Announcement Type: Open Competition Cooperative Agreement
Funding Opportunity Title: Kenya Persistent Aerial Surveillance Project
Funding Opportunity Number: SFOP0009308
NOFO Qs & As

Q1. Can EXBS explain why the project pilot is specifically for tethered drones?

A1. Our analysis of the problem set suggests the combined benefits of extended power supply, operational simplicity, optical reach, and remote deployment of a tethered drone are key to ensure the safety of our Kenyan partners and is meant to address specific security gaps they want addressed.

Q2. Would EXBS be open to a project involving untethered drones, if all safety and security risks can be sufficiently mitigated?

A2. Because Kenya already has a conventional drone program, augmenting it with this award is unlikely. We seek a novel approach to reducing human operator risk while improving surveillance capacity.

Q3. Can you please let me know the page limit for the Risk Assessment and MEL sections are?

A3. There is no page limit to the Risk Assessment nor MEL. Do not include these with your proposal document.

Q4. To fully incorporate the USG answers to questions, we request an extension on the due date.

A4. No, we cannot grant an extension on the deadline for this or any NOFO.

All applications must be submitted by March 04, 2023, at 5:00 p.m. EST. Applications submitted after 5:00 p.m. EST will be ineligible for consideration. We recommend that applicants begin the application process early, as this will allow time to address any technical difficulties that may arise in advance of the deadline. Faxed proposals will not be accepted at any time. Late applications will not be considered. It is the applicant’s responsibility to ensure that proposals are submitted on time.

Q5. Page 9 - Given that the draft action plan submitted to ISN/ECC within 30 days of award includes of a description of planned activities and projected timeframes

for accomplishing them; can the USG please confirm that the proposal narrative covering the deliverables/activities (outreach, procurement, training, recommendations, and end-use monitoring) on this submission should be only examples and offerers will focus more on organizational approach than project implementation.

A5. ISN/ECC understands initial plans, activities, and deliverables can require unforeseen adjustments as the work progresses, but we expect implementers to prioritize project implementation as highly as organizational approach and remain focused on the end goal of testing a novel interdiction capacity for the Government of Kenya.

Q6. Section 2.e Integrated DEIA Plans should be no more 250 words per project. If the applicant chooses to integrate DEIA Plans into their proposals, they should do so in accordance with the template provided as part of the Notice for Funding Opportunity. Can the USG please provide the template?

A6. There is not a template provided, please see the below requirements for the DEIA Plan Proposal:

One page Diversity, Equity, Inclusion, and Accessibility (DEIA) Plan

DEIA Plans should address the following categories, the pursuit of which should not take precedence over a proposal’s core goals. See Appendix A for definitions of key concepts.

• • Support staff DEIA: Consider a diverse pool of potential implementers and sub-implementers to afford employment opportunities to as diverse and inclusive a population as is feasible

• • SME DEIA: To the extent possible, consider a diverse population of subject matter experts to deliver training, lead discussions, and present technical information. This may include engaging local and regional experts as trainers.

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• (Note: applicants should not discuss proposals directly with local partners without the explicit approval of ISN.)

• • Audience DEIA: Consider how to engage a diverse, representative cross-section of the target-audience population while taking into account the objectives of the engagement. This might include considering local representation disparities that are not immediately apparent to those from another culture.

• • Accessibility: Consider how to actively reduce or eliminate obstacles that would impede participation by people with disabilities.

Plan contents and submission

Applicants may use DEIA Plans to describe how proposals will achieve one or more of the DEIA objectives identified above. Plans need not include specific performance targets, but they should outline any concrete steps or key partners the implementer would leverage to achieve the objectives. Plans may also include information about the applicant’s past performance on DEIA-related metrics, both as an employer and as an implementer, and any country specific gender analysis to be conducted. Plans may consist of two separate elements as noted below; implementers can submit one or both elements as part of their proposal. The first element is the project-specific DEIA statement, and the second element is the standalone DEIA summary document.

The first element is project specific language to be integrated into their project proposal consistent with the objectives above. This could consist of actions to be completed as part of the project, demographic targets for participants, key partners that will assist with delivery/implementation, and outside any organization to be engaged if the project is funded. Integrated DEIA Plans should be no more 250 words per project. If the applicant chooses to integrate DEIA Plans into their proposals, they should do so in accordance with the template provided as part of the Notice for Funding Opportunity.

The other element is a standalone document (one per proposal). The standalone DEIA Plan should identify proposal-wide actions, highlight past performance, highlight staffing information that will impact the performance of the projects, or articulate examples of previous steps taken consistent with the objectives above. Standalone document should be no longer than one page on standard letter paper with one-inch margins and 12-point Times New Roman font.

Q7. Page 14 - Can the USG please confirm if the list of subject matter experts intended to be used to implement projects is excluded from the 12-page limit for the proposal narrative?

A7. The list of subject matter experts can be submitted as a separate document from the proposal narrative.

Q8. While we understand the desire for implementers to be able to navigate relationships independently with the GoK, is EXBS able to facilitate initial introductions (directly or through Post) to identify the relevant POCs in the border unit or other agencies as required?

A8. EXBS has existing relevant relationships within the GOK and will facilitate initial introductions; however, implementers should expand their network independent of EXBS as the project evolves.

Q9. Page 6 - The NOFO provides that "cost and execution of routine maintenance will be incumbent upon the applicant during the one-year warranty" - will the USG please consider the successful design and delivery of end-user maintenance training and applicant monitoring to allow for the likelihood that the implementer will not be afforded continuous access by the host-nation to operational areas in support of daily preventative maintenance checks and services (PMCS) and intended use monitoring likely required for maintaining manufacturer warranties.

A9. Provision for a PMCS SOP that ensures end-users are performing the relevant tasks as instructed is acceptable. ISN/ECC still expects a one-year warranty and the ability of end-users to properly maintain and use the equipment.

Q10. Page 6 and 7 - Can the USG confirm that the specifications included are minimum specifications - i.e. the camera can have higher but not lower than 10 megapixel resolution?

A10. Minimum requirements are firm, but higher specifications are acceptable if they do not alter the financial scope of the project.

Q11. In section A, Background & Project Description, there are specific mentions of Kenya's "Lake Regions" and inland waterways; are there specific lakes or waterways where the project is intended to operate?

A11. This pilot program is intended to inform future efforts on any problematic inland waterway. Expect to begin with Lakes Turkana and Victoria.

Q12. Page 6 - Can the provider include a warranty responsibility hand-off to host nation and per USG guidance, as part of training close-out?

A12. ISN/ECC expects a one-year warranty and the ability of end-users to properly maintain and use the equipment. Documentation of a responsibility hand-off to the host nation is acceptable.

Q13. Page 6 - Is it up to the offerer to determine timeline for disposition of equipment hand off?

A13. The disposition of equipment should follow CFR 200.313 Regulations below:

(a) ***Title.*** Subject to the requirements and conditions set forth in this section, title to equipment acquired under a Federal award will vest upon acquisition in the non-Federal entity. Unless a statute specifically authorizes the Federal agency to vest title in the non-Federal entity without further responsibility to the Federal Government, and the Federal agency elects to do so, the title must be a conditional title. Title must vest in the non-Federal entity subject to the following conditions:

(1) Use the equipment for the authorized purposes of the project during the period of performance, or until the property is no longer needed for the purposes of the project.

(2) Not encumber the property without approval of the Federal awarding agency or pass-through entity.

(3) Use and dispose of the property in accordance with paragraphs (c), and (e) of this section.

(c) ***Use.***

(1) Equipment must be used by the non-Federal entity in the program or project for which it was acquired as long as needed, whether or not the project or program continues to be supported by the Federal award, and the non-Federal entity must not encumber the property without prior approval of the Federal awarding agency. The Federal awarding agency may require the submission of the applicable common form for equipment. When no longer needed for the original program or project, the equipment may be used in other activities supported by the Federal awarding agency, in the following order of priority:

(i) Activities under a Federal award from the Federal awarding agency which funded the original program or project, then

(ii) Activities under Federal awards from other Federal awarding agencies. This includes consolidated equipment for information technology systems.

(2) During the time that equipment is used on the project or program for which it was acquired, the non-Federal entity must also make equipment available for use on other projects or programs currently or previously supported by the Federal Government, provided that such use will not interfere with the work on the projects or program for which it was originally acquired. First preference for other use must be given to other programs or projects supported by Federal awarding agency that financed the equipment and second preference must be given to programs or projects under Federal awards from other Federal awarding agencies. Use for non-federally-funded programs or projects is also permissible. User fees should be considered if appropriate.

(3) Notwithstanding the encouragement in § 200.307 to earn program income, the non-Federal entity must not use equipment acquired with the Federal award to provide services for a fee that is less than private companies charge for equivalent services unless specifically authorized by Federal statute for as long as the Federal Government retains an interest in the equipment.

(4) When acquiring replacement equipment, the non-Federal entity may use the equipment to be replaced as a trade-in or sell the property and use the proceeds to offset the cost of the replacement property.

(d) ***Management requirements.*** Procedures for managing equipment (including replacement equipment), whether acquired in whole or in part under a Federal award, until disposition takes place will, as a minimum, meet the following requirements:

(1) Property records must be maintained that include a description of the property, a serial number or other identification number, the source of funding for the property (including the FAIN), who holds title, the acquisition date, and cost of the property, percentage of Federal participation in the project costs for the Federal award under which the property was acquired, the location, use and condition of the property, and any ultimate disposition data including the date of disposal and sale price of the property.

(2) A physical inventory of the property must be taken and the results reconciled with the property records at least once every two years.

(3) A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft must be investigated.

(4) Adequate maintenance procedures must be developed to keep the property in good condition.

(5) If the non-Federal entity is authorized or required to sell the property, proper sales procedures must be established to ensure the highest possible return.

(e) ***Disposition.*** When original or replacement equipment acquired under a Federal award is no longer needed for the original project or program or for other activities currently or previously supported by a Federal awarding agency, except as otherwise provided in Federal statutes, regulations, or Federal awarding agency disposition instructions, the non-Federal entity must request disposition instructions from the Federal awarding agency if required by the terms and conditions of the Federal award. Disposition of the equipment will be made as follows, in accordance with Federal awarding agency disposition instructions:

Any other questions or concerns will be addressed during the project implementation.

Q14. Page 7 - The NOFO specifically says delegates must have four-star hotel accommodations, does the four-star hotel requirement apply to any other participants?

Please define delegate.

If this requirement includes other participants, such as trainees, please specify who the four-star requirement applies to.

A14. The four-star hotel requirement can be waived if/when four-star hotels are not available. The Grantee will request authorization providing the supporting documentation to the Grant Officer to waive the four-star hotel requirement and then with the Government of Kenya to ensure all accommodations are acceptable.

Q15. Page 7 - System components must be sourced from Europe or North America. The implementers are responsible for compliance with all applicable laws and regulations for export of this equipment to Kenya, including applicable export control restrictions, if any. We can completely comply with this requirement, but we are aware there are internal elements of systems that are sourced from Asia (not China). If it is to be totally US/Europe made, we will make that adjustment. Can equipment have non-US/Europe components that are certified as not Chinese in origin?

A15. Please refer to the National Defense Authorization Act of 2019, Section 889, which outlines prohibitions relevant to certain telecommunications and video surveillance services or equipment. Section 889(a)(1)(A) (“Part A”) and Section 889(a)(a)(B) (“Part B”) restrict the provision to the U.S. Government, and the use by U.S. Government contractors, of "covered telecommunications equipment and services" as a substantial or essential component of any system, or as a critical technology as a part of a system.

The Grantee will bear the responsibility of complying with this Act.

Q16. Can the embassy in Nairobi function as a shipping destination for equipment in advance of the effort, or does a secure go-down need to be arranged for the equipment?

A16. Yes. Relevant customs, duties, etc., will apply as appropriate.

Q17. Can EXBS explain why the requirements are limited to tethered UAVs? Would EXBS consider a pilot that involves untethered UAVs if security factors can be sufficiently mitigated?

A17. Because Kenya already has a conventional drone program, augmenting it with this award is unlikely. We seek a novel approach to reducing human operator risk while improving surveillance capacity. The program is intended to mitigate human risk by reducing the physical presence of border control officers in the areas where surveillance is needed.

Q18. How flexible are the precise technical specs described in the NOFO? If we can propose a solution that meets objectives through a UAV platform with different specs, will this be competitive?

A18. A high value is placed on providing sustained surveillance and data capture within budget constraints without sacrificing operator safety, so variations in technical specs will be weighed against these objectives.

Q19. Is EXBS open to a solution that involves an implementer being an enduring operator partner with the border unit, as opposed to transferring UAVs to the border unit to operate independently? This arrangement may offer significant value add by allowing an operator to support monitoring and data analysis, as opposed to just UAV flight operations.

A19. EXBS projects are limited by the stated period of performance; therefore an "enduring operator partner" model does not fit within the scope of this grant.