

Questions & Answers for SOL-OAA-16-000018

1. *Does the agency submitting an application for an LWA have to identify potential members of consortia already at the time of submitting an application (i.e.: by 11 January 2016), or can that be done at a later time (depending on what kind of partnership skills are required by the entity winning the award)?*

Answer: Yes. All consortia members must be identified in the application, in order to enable USAID to evaluate the technical capabilities and past performance of the consortia as a whole. While that does not preclude the awardee from adding consortia partners in the future, it allows USAID to evaluate applications based on actual commitments and partnerships.

2. *A number of questions were submitted to USAID asking if an application for a particular country (e.g. Serbia, Liberia, Pakistan, Ecuador) could be submitted in response to this solicitation, or whether multiple applications could be submitted by the same organization (reflecting the ideas or proposals of multiple country teams belonging to the same organization).*

Answer: This NFO is not intended to solicit applications for country-specific activities, but rather applications that demonstrate an organization's (or consortia of organizations) overall capability and approach for responding to a broad number of yet undetermined country-specific human rights programs. The Leader Award that we anticipate to result from this solicitation will be used over the next five years to support country-specific activities (mainly through separate Associate Awards). However, for this specific solicitation, we are only interested in the global capabilities of applicants. If your organization has the ability to support human rights efforts across the globe, either alone or in partnership with other organization, we welcome your application.

3. *Is it mandatory to cover all the objectives of the (solicitation) or (may we respond to only one)?*

Answer: Applicants must demonstrate their ability (via the technical approach and technical capabilities sections of their applications) to respond to activities related to all five objectives. Again, given that USAID is now awarding a mechanism that will enable programmatic responses to a broad range of yet undetermined needs (via buy-ins or Associate Awards), we are interested in those offering services and support to USAID Missions around the globe under all of

these objectives. Applications that do not respond to all five of the objectives may be deemed “unresponsive” and not further evaluated. If your organization has technical capacity specific to one objective but not for all, we encourage you to partner with other organizations that help provide broader capacity responsive to all five objectives.

4. *Multiple questions were submitted to USAID related to where applicants could find specific application forms or more information on the procedures for submitting an application.*

Answer: There is no application form per se. The “Full Announcement” document (a PDF file found under the “Related Documents” tab) contains specific guidance on preparing the Technical Application, the Cost Application and other Pre-Award documents in Section D. This guidance includes specific information to be included, format and length specifications, as well as several standard forms to be submitted as part of the Application.

5. *Can an organization has not worked with formal funding agencies or UN agencies can apply for this grant?*

Answer: There is no formal requirement that applicants must have worked with large donor organizations before. As stated in the eligibility section, if the Agreement Officer determines that more information is needed to assess an applicant’s ability to responsibly manage USAID funding, a pre-award survey may be required. However, given that this solicitation is related to awarding a Leader Award that would allow the organization(s) to respond to human rights programs around the globe, it is unlikely that the holder of that award will have no experience with institutional donors.

6. *Can USAID kindly confirm our understanding that per the information provided on page 17 of the NOFO, applicants are to provide a budget for the Leader Award totaling \$2.5 million over the five-year program period, comprised of \$750,000 currently available for Rapid Response activities; \$750,000 for the identification of effective approaches for strengthening human rights protection; and \$1,000,000 for Administrative costs including indirect costs?*

Answer: While the budget figures on pg.17 are generally indicative of USAID’s preference for how resources be allocated among those priorities, they are not firm requirements or targets. Budgets should reflect how each applicant feels the

objectives can best be addressed using available resources. It should also be underscored that USAID's funding and the budget figures provided are subject to the availability of funds.

7. *Can USAID please provide additional detail about the processes and protocols for buy-ins to the Leader referenced on page 17 of the NOFO?*

Answer: Generally, buy-ins to an LWA (described in ADS 303.3.26) result from USAID Missions or other operating units (including the State Department) using their own funds to tap capabilities available through this mechanism (either obligating additional Mission funds into the Leader award or creating a new Associate award). For HRSM, we envision most buy-ins being related to rapid response activities to be conducted under the Leader, which could be done much more expeditiously than creating a new Associate Award. Given that issuing a new associate award can take weeks if not months, having the ability to "buy-in" to the Leader through a streamlined application process, particularly when used in conjunction with a Pre-Authorization Letter, may enable the awardee to respond within days of the expressed need. Each buy-in will likely be capped at \$1,000,000, given that activities larger than that can usually be done through standard Associate Awards. The protocols and procedures for how USAID will communicate needs about potential buy-ins to the applicant - as well as how applicants may propose specific ideas for buy-ins to USAID - are described on pg.18.

8. *We note that toward the end of the first full bullet on page 11 of the NOFO, the text appears to be missing a word or phrase after the term "recognize". If there is text that has been omitted, can USAID please provide it?*

Answer: The bullet is not missing any text, but can perhaps be worded differently. When stating that "Documenting activities should assess and mitigate the risks that victims may be too traumatized to recognize," we mean that victims are often unaware of security issues or risks that might arise from reporting violations or abuses (e.g. reprisal attacks or stigmatization) and partners should help victims make informed decisions about whether or not to participate with documentation efforts.

9. *The NOFO on pages 26 and 34 references a Management Structure and Management Plan, respectively. Could USAID please clarify whether these are synonymous and if so,*

whether USAID has a preferred term for that section of the application; if not, could USAID please clarify the difference?

Answer: These terms are used interchangeably. Applicants may use either term, but unlike our own poor example, please be consistent in your application.

10. The NOFO allocates 8 pages to Past Performance and must include both a description of the applicant's experience successfully conducting human rights protection programming and a list of all its cost-reimbursement awards involving similar or related programs during the past three years...We respectfully request that our Past Performance Listing/Matrix either be included as an annex (that does not count toward the 50-page limit) rather than in the body of the text; or that USAID permit us to provide a representative listing of our past similar programs in the text.

Answer: If the 8 page limit for this section is not sufficient for providing a list of all cost reimbursable awards involving similar or related programs, please provide only a representative list.

11. We note that in the first full bullet on page 35 of the NOFO the text appears to be missing a word or phrase after the term "gender". If there is text that has been omitted, can USAID please provide it?

Answer: The full text of the first bullet on pg.35 that includes the the word "gender" reads as follows: "Plans to include local and regional stakeholder perspectives into planning, program implementation and knowledge management activities (such as monitoring and evaluation activities, gender, and lessons learned)."

12. The NOFO provides for submission of an applicant's illustrative M&E Plan as part of its Knowledge Management Plan, in the main body of the application. Given limited page space, would USAID kindly permit applicants to submit the illustrative M&E Plan as an annex to the main text?

Answer: The illustrative M&E plan may be counted as an annex, and not subject to the 9-page limit for the Management Plan section.

13. Can USAID please confirm that for an applicant that is submitting an application on behalf of a prime recipient and sub-recipients, the language at the bottom of page 28 of the NOFO (requiring a copy of the legal relationship between the parties for applicants

that have established a consortium or other legal relationship between the parties) does not apply?

Answer: Confirmed. For applicants serving as a prime recipient with sub-recipients (as opposed to the applicant being a new legal entity created on behalf of a consortium), no additional information on the legal relationship between parties is required.

14. In many cases, the prior work that we plan to present in our application has been done in closed contexts and has not been publicized. When describing this work, would it be possible to simply describe the contexts, rather than identifying specific countries, to avoid the potential need to redact this sensitive information in the event USAID were compelled to produce applications in response to a FOIA request at some point?

Answer: Yes. Applicants may refer to sensitive countries generally in order to avoid potential issues that may result from any unintentional public disclosure.

15. Would USAID permit applicants to include an Acronyms page that will not count toward the page limit?

Answer: Yes. Applicants may include an acronym page that does not count against the prescribed page limits.

16. Can USAID kindly indicate whether it plans to procure an independent evaluation of the HRSM mechanism?

Answer: At this time, USAID does not have plans to procure an independent evaluation of the HRSM Leader award. However, at any time USAID may decide to implement an independent, 3rd party monitoring and evaluation process on this activity or any of its specific program activities at the country level. Additionally, applicants may propose any and all approaches to evaluating the impact of work conducted through this mechanism as they see fit.

17. Page 26, Section 4.C Management Structure and Page 38, Section F.3 Performance Monitoring Plan: Page 26 requires a knowledge management plan that includes an illustrative M&E Plan. Page 38 indicates that the Performance Monitoring Plan will be submitted with the first annual work-plan, within 30 days of the signing of the award. We respectfully request confirmation regarding whether the illustrative M&E Plan is

required in the technical application, and clarification regarding the content to be included in the M&E Plan.

Answer: The illustrative M&E plan is truly meant to be illustrative, in order to help USAID evaluate the applicant's approach to evaluation, while recognizing that more time will be required to develop the full M&E plan. The illustrative M&E plan may include information such as sample indicators, annual targets, data sources, and collection frequency, for example. In addition to program-specific M&E planning, applicants are also encouraged to review the Standard Foreign Assistance Indicators (found at <http://www.state.gov/f/indicators/>) to understand how some of these might be globally applicable to this program. The full M&E plan is to be submitted within 30 days of signing, as stated in the solicitation.

18. Page 26, Section 4.C Management Structure and Page 26, Section 4.E Past Performance: Page 26 acknowledges USAID's recognition that partnerships "serve the purpose of bringing unique and complementary expertise together for the overall achievement of results." To enable applicants to accurately reflect this complementary expertise of proposed partnerships, we respectfully request USAID's consideration that the Past Performance Section be expanded to include up to three Past Performance References per partner, to be included as an annex that does not count toward the 50 page limit.

Answer: Similar to question 9, if the page limits are not adequate for reflecting a full inventory of similar or related programs for all partners, please include a representative list only.

19. Pages 34-35, Section E, Criteria: Key personnel and their qualifications and experience are identified under the Personnel Section (page 35); however, similarly, the Management Plan requires biographical information on key management and technical personnel. We respectfully request USAID to consider removing the requirement for biographical information from the Management Plan, and including all biographical information for management and technical personnel in Personnel (scored under Section D) of the technical application.

Answer: Agreed. Applicants should include biographical information on key technical and management personnel under the "Key Personnel" section and not the "Management" section.

20. *Page 21, Section B.5 Authorized Geographic Code: It is noted on page 21 that the authorized geographic code for award recipients will be 937. We ask that USAID consider assigning 935 as the geographic code, given that this is a global program and enabling procurement from advanced developing countries would likely offer greater program efficiency and reduce administrative burden to the donor and the recipient.*

Answer: USAID is exploring the possibility of including a 935 geographic code, and may include that code in the actual award if appropriate. However, partners should be prepared to implement with a 937 geographic code in the event USAID determines that code is appropriate.

21. *Page 39, Section F.3 Quarterly Progress Reports: The requirement to provide a pipeline analysis in the quarterly progress report appears to be duplicative of the financial reporting requirements under the award. We request clarification regarding whether the financial reporting requirements are sufficient to address the status of funds available in the core leader agreement.*

Answer: USAID agrees that these requests are duplicative. We will remove the requirement to include pipeline analysis in the Quarterly Progress Reports given that this information will be submitted in the Quarterly Financial Reports.

22. *Page 39, Section F.3 Weekly Rapid Response Reporting: We respectfully suggest USAID consider removing the requirement for weekly reports as these seem to fall outside of the scope of the requirements of 2 CFR 200.328(b).*

Answer: In accordance with 2 CFR 200.328(b)(1) more frequent reporting is allowable in unusual circumstances. The circumstances under which USAID plans to support rapid response activities (and ask for weekly reporting) will typically involve highly-dynamic environments such as political crises, post-conflict environments, or other fluid contexts in which more frequent monitoring is required for reasons such as ensuring USAID's commitment to do-no-harm principles and making sure the context continues to warrant programming.

23. *Page 39, Section F.3 Activity Tracking Mechanism: We respectfully suggest USAID consider removing the requirement for an Activity Tracking Mechanism as this seem to fall outside of the scope of the requirements of 2 CFR 200.328(b).*

Answer: Similar to the previous question and response, USAID believes that more frequent reporting related to rapid response is appropriate for monitoring in those unusual circumstances. However, the awardee may include brief information on specific in-country activities related to rapid response as part of the Weekly Rapid Response Reporting (e.g. providing basic information on groups receiving immediate short-term assistance), if that is preferable to creating a simple web-based tracking tool.

24. Page 40, Section F.3 Quarterly Financial Reports: It is noted that USAID is requiring quarterly financial reports to include a statement of quarterly accruals. We respectfully suggest USAID consider removing the requirement for quarterly accruals as this requirement seems to be inconsistent with the requirements of 2 CFR 200.328(b).

Answer: The requirement for quarterly accruals is a standard USAID reporting requirement and within the parameters of 2 CFR 200.328(b). However, in accordance with 2 CFR 200.302, if a Federal awarding agency requires reporting on an accrual basis from a recipient that maintains its records on other than an accrual basis, the recipient must not be required to establish an accrual accounting system. The recipient may develop accrual data for its reports on the basis of an analysis of the documentation on hand.

25. Page 41, Section F.3 Environmental Compliance: Given the nature of the work to be performed under the Leader and Associate Awards, would USAID consider providing a categorical exclusion under the Leader Award, at the time of award that would flow down to all Associate Awards?

Answer: A categorical exclusion has already been obtained for the Leader Award, which will flow down to Associate Awards.

26. Page 24, Section D.3 Application Submission Procedures: In light of the preference that the technical application and the cost application be submitted each as single email attachments, we respectfully request clarification from USAID regarding whether or not there is a MB limit to emails that USAID is able to receive.

Answer: Emails larger than 25 MB may not be received by the USAID server. If this is a problem, please send in multiple emails, labeling each message as described on pg.24.

27. *Page 24, Section D.3 Application Submission Procedures and Page 28, Section D.5 Cost Application Format: Page 25 indicates USAID's preference that the Cost Application be submitted as a single email attachment, while page 28 indicates that the detailed budget narrative be submitted in Word 2000 or Word 2003. Please confirm that all Word documents are required to be converted to PDF for both the Technical and Cost applications, and that the Cost Application PDF document should be accompanied by the detailed budget in Excel.*

Answer: Confirmed. All Word documents (including the budget narrative) should be converted to PDF files, while the cost application should be submitted in both PDF and Excel format.

28. *On page 28, Section 5. Cost Application Format requires that the budget be submitted in Excel 2000 or Excel 2003. Please confirm that the budget may be submitted in Excel 2016.*

Answer: Files submitted in Excel 2016 are acceptable.

29. *Per Section D.5 of the Notice of Funding Opportunity, applicants are required to submit a budget "which provides in detail the total costs for implementation of the program". Given that program implementation is dependent on buy-ins and technical direction for activities issued by the USAID Agreement Officer's Representative, it is unclear what activities applicants should budget for. Can USAID please clarify the scope of program implementation for budgeting purposes? Can USAID also please provide a budget estimate?*

Answer: See Question 5. Applicants should prepare a budget based on USAID's estimate of core funding available for the Leader Award (\$2.5 million over five years, subject to the availability of funding), without taking into account potential buy-ins or Associate Awards which would be impossible to budget for at this time.

30. *Would USAID please clarify if advance financing will be provided through this Leadership with Associate Award, e.g. a letter of credit?*

Answer: Yes; USAID's preferred method of financing contracts, grants or cooperative agreements for non-profit organizations is through Advance Payments.

Furthermore, the Letter of Credit (LOC) is preferred over other advance payment mechanisms, if the recipient is eligible to use it. General criteria for using LOCs are: a. The amount of funding equals or exceeds \$120,000 per year, b. There is a continuing relationship with the organization for at least one year, and c. The organizations financial management system meets Federal standards for fund control and accountability. While the award instrument authorizes the LOC, the LOC is a separate agreement between the organization and USAID. The terms and conditions of the LOC are cited within the LOC instructions issued by Bureau of Management, Office of the Chief Financial Officer, Cash Management and Payment Division, Grants and Interagency Billings Team (M/CFO/CMP/GIB) and the general operating requirements imposed by the USAID LOC servicing agent.

31. *In the second paragraph on page 17, the NFO states that “the need for cost-sharing will be individually determined by each Mission or Bureau for their respective programs.” Could USAID provide additional clarity on how applicants should address this potential need within applications?*

Answer: The language on pg.17 refers to cost-sharing for Associate Awards, which will be determined by the requesting Mission or other operating unit on a case-by-case basis. There is no cost-sharing requirement for the Leader Award requested in this solicitation.

32. *(My organization) is interested in connecting with the organizations applying as leaders on the mechanism. I would like (my organization) to be a part of the consortium of associates implementing the mechanism. Do you have any sense of which groups are inquiring about the award, planning to submit, etc. as leaders so that I might reach out to them?*

Answer: USAID is not in a position to advise potential applicants on potential partnership opportunities.