Guam, Midway Islands, Northern Mariana Islands, Puerto Rico, Republic of Palau, Republic of the Marshall Islands, and the U.S. Virgin Islands. (Note that this includes both for-profit and non-profit organizations.)

The below certification is required for all new financial assistance awards, and for all amendments to existing financial assistance awards, that are made to corporations (as defined above) and that are funded with appropriated funds made available to the Department of Commerce pursuant to relevant appropriations acts. This certification is further required to the extent that other appropriation acts contain the same or substantively similar prohibitions against the issuance of financial assistance awards to certain corporations.

Instructions: All applicants that are selected as recipients that are corporations (as defined above) must complete paragraphs (1) and (2) below as a condition of receiving an award. The requisite paragraphs must be signed below by an authorized representative of the corporation. Recipients that are not corporations are not required to complete this representation.

(1) _____ [insert name of corporation] certifies that it [is] [is not] (check one) a corporation that was convicted of a felony criminal violation under a federal law within the 24 months preceding the signature date of this Representation.

(2) _____ [insert name of corporation] certifies that it [is] [is not] (check one) a corporation that has any unpaid federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreements with the authority responsible for collecting the tax liability.

By: _____

[Typed name and title of the signing individual]

[Typed phone number of the signing individual]

[Typed email address of the signing individual]

Date: _____