Issuance Date: July 8, 2013
RFA Clarification Questions Due: July 18, 2013, 10:00AM Yerevan time
Closing Date and Time for Application Submission: August 7, 2013, 10:00AM Yerevan time

Subject: Request for Applications (RFA) Number: RFA-111-13-000002

RFA Title: NK Humanitarian Mine Clearance Program

Ladies and Gentlemen:

The United States Agency for International Development (USAID) is seeking applications for Assistance Agreements from U.S. organizations for funding to support a program entitled "NK Humanitarian Mine Clearance Program." The authority for the RFA is found in the Foreign Assistance Act of 1961, as amended. Please refer to the Program Description for a complete statement of goals and expected results.

While for-profit firms may participate, pursuant to 22 CFR 226.81, it is USAID policy not to award profit under assistance instruments such as cooperative agreements. However, all reasonable, allocable, and allowable expenses, both direct and indirect, which are related to the grant program and are in accordance with applicable cost standards (22 CFR 226, OMB Circular A-122 for non-profit organization, OMB Circular A-21 for universities, and the Federal Acquisition Regulation (FAR) Part 31 for-profit organizations), may be paid under the LWA Cooperative Agreement.

Applicants under consideration for an award that have never received funding from USAID will be subject to a pre-award audit to determine fiscal responsibility, ensure adequacy of financial controls and establish an indirect cost rate.

Subject to the availability of funds, Subject to the availability of funds, USAID intends to provide approximately $6,000,000 in total USAID funding to be allocated over the 4 years period. USAID reserves the right to fund any or none of the applications submitted.

Award will be made to that responsible applicant(s) whose application(s) best meets the requirements of this RFA and the selection criteria contained herein. Issuance of this RFA does not constitute an award commitment on the part of the Government, nor does it commit the Government to pay for costs incurred in the preparation and submission of an application.

This RFA and any future amendments can be downloaded from http://www.grants.gov. Select "Find Grant Opportunities," then click on "Browse by Agency," and select the "U.S. Agency for International Development" and search for the RFA. In the event of an inconsistency between the documents comprising this RFA, it shall be resolved at the discretion of the Agreement Officer.

Applicants should also note that the documents listed in this RFA under "Useful References" are intended only as sources for background information that may be helpful to applicants, but are not a part of this RFA. All guidance included in this RFA takes precedence over any reference documents referred to in the RFA. Any clarification questions concerning this RFA should be submitted in writing to Armen Yeghiazarian, USAID/Armenia Acquisition Specialist via email at ayeghiazarian@usaid.gov by the date listed above. If there are problems in downloading the RFA from the Internet, please contact the Grants.gov help desk at 1.800.518.4726 or support@grants.gov for technical assistance.

For the purposes of this RFA, the term "Grant" is synonymous with "Cooperative Agreement"; "Grantee" is synonymous with "Recipient"; and "Grant Officer" is synonymous with "Agreement Officer".

The applicant shall submit applications in BOTH electronic and hard copy format as described in Section IV. Applicants may submit multiple applications for the different geographic regions, as described in the RFA.

Applications must be received by the closing date and time indicated at the top of this cover letter. Late applications will not be considered for award. Applications must be directly responsive to the terms and conditions of this RFA. Telegraphic or fax applications (entire proposal) are not authorized for this RFA and will not be accepted.

Sincerely,

Jonathan Chappell
Agreement Officer

SECTION I

FUNDING OPPORTUNITY DESCRIPTION

I.1 Award Information

USAID expects to award one Cooperative Agreement based on this RFA. The anticipated total federal funding amount is $6,000,000. The funding for assistance to the people of NK is notified under the USAID Eurasia Regional Program and administered by the USAID Mission to Armenia (USAID/Armenia) due to location and logistics. The period of performance is 4 years with an anticipated start date of September 30, 2013.

USAID will be substantially involved during the implementation of this Cooperative Agreement in the following ways:

1. Approval of the recipient's annual work plans, reports, monitoring and evaluation plan, and all modifications that describe the specific activities to be carried out under the Cooperative Agreement;

2. Approval of and any changes to specified key personnel; and

3. Agency and recipient collaboration or joint participation (collaborative involvement in selection of advisory committee members, concurrence on selection of sub-award recipients, and/or the substantive provisions of the sub-awards).

The Government may issue one or more awards resulting from this RFA to the responsible applicant(s) whose application(s) conforming to this RFA are the most responsive to the objectives set forth in this RFA. The Government may (a) reject any or all applications, (b) accept other than the lowest cost application, (c) accept more than one application, (d) accept alternate applications, and (e) waive informalities and minor irregularities in applications received.

The Government may make award on the basis of initial applications received, without discussions or negotiations. Therefore, each initial application should contain the applicant's best terms from a cost and technical standpoint. The Government reserves the right (but is not under obligation to do so), however, to enter into discussions with one or more applicants in order to obtain clarifications, additional detail, or to suggest refinements in the program description, budget, or other aspects of an application.

Neither financial data submitted with an application nor representations concerning facilities or financing, will form a part of the resulting agreement(s).

The Agreement Officer is the only individual who may legally commit the Government to the expenditure of public funds. No costs chargeable to the proposed award may be incurred before receipt of either a fully executed cooperative agreement or a specific, written authorization from the Agreement Officer.

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I.2 Eligibility Information

1. Eligible Applicants

USAID entertains applications from qualified U.S. and non-U.S. entities, such as private, non-profit organizations (or for-profit companies willing to forego profits), including private voluntary organizations, research organizations, professional associations, and relevant special interest associations.

2. Cost Sharing or Matching

No cost share requirement for this RFA is established. However, applications with a proposed cost share will be evaluated favorably compared to applications with no cost share.

I.3 Application and Submission Information

1. Address to Request Application Package

This application is found on the internet at www.grants.gov . Potential applicants that cannot download application materials electronically may request paper copies of the RFA by contacting:

Armen Yeghiazarian
Senior Acquisition and Assistance Specialist
USAID/Armenia
1 American Avenue
Yerevan 0082; Armenia
Tel: (374 10) 494 466
Email: ayeghiazarian@usaid.gov

2. Request for Clarifications

Applicants are responsible for requesting any question/clarification on the information contained in the RFA. Requests for question/clarification shall be made in writing and send by email addressed to Armen Yeghiazarian, Senior Acquisition and Assistance Specialist, at ayeghiazarian@usaid.gov with subject line: “NK Humanitarian Mine Clearance Program RFA submitted by *[Name of Organization]*”. The deadline for submission of questions/clarifications is July 18, 2013, 10:00AM Yerevan time. If it is determined that the answers to any questions are of sufficient importance to warrant notification to all applicants, a Questions and Answers document, and/or if needed, an amendment to the RFA will be posted at www.grants.gov.

3. Required Forms

Applicants must submit their applications using the Standard Form 424 series:

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http://apply07.grants.gov/apply/FormLinks?family=15

4. Pre-Award Certifications, Assurances and Other Statements of the Recipient

In addition to the certifications that are included in the Standard Form 424, Applicants must submit the following certifications, assurances, and other statements as part of the application:

1. A signed certification and assurance which includes:
   a. Certification on Lobbying;
   b. Prohibition on Assistance to Drug Traffickers for Covered Countries and Individuals;
   c. Certification Regarding Terrorist Financing;
   d. Certification of Recipient;
   e. Key Individual Certification Narcotics Offenses and Drug Trafficking, when applicable,
   f. Participant Certification Narcotics Offenses and Drug Trafficking, when applicable; and

2. Other statements of Recipient
   Complete copies of these certifications, assurances, and other statements of the recipient can be found at http://transition.usaid.gov/policy/ads/300/303mav.pdf and in Section IV of this RFA.

5. Data Universal Numbering System (DUNS) Number

All U.S. Government recipients and contractors are required to secure a Data Universal Numbering System (DUNS) Number before an award can be made to them. The DUNS is a 9-digit number assigned by Dun and Bradstreet, Inc. (D&B) that uniquely identify the recipient's name and address. It can be obtained from D&B at http://fedgov.dnb.com/webform.

Applicants may submit applications under this RFA without DUNS numbers. However, the selected applicant will be required to submit its DUNS number before it can receive an award. Therefore, applicants are encouraged to obtain a DUNS number early so that, if selected, award will not be delayed.

6. Evidence of U.S. Federal Contractor Registration

All U.S. Government recipients are required to be registered with the U.S. Federal Contractor Registration, formerly Central Contractor Registration (CCR), which was the U.S. Government repository into entities must provide information required for the conduct of business with the Government. The CCR is now incorporated into the System for Award Management (SAM). Information about registration procedures may be found at: www.sam.gov

Applicants may submit applications under this RFA without U.S. Federal Contractor Registration.

However, the apparently successful applicant will be required to register and must submit evidence of registration to USAID. Therefore, applicants are encouraged to register with U.S. Federal Contractor Registration early so that, if selected, award will not be delayed.

7. Content and Form of Application Submission

Applications shall be submitted in two separate parts: (a) technical proposal or management plan, and (b) cost or business application.

TECHNICAL APPLICATION FORMAT

Technical applications should be specific, complete and presented concisely. The applications should demonstrate the applicant's capabilities and expertise with respect to achieving the goals of this program. Technical applications should take into account requirements of the program and evaluation criteria found in this RFA.

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The Technical Application shall include:

a. **Cover Page -** A single page with the names of the organizations/institutions involved in the proposed application and the lead or primary Applicant clearly identified. Any proposed sub grantees (hereafter referred to as the “subs”) should be listed separately; including a brief narrative describing the unique capacities/skills brought to the program by each sub. In addition, the Cover Page should provide a contact person for the prime Applicant, including this individual’s name (both typed and his/her signature), title or position with the organization/institution, address telephone and fax numbers. State whether the contact person is the person with authority to contract for the Applicant, and if not, that person should also be listed.

b. **Executive Summary (maximum two (2) pages):** This section should summarize the key elements of the Applicant’s strategy, approach, and implementation plan.

c. **Program Description (maximum twenty five (25) pages):** This section should include a description of the types of activities that will be undertaken to achieve the proposed objectives, a general timeline, and how the proposed activities are expected to achieve the objectives outlined in the purpose section of this RFA. The narrative should be brief, concise and provide a clear description of what the Applicant proposes to do, where, why, when, how and by whom. The applications should take into account the technical evaluation criteria found in Section B.

d. **Expected Impact (maximum four (4) pages):** Applicants will be expected to establish a monitoring and evaluation plan, outlining the mechanisms proposed to monitor and measure progress and achievement of expected results.

e. **Technical/Administrative Capabilities in Proposed Work Area (maximum three (3) pages):** Describe your organization's technical and administrative experience and capabilities in conducting programs similar to the project being proposed. Describe any teaming arrangement, partnership, consortium or coalition arrangements between applicant and partner organizations.

f. **Past Performance (maximum 3 pages):** Applicants are requested to list all contracts, grants, and cooperative agreements involving relevant (similar or related) programs conducted by the applicant (or consortium partners) over the past three years. Reference information shall include the location, current telephone numbers, points of contact, overall dollar value of the program, and award numbers if available. A brief description of work performed by the applicant is also required. Newer organizations, or Applicants with no related prior grant awards, remain eligible for consideration and are encouraged to apply.

g. **Program Management and Key Personnel (maximum 3 pages):** In this section, the Applicant should briefly provide an overview of how the proposed program will be managed. Applicants should identify the key personnel positions for this program. Include position descriptions (including roles and responsibilities), relevant experience and academic and professional qualifications for all key personnel. Applicants should also include a two to three page curriculum vita as an appendix for each candidate.

Applications shall be written in English, font no smaller than Times New Roman 12, with each page numbered consecutively. Items such as graphs, charts, cover pages, dividers, table of contents, and attachments (i.e. key personnel resumes, case studies, table summarizing qualifications of proposed personnel, past performance summary table and past performance report forms) will not be counted against the page limitation.

Environmental Considerations:

In June 2013, USAID approved a Negative Determination with Conditions for NK Humanitarian Mine Clearance Program pursuant to 22 CFR 216.3(a)(2)(iii). De-mining is anticipated to have only beneficial effects on the living conditions and environment in NK. Given the unique nature of de-mining efforts, it would not be appropriate for USAID to establish special environmental guidelines, additional to those standards followed by the experts in this field. In particular, USAID requires that the Implementer follow International Mine Action Standards (IMA) version 7.0 or later as available and indicated approved by the UNMAS and/or GICHD as notified on http://www.mineclearancestandards.org.imas.htm.

COST APPLICATION FORMAT

The Cost or Business Application shall be submitted separately from the technical application. Certain documents are required to be submitted by an applicant in order for the Agreement

Officer to make a determination of responsibility.

The following sections describe the documentation that applicants for Assistance award must submit to USAID prior to award. While there is no page limit for this portion, applicants are encouraged to be as concise as possible, but still provide the necessary detail to address the following:

A. Include a budget with an accompanying budget narrative which provides in detail the total costs for implementation of the program your organization is proposing. Detailed budget notes and supporting justification of all proposed budget line items should be included. In addition, a summary of the budget must be submitted using Standard Form 424 and 424A.

The budget shall include:

1. The breakdown of all costs associated with the program according to costs of, if applicable, headquarters, regional and/or country offices;

2. The breakdown of all costs according to each partner organization or subcontractor/subgrantee involved in the program;

3. The costs associated with external, expatriate technical assistance and those associated with local in-country technical assistance;

4. A procurement plan for commodities;

5. In case applicants chose to propose a cost share, such as volunteer services, donated goods, supplies or cash, funds from non-USG sources, donated equipment and facilities, it should be included in the budget and contain necessary information to allow the evaluation of the proposed cost share as indicated in B.1 of Section B.

6. The breakdown of the financial and in-kind contributions of all organizations involved in implementing this Cooperative Agreement.

7. The cost/business application should contain the following budget categories:
   a. **Direct Labor:** Direct salaries, wages and annual increases for all personnel proposed under the application shall be in accordance with the Applicant's established personnel policies. The narrative should include a level of effort analysis specifying personnel, rate of compensation, and amount of time proposed. Anticipated salary increases during the period of the agreement should be included.

   b. **Fringe Benefits:** Fringe benefits should be based on the Applicant's audited fringe benefit rate, supported by a Negotiated Indirect Cost Rate Agreement (NICRA) or historical cost data. If the latter is used, the budget narrative should include a detailed breakdown comprised of all items of fringe benefits (e.g. unemployment insurance, workers compensation, health and life insurance, retirement, FICA, etc.) and the costs of each, expressed in dollars and as a percentage of salaries.

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c. **Supplies and Equipment:** Differentiate between expendable supplies and nonexpendable equipment (NOTE: Equipment is defined as tangible nonexpendable personal property including exempt property charged directly to the award having a useful life of more than one year and an acquisition cost of $5,000 or more per unit, unless the Applicant's established policy establishes nonexpendable equipment anticipated to be required to implement the program, specifying quantities and unit cost).

d. **Allowances:** Allowances must be broken down by specific type and by person and must be in accordance with the Applicant's established policies.

e. **Travel and Per Diem:** The narrative should indicate number of trips, domestic and international, and the estimated unit cost of each travel in accordance with the technical application. Proposed per diem rates must be in accordance with the Applicant's established policies and practices that are uniformly applied to federally-financed and other activities of the Applicant.

f. **Other Direct Costs:** This could include any miscellaneous costs such as office rent and utilities, communications, transportations, supplies, public outreach, sub-awards and Partner Contracted Audit (PCA) costs, other audits, report preparation costs, passports, visas, medical exams and inoculations, insurance (other than the Applicant's normal coverage), etc. The narrative, or supporting schedule, should provide a complete breakdown and support for each item of other direct costs.

Applicants should also allocate cost to cover the expenditures related to the implementation of the Annual and Close-Out Audit program in accordance with ADS chapter 591.

g. **Proposed Sub-awards (contracts/grants) (if any):** Applicants who intend to utilize sub-awardees should indicate the extent intended and a complete cost breakdown, as well as all the information required herein for the Applicant. **Sub-awards cost applications should follow the same cost format as submitted by the Applicant.**

8. Organizational Information: Applicants are also required to provide the following organizational information:
   - Type of Organization;
   - The name and title of individuals authorized to sign the Cooperative Agreement;
   - Taxpayer Identification Number (TIN), if applicable;
   - Central Contractor Registration (CCR) Status;
   - Data Universal Numbering System (DUNS) Number;
   - Letter of Credit (LOC) Number, if applicable; and
   - Estimated costs of communications products that are anticipated under the Cooperative Agreement.

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B. A copy of the latest Negotiated Indirect Cost Rate Agreement if your organization has such an agreement with the US Government;

C. Applicants which do not currently have a Negotiated Indirect Cost Rate Agreement (NICRA) from their cognizant agency shall also submit the following information:

1. Copies of the applicant's financial reports for the previous 3-year period, which have been audited by a certified public accountant or other auditor satisfactory to USAID;
2. Projected budget, cash flow and organizational chart; and
3. A copy of the organization's accounting manual.

D. Applicants should submit additional evidence of responsibility they deem necessary for the Agreement Officer to make a determination of responsibility. The information submitted should substantiate that the Applicant:

1. Has adequate financial resources or the ability to obtain such resources as required during the performance of the award.
2. Has the ability to comply with the award conditions, taking into account all existing and currently prospective commitments of the applicant, nongovernmental and governmental.
3. Has a satisfactory record of performance. Past relevant unsatisfactory performance is ordinarily sufficient to justify a finding of non-responsibility, unless there is clear evidence of subsequent satisfactory performance.
4. Has a satisfactory record of integrity and business ethics; and
5. Is otherwise qualified and eligible to receive a cooperative agreement under applicable laws and regulations (e.g., EEO).

E. Required certifications, assurances, and other statements. These forms include:

-Assurance of Compliance with Laws and Regulations Governing –
 Nondiscrimination in Federally Assisted Programs
-Certification Regarding Lobbying
-Prohibition on Assistance to Drug Traffickers for Covered Countries
-Certification on Terrorist Financing
-Certification of Recipient
-Key Individual and Participant Certifications Narcotics Offence and Drug Trafficking
- Survey On Ensuring Equal Opportunity For Applicants
-Applicant Information
-Procurement Information

F. Applicants that have never received a cooperative agreement, grant or contract from the U.S. Government are required to submit a copy of their accounting manual. If a copy has already been submitted to the U.S. Government, the applicant should advise which Federal Office has a copy.

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8. Submission Dates and Times

Applications are due to USAID by August 7, 2013, 10:00AM Yerevan time.
(Applications which are submitted late or are incomplete run the risk of not being considered in the review process. "Late applications will not be considered for award" or "Late applications will be considered for award if the Agreement Officer determines it is in the Government's interest.")

Hard copies of applications and modifications thereof (1 original and 2 copies of each technical and cost proposal is required) should be submitted in sealed envelopes or packages with the RFA number, the name and address of the applicant, and whether the contents contain technical and/or cost proposals noted on the outside of the envelopes/packages to:

Armen Yeghiazarian
Senior Acquisition and Assistance Specialist
USAID/Armenia
1 American Avenue
Yerevan 0082; Armenia
Tel: (374 10) 494 466

9. Funding Restrictions, such as limitations on allowable activities for a particular program, or limitations on direct costs, such as the purchase of equipment.

10. Other Submission Requirements

A. Unnecessarily Elaborate Applications – Unnecessarily elaborate brochures or other presentations beyond those sufficient to present a complete and effective application in response to this RFA are not desired and may be construed as an indication of the applicant's lack of cost consciousness. Elaborate art work, expensive paper and bindings, and expensive visual and other presentation aids are neither necessary nor wanted.

B. Proprietary Information – Applicants which include data that they do not want disclosed to the public for any purpose or used by the U.S. Government except for evaluation purposes, should:

1. Mark the title page with the following legend:

"This application includes data that shall not be disclosed outside the U.S. Government and shall not be duplicated, used, or disclosed - in whole or in part - for any purpose other than to evaluate this application. If, however, a cooperative agreement is awarded to this applicant as a result of - or in connection with - the submission of this data, the U.S. Government shall have the right to duplicate, use, or disclose the data to the extent provided in the resulting agreement. This restriction does not limit the U.S. Government's right to use information contained in this data if it is obtained from another source without restriction. The data subject to this restriction are contained in pages ___; and"

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2. Mark each sheet of data it wishes to restrict with the following legend:

"Use or disclosure of data contained on this sheet is subject to the restriction on the title page of this application."

C. Explanation to Prospective Applicants – Any prospective applicant desiring an explanation or interpretation of this RFA must request it in writing. Questions should preferably be sent within three weeks of issuance of the RFA to allow a reply to reach all prospective applicants before the submission of their applications. Oral explanations or instructions given before award of a Cooperative Agreement will not be binding. Any information given to a prospective applicant concerning this RFA will be furnished promptly to all other prospective applicants as an amendment of this RFA, if that information is necessary in submitting applications or if the lack of it would be prejudicial to any other prospective applicants.

D. Telegraphic or Faxed Applications – Telegraphic or faxed applications will not be considered; however, applications may be modified by written or telegraphic notice, if that notice is received by the time specified for receipt of applications.

E. Language – All applications must be in English.

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APPLICATION REVIEW INFORMATION

II.1 Criteria

The criteria presented below have been tailored to the requirements of this particular RFA. Applicants should note that these criteria serve to: (a) identify the significant matters which applicants should address in their applications and (b) set the standard against which all applications will be evaluated. To facilitate the review of applications, applicants should consider organizing the narrative sections of their applications in the same order as the selection criteria.

The Government will award a cooperative agreement on the basis of: A) Technical Merit and B) Cost. The technical applications will be evaluated in accordance with the Technical Evaluation Criteria set forth below. The cost application will be evaluated for general reasonableness, allowability, and allocation of resources.

Awards will be made based on the ranking of proposals according to the technical selection criteria identified below.

The number of points assigned indicates the relative importance of each factor. To make the selection process as objective as possible, each applicant must clearly demonstrate how their proposed application meet the following criteria with a total possible score of 100 points.

Applications will be evaluated on the ability of the applicant to propose a comprehensive and integrated strategy for achieving program objectives and expected outcomes listed in Section C. Program Description at a reasonable cost.

A. Technical Application (Total 100 points)

I. Technical Approach (20 points)

a. Extent to which the proposed approach is well-conceived, clear, detailed, technically sound and ambitious; feasible to achieve all the objectives and special considerations identified in the USAID Program Description; and demonstrating the applicant's understanding of the objectives to declare the traditional NK territory a mine-clear zone. Particular attention will be given to a discussion of the issues and the appropriateness of the suggested approach(es).

b. Extent to which innovative approaches, technologies and lessons learned from programs in NK and elsewhere are identified and effectively included in the proposed approach.

II. Illustrative Monitoring and Evaluation Plan (20 points)

Clarity, appropriateness, soundness and cost-effectiveness of an illustrative Performance Monitoring and Evaluation Plan for identification of expected intermediate and final results of the program, including, but not necessarily limited to, a plan for collecting base-line and follow-on data and suggested indicators of program impact and success.

III. Project Team (20 points)

a. Experience and past performance of key personnel in managing complex mineclearance programs, particularly in post conflict zones and countries; their experience in building and effectively supervising multiple teams; demonstrated effective interpersonal skills, creative problem-solving and ethical management; and prior experience in working with international donors, and government institutions of the former Soviet republics.

b. Appropriateness of the composition and organizational structure of the project team (including home office support, if applicable). That is, the extent to which the application provides a clear, sound, appropriate and cost-effective staffing pattern with responsibilities and authorities among different staff positions adequately and clearly delineated.

IV. Institutional Capacity (20 points)

a. Demonstrated organizational capacity of the applicant in managing the proposed activities under the cooperative agreement, including transparent personnel, procurement and financial management systems in complex field operations.

b. Demonstrated organizational knowledge and capability of the applicant in quickly yet effectively staffing a project and launching program activities.

V. Past Performance (20 points)

Past performance will be evaluated for demonstrated successful track record in implementing similar humanitarian mine clearance programs, with substantial success and achievement of results based on the following evaluation criteria:

- How well the applicant performed under relevant programs,
- Instances of good (poor) performance in the most critical areas,
- Significant achievements (problems).

B. Cost Application

1. Effectiveness and reasonableness of total estimated cost

Demonstrated ability to minimize recurrent costs and maximize cost-effectiveness. Maximizing the percentage of the costs allocated to program delivery as compared to administrative costs will also be a factor in evaluating applications. The cost realism analysis is intended to:

a) verify the Applicant's understanding of the requirements and regulations;
b) assess the degree to which the cost proposal reflects the approaches in the technical application; and;

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c) assess the degree to which the cost included in the cost proposal accurately represents the work effort included in the technical application.
d) assess the real value and potential impact of any proposed cost share contribution

2. Cost Share or Matching

No cost share requirement for this RFA is established. However, applications with a proposed cost share will be evaluated favorably compared to applications with no cost share. Proposed cost share such as volunteer services, donated goods, supplies or cash, funds from non-USG sources, donated equipment and facilities should be:

1. Necessary and reasonable for proper and efficient accomplishment of project or program objectives
2. Verifiable from the recipient's records
3. Allowable under applicable cost principles
4. Included in the approved budget
5. Not paid for by the USG under another award or through indirect cost recovery
6. Not included as cost share for any other USG-assisted project

II.2 Review and Selection Process

All applications which meet the eligibility and program requirements, and conform to the application preparation and submission instructions, will be reviewed and scored by a panel of USAID reviewers strictly in accordance with the evaluation criteria set forth in this section.

The budget narrative of all applications under consideration for award will be reviewed for cost realism and reasonableness. After initial review of applications, USAID may conduct written and/or oral discussions with those applicants whose applications remain under consideration for award. The decision to conduct such discussions should not be considered a final decision about which organizations will receive an award, but rather would be part of the evaluation process.

USAID/Armenia will evaluate applications and make an award based on that application which best would achieve the expected outcomes of the program and offers the greatest overall benefit in response to the requirement.

Although technical evaluation factors are more important than cost, the closer the various technical applications are to one another, the more important cost considerations become. The Agreement Officer may determine that a highly ranked application based on the technical evaluation factors is unreasonable or unrealistic in terms of cost. Award will be made to the applicant whose application offers the best value to the Government. Favorable consideration will be given to applications that include meaningful cost sharing by the applicant. Best value is defined as the expected outcome that, in the Government's estimation, provides the greatest overall benefit in response to the requirement and available funds.

II.3 Anticipated Announcement and Award Dates

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The award is anticipated to be made by September 30, 2013.

II.4 Award Administration Information

1. Award Notices

Following the completion of the technical and cost evaluation of all applications submitted in response to this RFA and responsibility determination, USAID will make an award to the applicant whose application represents the best overall value to the U.S. Government. Best overall value is defined as the expected outcome that, in the Government's estimation, provides the greatest overall benefit in response to the requirement and available funds.

The successful applicant will receive a written notification in the form of an award document signed by the Agreement Officer. The notice will be provided electronically to the applicant's point of contact listed in the application. Pursuant to ADS 303.3.7.1.b, unsuccessful applicants will also be notified electronically.

USAID does not intend to provide formal debriefings for unsuccessful applicants but retains the right to consider informal briefings for said applicants following award.

2. A description of any deviations from standard provisions

Currently, USAID does not anticipate any deviations from the mandatory or applicable the standard provisions applicable for this award. The standard provisions to be used will be Standard Provisions for Non-U.S. Nongovernmental Organizations (http://www.usaid.gov/policy/ads/300/303mab.pdf).

3. Reporting Requirements

1. Financial Reporting

The Recipient will comply with the financial reporting requirements in accordance with 22 CFR 226. In addition, the Recipient will submit to the USAID AOTR, a quarterly financial report that specifically includes line item budgets, expenditures and accruals, and a pipeline (balance remaining). A table with expenditures and accruals will be submitted to the AOTR no less than 15 days before the end of each (USAID) fiscal year quarter through the life of the project. The Recipient shall submit these forms in the following manner:

(1) The recipient must submit the Federal Financial Form (SF-425) on a quarterly basis via electronic format to the U.S. Department of Health and Human Services (http://www.dpm.psc.gov). The recipient must submit a copy of the FFR at the same time to the Agreement Officer and the Agreement Officer's Technical Representative (AOTR).

(2) The recipient must submit the original and two copies of all final financial reports to USAID/Washington, M/CFO/CMPLOC Unit, the Agreement Officer, and the AOTR. The recipient must submit an electronic version of the final Federal Financial Form (SF-425) to U.S. Department of Health and Human Services in accordance with paragraph (1) above.

2. Program Reporting

Plan for Monitoring Performance: The implementing organization will be responsible for maintaining a Performance Monitoring Plan (PMP). Applicants shall provide an illustrative PMP as part of the application, which will be updated and refined after the award. The PMP of the project shall contain baseline information available from the previous USAID mine clearance program, as well as from other sources.

The PMP will cover the entire period of the program and must include, but not necessarily be limited to, the following: (1) the impact and the results to be achieved by the project; (2) the indicators to be used to measure achievement of the results; (3) the method of data collection to be used to obtain the indicator data and the frequency at which each will be collected (monthly, quarterly, semi-annually).

Standard indicators are applicable to this project, such as: Number of mines found and cleared; number of UXOs found and cleared; area of cleared minefields in square meters; area of surface BAC cleared in square meters; area of BAC cleared subsurface in square meters.

Annual Work Plan (AWP): The implementing partner will prepare for the AOR's review and approval an Annual Work Plan (AWP) setting forth in reasonable detail the implementing partner's plans for pursuing activities and detailing additional proposed activities that may substantially contribute toward the project goal, as required. The draft AWP covering the first year of the program will be provided in the context of the RFA application process, with a final version provided to the AOR no later than six weeks after the start of the project. USAID expects each year's work plan to be synchronous with the U.S. Government fiscal year (September-October), except for the first, which will begin with the signing of the agreement and end with the following fiscal year. Draft work plans for subsequent years must be submitted to the AOR by September 1. As may be necessary due to circumstances beyond the implementing partner's control, and subject to the AOR's approval, the AWP may be amended and benchmarks added, deleted, or revised from time to time.

The AWP must include a schedule of activities and tasks planned to be conducted, and the inputs planned to be provided by the implementing partner, including a description of planned activities and tasks and an estimated monthly budget. The AWP must be linked to the performance indicators set forth in the PMP.

SECTION II

Reports: All reports and deliverables must be submitted electronically to the USAID AOR. As necessary, the AOR may direct the implementing partner to provide hard copies of reports and any of the deliverables described below.

Quarterly Performance Reports: The Recipient shall deliver quarterly progress reports to USAID within 15 days from the end of each three month period. The Recipient shall submit 2 copies of a performance report to the AOR, and to the USAID/Armenia Agreement Officer. Electronic submission is acceptable.

USAID/Armenia
1 American Avenue
Yerevan 0082, Armenia

The performance reports shall contain the following information at a minimum:

a) A brief description of the political context and/or enabling environment of the country in which program activities are implemented. This section may include significant political developments and/or relevant events reported in the press or by local informants which affect the overall implementation environment. This section is important for establishing the overall environment for implementation and is useful for considering how changes in the environment may affect program implementation.

b) An analytical description of overall program progress towards results. This should not be a description of activities, but rather a broader analysis that examines the progress in the context of program objectives and expected results.

c) A summary of activities undertaken under the Cooperative Agreement, progress made/results achieved and trends noticed during the reporting period.

d) Data on all indicators established in monitoring and evaluation plan for the Cooperative Agreement.

e) A comparison of actual accomplishments with the goals and objectives established for the period, the findings of the investigators or both. The report must summarize activities undertaken, progress made/results achieved, trends, problems, etc.

f) Problems encountered, reasons why established goals were not met, if appropriate, and how challenges or problems will be overcome during the next reporting period.

g) A comparison of actual expenditures with budget estimates, including analysis and explanation of cost overruns or high unit costs, and any other pertinent information.

h) Priorities for programming during the next reporting period.

Final Report: The Recipient shall submit the original and one copy to USAID/Armenia and one copy to USAID Development Experience Clearinghouse at the following address:

a) Online: http://dec.usaid.gov/

b) Via mail: Development Experience Clearinghouse, M/CIO/KM, RRB M.01-10, U.S. Agency for International Development, Washington, DC 20523
c) Or e-mail: docsubmit@usaid.gov

The final performance report shall be submitted no later than 90 calendar days after the expiration of the award and shall contain the following information:

a) An executive summary of the accomplishments and results achieved.
b) An overall description of the activities, major accomplishments and results achieved, including results for all of the activities under the award.
c) Final data for all indicators included in the Performance Monitoring Plan.
d) A summary of problems/ obstacles encountered during the implementation, and how those obstacles were addressed and overcome if appropriate.
e) An assessment of performance in accomplishing the program's overall objectives.
g) Lessons learned, best practices, comments and other findings from the program, along with recommendations.
h) A comparison of actual expenditures with budget estimates, including analysis and explanation of cost overruns or high unit costs, and any other pertinent information.

4. USAID Branding and Marking

Branding and Marking Requirements for NK Humanitarian Mine Clearance Program will conform to **ADS 320.3.3** (effective 01/08/2007 and revised 05/05/2009).

It is a federal statutory and regulatory requirement that all USAID programs, projects, activities, public communications, and commodities that USAID partially or fully funds under a USAID grant or cooperative agreement or other assistance award or subaward, must be marked appropriately overseas with the USAID Identity. USAID will require the submission of a Branding Strategy and a Marking Plan by the apparent successful applicant under this RFA. For more information, see: http://www.usaid.gov/branding/assistance.html

II.5 Agency Contacts

The Agreement Officer for the resultant award is:

Jonathan Chappell
Regional Agreement Officer
USAID/Armenia
1 American Avenue
Yerevan, Armenia
Email: jchappell@usaid.gov

The Acquisition and Assistance Specialist is:

Armen Yeghiazarian

SECTION II

Senior Acquisition and Assistance Specialist
USAID/Armenia
1 American Avenue
Yerevan, Armenia
Email: ayeghiazaran@usaid.gov
Tel.: +37410 494466

SECTION III

PROGRAM DESCRIPTION

III.1 The Mines and UXO problem in Nagorno Karabakh

1.1 History

Nagorno Karabakh is situated in the South Caucasus midway between Armenia's border with Turkey and the Caspian Sea. During the Soviet Union this predominantly ethnic-Armenian area held the status of an Autonomous Oblast and was placed under the control of the Azerbaijan Soviet Socialist Republic. In 1988, as the Soviet Union collapsed, the population of Nagorno Karabakh voted in a referendum to secede from Azerbaijan. This resulted in armed conflict which lasted in some form from 1988 to 1994. This conflict erupted into full-scale war in 1992 and continued until a Russian-brokered ceasefire was agreed in May 1994. From 1988 to 1994 it is estimated that up to 30,000 people were killed, with many more injured. With both sides having access to a large range and quantity of former-Soviet weaponry the war was intense, with significant use of armor and aircraft over and above the use of ground troops. This resulted in widespread contamination from unexploded ordnance, particularly cluster munitions.

Apart from regular, but usually minor, incidents between Karabakhi and Azeri forces, the 1994 ceasefire has held despite the absence of third-nation peacekeepers, though the Organization for Security and Cooperation in Europe (OSCE) maintains a small monitoring mission. Negotiations for the final settlement of the conflict under the auspices of the OSCE Minsk group are still in progress.

Nagorno Karabakh is currently administered by the de-facto government of the self-declared Nagorno Karabakh Republic (NKR) and maintains very close relations with Armenia.

Mines were laid by both Azeri and pro-Karabakh forces during the war, with a relatively high proportion of anti-tank mines being used in some regions as well as anti-personnel mines throughout. The unexploded ordnance (UXO) littering the countryside ranges from mortars and rocket-propelled grenades (RPGs) to artillery rockets and air-dropped bombs. This UXO problem includes Russian-manufactured anti-personnel and anti-tank cluster bombs used by the Azeri Air Force. Thousands of these munitions were dropped from air during the conflict.

1.2 Landmines and explosive remnants of war (ERW) accidents

Nagorno Karabakh (NK) remains one of the regions with a considerable mine and UXO problem in terms of high civilian accident rates (per capita). All regions of the country contain minefields or former battle areas and there have been accidents in all regions. Since 1995, when good record keeping began, there have been 270 accidents resulting in 346 casualties, including 83 fatalities. Considering that the population is 140,000 this is one of the highest accident rates in the world, at over two casualties per 1,000 people. This is higher than the accident rate in Afghanistan and Cambodia, widely viewed as the most mine-affected countries in the world.

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For all the accidents that information is available since 1995, 27% of victims have been children. This is disproportionately high given that in a post-conflict situation adult may be understandably exposed to mines during their day-to-day activities (e.g. driving a tractor over a mined field) in ways that children should not be. In NK most accidents involving children occur as a result of children's curiosity about dangerous items, e.g. trying to open up a cluster munitions.

1.3 Socio-Economic Impact and Use of Contaminated Land

As well as posing a threat to life and limb, mines and UXO contaminate land thereby making safe use of it impossible. This severely restricts socio-economic development, both directly and indirectly. The direct impact is simply that otherwise productive land cannot be used. Agriculture is the mainstay of the Karabakh economy, and there is the capacity to be able to export produce in the future with improved efficiency and greater availability of cleared land. Mines laid for tactical reasons in re-entrants and low-lying areas deny some of the most fertile land in NK. In some cases farmers desperate to feed their families, knowingly risk cultivating fields contaminated with anti-tank mines.

The indirect effects include that fact that people are forced to use less direct route to travel around, increasing the cost of bringing their produce to market. Other types of development are restricted by the presence or fear of mines, e.g. road rehabilitation, bringing water and gas to remote villages.

The following give the estimated percentages for the land use of the remaining contaminated area in NK:[1]

- **27% Agriculture:** Areas where crops will be grown on significant scale, the vast majority of this being wheat, with a smaller part of this being fruit or vegetables.
- **23% Grazing:** Land used for animal grazing, generally cattle or sheep, or in some cases were grass is grown for making hay for winter feed for animal.
- **28% Access:** Minefields in this category will include those that are close to settlements, as well as those directly along/near roads and route that people use. Minefields close to villages may not have a formal future land use, but are stopping the free and safe movement of people to go about their daily lives.
- **15% Access/Grazing:** These will be minefields that fall under both categories, an example of this would be grazing land in close to a village, that leads on to further grazing land.
- **7% Woods:** Wooded areas that may at first glance seem low priority, however these play a significant part is the daily subsistence of rural Karabakhis. Mushrooms and wild plants/herbs are a significant part of the local diet and are also traded or sold in the towns. Often pigs feed in wooded areas and building lumber or firewood is cut and gathered.

[1] USAID is currently carrying out an assessment of minefields in NK; the final assessment will be shared with applicants if it is completed before applications are due. In any case, the assessment will be a resource for the organization that is awarded the cooperative agreement resulting from this RFA.

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Calculations of estimates for the cost of contaminated agricultural land suggest that the value of mine and UXO affected land, i.e. land unsafe to use (even if in some cases it still is) is US$4.8 million per annum. Using a GDP per head figure of US$1,330 (as taken from official NK administration figures) this amounts to the livelihoods of about 3,600 people, or 3% of the population. It is extremely difficult to quantify the indirect impact of mines and UXO.

III.2 USAID and other donor technical assistance in this area

Since September 2003 USAID has supported humanitarian de-mining activities in NK to make Nagorno Karabakh safe from mines and UXO since the program's inception.

This work was targeted at the densely laid minefields in and around population centers, where the direct humanitarian impact was greatest. Years of successful clearance around towns, most of the remaining minefields and cluster munition contamination in NK now lies in rural areas.

The table below summarizes the clearance carried out within the Soviet-era borders of Nagorno Karabakh since 2000. USAID has funded 53% of the mineclearance and 47% of the battle area clearance of cluster munition strikes in this area as of December, 2012.

	USAID	Other Donors	All Donors	Remaining Area
Minefield Area Cleared, m^2	16,840,855	14,805,011	31,645,866	1,915,318
Battle Area Cleared, m^2	91,702,547	102,175,787	193,878,334	43,210,000

The minefields tend to be less densely laid and therefore harder to identify and require larger amounts of area to be cleared before the mines are found and destroyed. However because agriculture, foraging and hunting are the main activities in many of these impoverished communities, the density of the minefields in not a major factor - the presence of mines, regardless of density, denies the people who need it most the use of the land.

Furthermore it only takes one mine to kill or maim an individual and despite acceptable clearance progress, accidents are still regularly occurring in Nagorno Karabakh. In 2012 Nagorno Karabakh had the highest per capita mine accident rate in the world. So although the number of mines found and destroyed has generally declined since the earlier years of operations, the humanitarian need for clearance remains high.

AT minefields were having the highest humanitarian impact both in terms of injuries or deaths to civilians and by preventing access to farmland, so a large proportion of the resources were spent clearing them between 2004 and 2010. However their clearance is nearing the end and consequently the focus of operations has moved to the clearance of AP minefields, where most of the remaining problem now lies. This operational change of approach is reflected in the much higher AT prodding statistics in 2011 as the efforts have been concentrated on completing the suspended AT minefields that had a minimum metal or plastic AT threat, and can also be seen in the large increase of cleared AP minefield area in 2012.

Since 2004 a large proportion of clearance has been conducted on cluster munition strike areas. With nearly all the high priority cluster munition strikes now cleared. However, the remaining cluster munitions lying on the surface of the ground pose a threat to life and limb, particularly when they are picked up by people and tampered with, therefore there is a need to continue conducting the surface clearance of cluster munitions in order to remove this immediate threat. Whilst the surface clearance of cluster munitions is important in itself, it makes operational sense to conduct Surface Battle Area Clearance (BAC) as a mainly wet weather activity, when access to the minefields is dangerous.

III.3 Overall Program Objectives

The aim of this program is to save lives and prevent injury via the humanitarian clearance of landmines and unexploded ordnance remaining from the conflict of 1992-1994. The project will return contaminated land to the local population for productive use, in order to promote and enable subsistence living for the rural population through low-level agriculture, animal husbandry and foraging. The activities within USAID funding should be performed only in "traditional NK territory" which includes the territory of the all regions of Nagorno-Karabakh as defined by the Soviet-era Autonomous Oblast boundaries and not use the USAID funding for the activities in so called "green villages" located outside of these boundaries.

The ultimate goal of the program is to declare the traditional NK territory a mine-clear zone.

The proposed mine clearance program in NK is within USAID Program Area A03: Stabilization Operations and Security Sector Reform and Program Element A010: Explosive Remnants of War and is based on USAID's statutory mandate to provide humanitarian assistance.

III.4 Proposed Activity and Expected Results

The implementing partner shall execute mine clearance activities in order to:

- Save lives and prevent injuries caused by landmines and UXO.
- Return contaminated land to the local population for productive use.
- Provide emergency assistance and respond to all requests to dispose of UXO.

For those purposes the implementing partner may use different techniques and methodologies. Applicants should detail the techniques and methodologies that they will utilize, explaining under what conditions and for what reasons these techniques and methodologies will be used such as:

1. Manual Mineclearance of AP mines, which consist of 100% clearance of mined areas where individuals use metal detectors to systematically search for and find any piece of

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metal. The manual teams should be equipped with appropriate detectors, blast protection clothing and basic hand tools.

2. Large Loop Detector (LLD) Mineclearance, which is used to clear metal bodies and anti-tank mines and allows ground containing AT mines only to be cleared quicker that when traditional manual deminers are employed (without compromising safety). In the areas where there is a risk of plastic anti-tank mines, this method of clearance should be supplemented with prodding.
3. Mechanical Mineclearance – this method when special mine protected machinery/vehicles is being used in the situations where other methods are not appropriate or safe.

The implementing partner is free to use any other innovative technics and methods, as well as advance technologies and tools.

All clearance work shall be performed in accordance with International Mine Action Standards (IMAS).

Following are the expected results from demining and BAC activities:

- Elimination of mine and unexploded ordnance contamination in NK.
- Elimination of AT accidents by tractor drivers.
- Additional land is freed up for the planting and cultivation of wheat with an obvious positive impact on rural NK.
- Increased grape production.
- Traditional NK territory (as defined above) is declared a mine-clear zone.

To reach those results by the end of the project the following tasks must be completed:

1. Clearance of all the remaining anti-personnel (AP) minefields.
2. Clearance of all the remaining anti-tank (AT) minefields.
3. Surface clearance of the entire remaining cluster munition in strike zones.

In the chart below an estimate of the remaining clearance area is presented (provided by HALO Trust, based on polygon survey results):

Remaining Contaminated Area in Traditional Nagorno Karabakh (Hectares Remaining as of 08.05.13)	
Anti-Personnel (AP) Minefield Area	108
Anti-Tank (AT) Minefield Area	80
Total Mined Remaining Area	188
Total Surface BAC Area Remaining	4,163

We expect completion of the mine clearance activities within four years with a funding level up to $6,000,000 USD.

The figures relating to estimated remaining areas in this document and predicted clearance times for those areas are provided for guidance purposes only and should not be regarded as absolute.

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Gender Analysis: The NK Humanitarian demining program is aimed at clearing mines and saving lives of the population of NK regardless of gender considerations. Therefore, a full gender analysis will not be developed by the implementing entity as the coverage of this activity is population wide.

List of resource documents provided as an Annex to the RFA

1. Results of the Polygon Survey and Surface Battle Area Clearance Projections – November 2011
2. Humanitarian Mineclearance in NK, End of Year Report 2012
3. Initial Environmental Examination

SECTION IV

CERTIFICATIONS, ASSURANCES, AND OTHER STATEMENTS OF THE RECIPIENT AND STANDARD PROVISIONS

Part I – Certifications and Assurances

1. Assurance of Compliance with Laws and Regulations Governing Non-Discrimination in Federally Assisted Programs

Note: This certification applies to Non-U.S. organizations if any part of the program will be undertaken in the United States.

(a) The recipient hereby assures that no person in the United States will, on the bases set forth below, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under, any program or activity receiving financial assistance from USAID, and that with respect to the Cooperative Agreement for which application is being made, it will comply with the requirements of:

(1) Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352, 42 U.S.C. 2000-d), which prohibits discrimination on the basis of race, color or national origin, in programs and activities receiving Federal financial assistance;

(2) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), which prohibits discrimination on the basis of handicap in programs and activities receiving Federal financial assistance;

(3) The Age Discrimination Act of 1975, as amended (Pub. L. 95-478), which prohibits discrimination based on age in the delivery of services and benefits supported with Federal funds;

(4) Title IX of the Education Amendments of 1972 (20 U.S.C. 1681, et seq.), which prohibits discrimination on the basis of sex in education programs and activities receiving Federal financial assistance (whether or not the programs or activities are offered or sponsored by an educational institution); and

(5) USAID regulations implementing the above nondiscrimination laws, set forth in Chapter II of Title 22 of the Code of Federal Regulations.

(b) If the recipient is an institution of higher education, the Assurances given herein extend to admission practices and to all other practices relating to the treatment of students or clients of the institution, or relating to the opportunity to participate in the provision of services or other benefits to such individuals, and must be applicable to the entire institution unless the recipient establishes to the satisfaction of the USAID Administrator that the institution's practices in designated parts or programs of the institution will in no way affect its practices in the program of the institution for which financial assistance is sought, or the beneficiaries of, or participants in, such programs.

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2. Certification Regarding Lobbying

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal Cooperative Agreement, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned must complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(3) The undersigned must require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients must certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, United States Code. Any person who fails to file the required certification will be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

"The undersigned states, to the best of his or her knowledge and belief, that: If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned must complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement will be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure."

3. Prohibition on Assistance to Drug Traffickers for Covered Countries and Individuals (ADS 206)

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USAID reserves the right to terminate this Agreement, to demand a refund or take other appropriate measures if the Grantee is found to have been convicted of a narcotics offense or to have been engaged in drug trafficking as defined in 22 CFR Part 140. The undersigned must review USAID ADS 206 to determine if any certifications are required for Key Individuals or Covered Participants.

If there are COVERED PARTICIPANTS: USAID reserves the right to terminate assistance to or take other appropriate measures with respect to, any participant approved by USAID who is found to have been convicted of a narcotics offense or to have been engaged in drug trafficking as defined in 22 CFR Part 140.

4. Certification Regarding Terrorist Financing Implementing Executive Order 13224

By signing and submitting this application, the prospective recipient provides the certification set out below:

1. The Recipient, to the best of its current knowledge, did not provide, within the previous ten years, and will take all reasonable steps to ensure that it does not and will not knowingly provide, material support or resources to any individual or entity that commits, attempts to commit, advocates, facilitates, or participates in terrorist acts, or has committed, attempted to commit, facilitated, or participated in terrorist acts, as that term is defined in paragraph 3.

2. The following steps may enable the Recipient to comply with its obligations under paragraph 1:

a. Before providing any material support or resources to an individual or entity, the Recipient will verify that the individual or entity does not (i) appear on the master list of Specially Designated Nationals and Blocked Persons, which is maintained by the U.S. Treasury's Office of Foreign Assets Control (OFAC), or (ii) is not included in any supplementary information concerning prohibited individuals or entities that may be provided by USAID to the Recipient.

b. Before providing any material support or resources to an individual or entity, the Recipient also will verify that the individual or entity has not been designated by the United Nations Security (UNSC) sanctions committee established under UNSC Resolution 1267 (1999) (the "1267 Committee") [individuals and entities linked to the Taliban, Usama bin Laden, or the Al-Qaida Organization]. To determine whether there has been a published designation of an individual or entity by the 1267 Committee, the Recipient should refer to the consolidated list available online at the Committee's Web site: http://www.un.org/Docs/sc/committees/1267/1267ListEng.htm.

c. Before providing any material support or resources to an individual or entity, the Recipient will consider all information about that individual or entity of which it is aware and all public information that is reasonably available to it or of which it should be aware.

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d. The Recipient also will implement reasonable monitoring and oversight procedures to safeguard against assistance being diverted to support terrorist activity.

3. For purposes of this Certification -

a. "Material support and resources" means currency or monetary instruments or financial securities, financial services, lodging, training, expert advice or assistance, safehouses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel, transportation, and other physical assets, except medicine or religious materials."

b. "Terrorist act" means -

(i) an act prohibited pursuant to one of the 12 United Nations Conventions and Protocols related to terrorism (see UN terrorism conventions Internet site: http://untreaty.un.org/English/Terrorism.asp); or

(ii) an act of premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents; or

(iii) any other act intended to cause death or serious bodily injury to a civilian, or to any other person not taking an active part in hostilities in a situation of armed conflict, when the purpose of such act, by its nature or context, is to intimidate a population, or to compel a government or an international organization to do or to abstain from doing any act.

c. "Entity" means a partnership, association, corporation, or other organization, group or subgroup.

d. References in this Certification to the provision of material support and resources must not be deemed to include the furnishing of USAID funds or USAID-financed commodities to the ultimate beneficiaries of USAID assistance, such as recipients of food, medical care, micro-enterprise loans, shelter, etc., unless the Recipient has reason to believe that one or more of these beneficiaries commits, attempts to commit, advocates, facilitates, or participates in terrorist acts, or has committed, attempted to commit, facilitated or participated in terrorist acts.

e. The Recipient's obligations under paragraph 1 are not applicable to the procurement of goods and/or services by the Recipient that are acquired in the ordinary course of business through contract or purchase, e.g., utilities, rents, office supplies, gasoline, etc., unless the Recipient has reason to believe that a vendor or supplier of such goods and services commits, attempts to commit, advocates, facilitates, or participates in terrorist acts, or has committed, attempted to commit, facilitated or participated in terrorist acts.

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This Certification is an express term and condition of any agreement issued as a result of this application, and any violation of it will be grounds for unilateral termination of the agreement by USAID prior to the end of its term.

5. Certification of Recipient

By signing below the recipient provides certifications and assurances for (1) the Assurance of Compliance with Laws and Regulations Governing Non-Discrimination in Federally Assisted Programs, (2) the Certification Regarding Lobbying, (3) the Prohibition on Assistance to Drug Traffickers for Covered Countries and Individuals (ADS 206) and (4) the Certification Regarding Terrorist Financing Implementing Executive Order 13224 above.

These certifications and assurances are given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts, or other Federal financial assistance extended after the date hereof to the recipient by the Agency, including installment payments after such date on account of applications for Federal financial assistance which was approved before such date. The recipient recognizes and agrees that such Federal financial assistance will be extended in reliance on the representations and agreements made in these assurances, and that the United States will have the right to seek judicial enforcement of these assurances. These assurances are binding on the recipient, its successors, transferees, and assignees, and the person or persons whose signatures appear below are authorized to sign these assurances on behalf of the recipient.

Request for Application No. ____________________________

Application No. ____________________________

Date of Application ____________________________

Name of Recipient ____________________________

Typed Name and Title ____________________________

Signature ____________________________

Date ____________________________

SECTION IV

Part II – Key Individual Certification Narcotics Offenses and Drug Trafficking

I hereby certify that within the last ten years:

1. I have not been convicted of a violation of, or a conspiracy to violate, any law or regulation of the United States or any other country concerning narcotic or psychotropic drugs or other controlled substances.

2. I am not and have not been an illicit trafficker in any such drug or controlled substance.

3. I am not and have not been a knowing assistor, abettor, conspirator, or colluder with others in the illicit trafficking in any such drug or substance.

Signature: ______________________________

Date: ______________________________

Name: ______________________________

Title/Position: ______________________________

Organization: ______________________________

Address: ______________________________

____

Date of Birth: ______________________________

NOTICE:

1. You are required to sign this Certification under the provisions of 22 CFR Part 140, Prohibition on Assistance to Drug Traffickers. These regulations were issued by the Department of State and require that certain key individuals of organizations must sign this Certification.

2. If you make a false Certification you are subject to U.S. criminal prosecution under 18 U.S.C. 1001.

SECTION IV

Part III – Participant Certification Narcotics Offenses and Drug Trafficking

1. I hereby certify that within the last ten years:

a. I have not been convicted of a violation of, or a conspiracy to violate, any law or regulation of the United States or any other country concerning narcotic or psychotropic drugs or other controlled substances.

b. I am not and have not been an illicit trafficker in any such drug or controlled substance.

c. I am not or have not been a knowing assistor, abettor, conspirator, or colluder with others in the illicit trafficking in any such drug or substance.

2. I understand that USAID may terminate my training if it is determined that I engaged in the above conduct during the last ten years or during my USAID training.

Signature: ____________________________________

Name: ____________________________________

Date: ____________________________________

Address: ____________________________________

____

Date of Birth: ____________________________________

NOTICE:

1. You are required to sign this Certification under the provisions of 22 CFR Part 140, Prohibition on Assistance to Drug Traffickers. These regulations were issued by the Department of State and require that certain participants must sign this Certification.

2. If you make a false Certification you are subject to U.S. criminal prosecution under 18 U.S.C. 1001.

SECTION IV

Part IV – Survey on Ensuring Equal Opportunity for Applicants

Applicability: All RFA's must include the attached Survey on Ensuring Equal Opportunity for Applicants as an attachment to the RFA package. Applicants under unsolicited applications are also to be provided the survey. (While inclusion of the survey by Agreement Officers in RFA packages is required, the applicant's completion of the survey is voluntary, and must not be a requirement of the RFA. The absence of a completed survey in an application may not be a basis upon which the application is determined incomplete or non-responsive. Applicants who volunteer to complete and submit the survey under a competitive or non-competitive action are instructed within the text of the survey to submit it as part of the application process.)

See Survey on Ensuring Equal Opportunity for Applicants at the below internet link:
http://transition.usaid.gov/forms/surveyeo.doc

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Part V – Other Statements of Recipient

1. Authorized Individuals

The recipient represents that the following persons are authorized to negotiate on its behalf with the Government and to bind the recipient in connection with this application or grant:

Name	Title	Telephone No.	Facsimile No.

2. Taxpayer Identification Number (TIN)

If the recipient is a U.S. organization, or a foreign organization which has income effectively connected with the conduct of activities in the U.S. or has an office or a place of business or a fiscal paying agent in the U.S., please indicate the recipient's TIN:

TIN: ________________________________

3. Data Universal Numbering System (DUNS) Number

(a) Unless otherwise specified in the solicitation using an applicable exemption, in the space provided at the end of this provision, the recipient should supply the Data Universal Numbering System (DUNS) number applicable to that name and address. Recipients should take care to report the number that identifies the recipient's name and address exactly as stated in the proposal.

(b) The DUNS is a 9-digit number assigned by Dun and Bradstreet Information Services. If the recipient does not have a DUNS number, the recipient should call Dun and Bradstreet directly at 1-800-333-0505. A DUNS number will be provided immediately by telephone at no charge to the recipient. The recipient should be prepared to provide the following information:

(1) Recipient's name.
(2) Recipient's address.
(3) Recipient's telephone number.
(4) Line of business.
(5) Chief executive officer/key manager.
(6) Date the organization was started.
(7) Number of people employed by the recipient.
(8) Company affiliation.

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(c) Recipients located outside the United States may e-mail Dun and Bradstreet at globalinfo@dbisma.com to obtain the location and phone number of the local Dun and Bradstreet Information Services office.

The DUNS system is distinct from the Federal Taxpayer Identification Number (TIN) system.

DUNS: ____

4. Letter of Credit (LOC) Number

If the recipient has an existing Letter of Credit (LOC) with USAID, please indicate the LOC number:

LOC: ____

5. Procurement Information

(a) Applicability. This applies to the procurement of goods and services planned by the recipient (i.e., contracts, purchase orders, etc.) from a supplier of goods or services for the direct use or benefit of the recipient in conducting the program supported by the grant, and not to assistance provided by the recipient (i.e., a subgrant or subagreement) to a subgrantee or subrecipient in support of the subgrantee's or subrecipient's program. Provision by the recipient of the requested information does not, in and of itself, constitute USAID approval.

(b) Amount of Procurement. Please indicate the total estimated dollar amount of goods and services which the recipient plans to purchase under the grant:

$__________________________

(c) Nonexpendable Property. If the recipient plans to purchase nonexpendable equipment which would require the approval of the Agreement Officer, indicate below (using a continuation page, as necessary) the types, quantities of each, and estimated unit costs. Nonexpendable equipment for which the Agreement Officer's approval to purchase is required is any article of nonexpendable tangible personal property charged directly to the grant, having a useful life of more than one year and an acquisition cost of $5,000 or more per unit.

TYPE/DESCRIPTION (Generic) ____________________________
QUANTITY ____________________________
ESTIMATED UNIT COST ____________________________

(d) Source If the recipient plans to purchase any goods/commodities which are not in accordance with the Standard Provision "USAID Eligibility Rules for Procurement of

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Commodities and Services," indicate below (using a continuation page, as necessary) the types and quantities of each, estimated unit costs of each, and probable source. "Source" means the country from which a commodity is shipped to the cooperating country or the cooperating country itself if the commodity is located in the cooperating country at the time of purchase. However, where a commodity is shipped from a free port or bonded warehouse in the form in which received, "source" means the country from which the commodity was shipped to the free port or bonded warehouse. Additionally, "available for purchase" includes "offered for sale at the time of purchase" if the commodity is listed in a vendor's catalog or other statement of inventory, kept as part of the vendor's customary business practices and regularly offered for sale, even if the commodities are not physically on the vendors' shelves or even in the source country at the time of the order. In such cases, the recipient must document that the commodity was listed in the vendor's catalog or other statement of inventory; that the vendor has a regular and customary business practice of selling the commodity through "just in time" or other similar inventory practices; and the recipient did not engage the vendor to list the commodity in its catalog or other statement of inventory just to fulfill the recipient's request for the commodity.

TYPE/DESCRIPTION ________________________________
QUANTITY ________________________________
ESTIMATED GOODS ________________________________
PROBABLE GOODS ________________________________
PROBABLE (Generic) ________________________________
UNIT COST ________________________________
SOURCE ________________________________

(e) Restricted Goods. If the recipient plans to purchase any restricted goods, indicate below (using a continuation page, as necessary) the types and quantities of each, estimated unit costs of each, intended use, and probable source. Restricted goods are Agricultural Commodities, Motor Vehicles, Pharmaceuticals, Pesticides, Used Equipment, U.S. Government-Owned Excess Property, and Fertilizer.

TYPE/DESCRIPTION ________________________________
QUANTITY ________________________________
ESTIMATED ________________________________
PROBABLE ________________________________
INTENDED USE (Generic) ________________________________
UNIT COST ________________________________
SOURCE ________________________________

(f) Supplier Nationality. If the recipient plans to purchase any goods or services from suppliers of goods and services whose nationality is not in accordance with the Standard Provision "USAID Eligibility Rules for Procurement of Commodities and Services," indicate below (using a continuation page, as necessary) the types and quantities of each good or service, estimated costs of each, probable nationality of each non-U.S. supplier of each good or service, and the rationale for purchasing from a non-U.S. supplier.

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TYPE/DESCRIPTION	______________________________
QUANTITY	______________________________
ESTIMATED	______________________________
PROBABLE SUPPLIER	______________________________
NATIONALITY	______________________________
RATIONALE (Generic)	______________________________
UNIT COST (Non-US Only)	______________________________
FOR NON-US	______________________________

6. Past Performance References

On a continuation page, please provide past performance information requested in the RFA.

7. Type of Organization

The recipient, by checking the applicable box, represents that -

(a) If the recipient is a U.S. entity, it operates as [ ] a corporation incorporated under the laws of the State of, [ ] an individual, [ ] a partnership, [ ] a nongovernmental nonprofit organization, [ ] a state or local governmental organization, [ ] a private college or university, [ ] a public college or university,
[ ] an international organization, or [ ] a joint venture; or

(b) If the recipient is a non-U.S. entity, it operates as [ ] a corporation organized under the laws of ______________________________ (country), [ ] an individual, [ ] a partnership, [ ] a nongovernmental nonprofit organization, [ ] a nongovernmental educational institution, [ ] a governmental organization, [ ] an international organization, or [ ] a joint venture.

8. Estimated Costs of Communications Products

The following are the estimate(s) of the cost of each separate communications product (i.e., any printed material [other than non-color photocopy material], photographic services, or video production services) which is anticipated under the grant. Each estimate must include all the costs associated with preparation and execution of the product. Use a continuation page as necessary.

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Part VI – Standard Provisions for Solicitations

1. MANDATORY STANDARD PROVISIONS FOR U.S. NON-GOVERNMENTAL RECIPIENTS

Please refer to the following website to access the above mentioned Provisions:
http://www.usaid.gov/policy/ads/300/303maa.pdf

2. STANDARD FORMS 424, 424A AND 424B, APPLICATION FOR FEDERAL ASSISTANCE, BUDGET INFORMATION-NON-CONSTRUCTION PROGRAMS AND ASSURANCES-NON-CONSTRUCTION PROGRAMS

The SF 424, SF 424A and SF 424B documents are not included but can be found at the following website: http://www.grants.gov

3. BRANDING STRATEGY - ASSISTANCE (JUNE 2012)

a. Applicants recommended for an assistance award must submit and negotiate a "Branding Strategy," describing how the program, project, or activity is named and positioned, and how it is promoted and communicated to beneficiaries and host country citizens.

b. The request for a Branding Strategy, by the Agreement Officer from the applicant, confers no rights to the applicant and constitutes no USAID commitment to an award.

c. Failure to submit and negotiate a Branding Strategy within the time frame specified by the Agreement Officer will make the applicant ineligible for an award.

d. The applicant must include all estimated costs associated with branding and marking USAID programs, such as plaques, stickers, banners, press events, materials, and so forth, in the budget portion of the application. These costs are subject to the revision and negotiation with the Agreement Officer and will be incorporated into the Total Estimated Amount of the grant, cooperative agreement or other assistance instrument.

e. The Branding Strategy must include, at a minimum, all of the following:

(1) All estimated costs associated with branding and marking USAID programs, such as plaques, stickers, banners, press events, materials, and so forth.

(2) The intended name of the program, project, or activity.

(i) USAID prefers to have the “USAID Identity,” comprised of the USAID logo and brandmark, with the tagline “from the American people” as found on the USAID Web site at transition.usaid.gov/branding, included as part of the program or project name.

(ii) USAID prefers local language translations of the phrase “made possible by (or with) the generous support of the American People” next to the USAID Identity when acknowledging contributions.

(iii) It is acceptable to cobrand the title with the USAID Identity and the applicant's identity.

(iv) If branding in the above manner is inappropriate or not possible, the applicant must explain how USAID's involvement will be showcased during publicity for the program or project.

(v) USAID prefers to fund projects that do not have a separate logo or identity that competes with the USAID Identity. If there is a plan to develop a separate logo to consistently identify this program, the applicant must attach a copy of the proposed logos.

(3) The intended primary and secondary audiences for this project or program, including direct beneficiaries and any special target segments.

(4) Planned communication or program materials used to explain or market the program to beneficiaries.

(i) Describe the main program message.

(ii) Provide plans for training materials, posters, pamphlets, public service announcement, billboards, Web sites, and so forth, as appropriate.

(iii) Provide any plans to announce and promote publicly this program or project to host country citizens, such as media releases, press conferences, public events, and so forth. Applicant must incorporate the USAID Identity and the message, “USAID is from the American People.”

(iv) Provide any additional ideas to increase awareness that the American people support this project or program.

(5) Information on any direct involvement from host-country government or ministry, including any planned acknowledgement of the host-country government.

(6) Any other groups whose logo or identity the applicant will use on program materials and related materials. Indicate if they are a donor or why they will be visibly acknowledged, and if they will receive the same prominence as USAID.

e. The Agreement Officer will consider the Branding Strategy's adequacy in the award criteria. The Branding Strategy will be reviewed to ensure the above information is adequately included and consistent with the stated objectives of the award, the applicant's cost data submissions, and the performance plan.

f. If the applicant receives an assistance award, the Branding Strategy will be included in and made part of the resulting grant or cooperative agreement

4. MARKING PLAN – ASSISTANCE (JUNE 2012)

a. Applicants recommended for an assistance award must submit and negotiate a "Marking Plan," detailing the public communications, commodities, and program materials, and other items that will visibly bear the "USAID Identity," which comprises of the USAID logo and brandmark, with the tagline "from the American people." The USAID Identity is the official marking for the Agency, and is found on the USAID Web site at http://transition.usaid.gov/branding.

b. The request for a Marking Plan, by the Agreement Officer from the applicant, confers no rights to the applicant and constitutes no USAID commitment to an award.

c. Failure to submit and negotiate a Marking Plan within the time frame specified by the Agreement Officer will make the applicant ineligible for an award.

d. The applicant must include all estimated costs associated with branding and marking USAID programs, such as plaques, stickers, banners, press events, materials, and so forth, in the budget portion of the application. These costs are subject to the revision and negotiation with the Agreement Officer and will be incorporated into the Total Estimated Amount of the grant, cooperative agreement or other assistance instrument.

e. The Marking Plan must include all of the following:

(1) A description of the public communications, commodities, and program materials that the applicant plans to produce and which will bear the USAID Identity as part of the award, including:

(i) Program, project, or activity sites funded by USAID, including visible infrastructure projects or other sites physical in nature;

(ii) Technical assistance, studies, reports, papers, publications, audio-visual productions, public service announcements, Web sites/Internet activities, promotional, informational, media, or communications products funded by USAID;

(iii) Commodities, equipment, supplies, and other materials funded by USAID, including commodities or equipment provided under humanitarian assistance or disaster relief programs; and

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(iv) It is acceptable to cobrand the title with the USAID Identity and the applicant's identity.

(v) Events financed by USAID, such as training courses, conferences, seminars, exhibitions, fairs, workshops, press conferences and other public activities. If the USAID Identity cannot be displayed, the recipient is encouraged to otherwise acknowledge USAID and the support of the American people.

(2) A table on the program deliverables with the following details:

(i) The program deliverables that the applicant plans to mark with the USAID Identity;

(ii) The type of marking and what materials the applicant will use to mark the program deliverables;

(iii) When in the performance period the applicant will mark the program deliverables, and where the applicant will place the marking;

(iv) What program deliverables the applicant does not plan to mark with the USAID Identity , and

(v) The rationale for not marking program deliverables.

(3) Any requests for an exemption from USAID marking requirements, and an explanation of why the exemption would apply. The applicant may request an exemption if USAID marking requirements would:

(i) Compromise the intrinsic independence or neutrality of a program or materials where independence or neutrality is an inherent aspect of the program and materials. The applicant must identify the USAID Strategic Objective, Interim Result, or program goal furthered by an appearance of neutrality, or state why an aspect of the award is presumptively neutral. Identify by category or deliverable item, examples of material for which an exemption is sought.

(ii) Diminish the credibility of audits, reports, analyses, studies, or policy recommendations whose data or findings must be seen as independent. The applicant must explain why each particular deliverable must be seen as credible.

(iii) Undercut host-country government "ownership" of constitutions, laws, regulations, policies, studies, assessments, reports, publications, surveys or audits, public service announcements, or other communications. The applicant must explain why each particular item or product is better positioned as host-country government item or product.

(iv) Impair the functionality of an item. The applicant must explain how marking the item or commodity would impair its functionality.

(v) Incur substantial costs or be impractical. The applicant must explain why marking would not be cost beneficial or practical.

(vi) Offend local cultural or social norms, or be considered inappropriate. The applicant must identify the relevant norm, and explain why marking would violate that norm or otherwise be inappropriate.

(vii) Conflict with international law. The applicant must identify the applicable international law violated by the marking.

f. The Agreement Officer will consider the Marking Plan's adequacy and reasonableness in the award criteria, and will approve and disapprove any exemption requests. The Marking Plan will be reviewed to ensure the above information is adequately included and consistent with the stated objectives of the award, the applicant's cost data submissions, and the performance plan.

g. If the applicant receives an assistance award, the Marking Plan, including any approved exemptions, will be included in and made part of the resulting grant or cooperative agreement, and will apply for the term of the award unless provided otherwise.

5. APPLICABILITY OF 22 CFR PART 226 - MAY 2005

a. All provisions of 22 CFR Part 226 and all Standard Provisions attached to this agreement are applicable to the recipient and to subrecipients which meet the definition of "Recipient" in Part 226, unless a section specifically excludes a subrecipient from coverage. The recipient shall assure that subrecipients have copies of all the attached standard provisions.

b. For any subawards made with Non-US subrecipients the Recipient shall include the applicable "Standard Provisions for Non-US Nongovernmental Grantees." Recipients are required to ensure compliance with monitoring procedures in accordance with OMB Circular A-133.

6. NONDISCRIMINATION - MAY 1986

(This provision is applicable when work under the grant is performed in the U.S. or when employees are recruited in the U.S.)

No U.S. citizen or legal resident shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity funded by this award on the basis of race, color, national origin, age, handicap, or sex.

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7. INELIGIBLE COUNTRIES

Unless otherwise approved by the USAID Agreement Officer, funds will only be expended for assistance to countries eligible for assistance under the Foreign Assistance Act of 1961, as amended, or under acts appropriating funds for foreign assistance.

8. NONLIABILITY - NOV 1985

USAID does not assume liability for any third party claims for damages arising out of this award.

9. AMENDMENT - NOV 1985

The award may be amended by formal modifications to the basic award document or by means of an exchange of letters between the Agreement Officer and an appropriate official of the recipient.

10. NOTICES - NOV 1985

Any notice given by USAID or the recipient shall be sufficient only if in writing and delivered in person, mailed, or cabled as follows:

To the USAID Agreement Officer, at the address specified in the award.

To recipient, at recipient's address shown in the award or to such other address designated within the award

Notices shall be effective when delivered in accordance with this provision, or on the effective date of the notice, whichever is later.

11. SUBAGREEMENTS - JUNE 1999

Subrecipients, subawardees, and contractors have no relationship with USAID under the terms of this agreement. All required USAID approvals must be directed through the recipient to USAID.

12. OMB APPROVAL UNDER THE PAPERWORK REDUCTION ACT – DEC 2003

Information collection requirements imposed by this grant are covered by OMB approval number 0412-0510; the current expiration date is 04/30/2005. The Standard Provisions containing the requirement and an estimate of the public reporting burden (including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information) are

Standard Provision	Burden Estimate
Air Travel and Transportation	1 (hour)
Ocean Shipment of Goods	.5
Patent Rights	.5
Publications	.5
Negotiated Indirect Cost Rates - (Predetermined and Provisional)	1
Voluntary Population Planning	.5
Protection of the Individual as a Research Subject	1
22 CFR 226	Burden Estimate
22 CFR 226.40-.49 Procurement of Goods and Services	1
22 CFR 226.30 -	.36
Property Standards	1.5

Comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, may be sent to the Office of Procurement, Policy Division (M/OP/P) U.S. Agency for International Development, Washington, DC 20523-7801 and to the Office of Management and Budget, Paperwork Reduction Project (0412-0510), Washington, D.C 20503.

13. USAID ELIGIBILITY RULES FOR GOODS AND SERVICES (FEBRUARY 2012)

(This provision is not applicable to goods or services which the recipient provides with private funds as part of a cost-sharing requirement, or with Program Income generated under the award.)

Guidance on the eligibility of specific goods or services may be obtained from the Agreement Officer. USAID policies and definitions on source and nationality are contained in 22 CFR Part 228, Rules on Procurement of Commodities and Services Financed by USAID Federal Program Funds which is incorporated into this Award in its entirety. **22 CFR 228** is supplemented by the policies and procedures in ADS Chapters 310 and 312.

a. Ineligible and Restricted Goods and Services:

(1) Ineligible Goods and Services. The recipient must not, under any circumstances, procure any of the following under this award:

(i) Military equipment,
(ii) Surveillance equipment,
(iii) Commodities and services for support of police or other law enforcement

activities,
(iv) Abortion equipment and services,
(v) Luxury goods and gambling equipment, or
(vi) Weather modification equipment.

(2) Ineligible Suppliers. Funds provided under this award must not be used to procure any goods or services furnished by any firms or individuals whose name appears on the "Lists of Parties Excluded from Federal Procurement and Nonprocurement Programs" (See https://www.epls.gov/). USAID will provide the recipient with a copy of these lists upon request.

(3) Restricted Goods. The recipient must obtain prior written approval of the Agreement Officer or comply with required procedures under an applicable waiver as provided by the Agreement Officer when procuring any of the following goods or services:

(i) Agricultural commodities,
(ii) Motor vehicles,
(iii) Pharmaceuticals,
(iv) Pesticides,
(v) Used equipment,
(vi) U.S. Government-owned excess property, or
(vii) Fertilizer.

b. Source and Nationality:

The eligibility rules for goods and services based on source and nationality are divided into two categories: One applies when the total procurement element during the life of the award is $250,000 or less, and the other applies when the total procurement element during the life of the award is over $250,000. The total procurement element includes procurement of all goods (for example, equipment, materials, supplies) and services. Guidance on the eligibility of specific goods or services may be obtained from the Agreement Officer.

1) When the total procurement element during the life of this award is valued at $250,000 or less, the authorized source for procurement of all goods and services to be reimbursed under the award is USAID Geographic Code 935, "Special Free World." Such goods and services must meet the source and nationality requirements set forth in 22 CFR 228.

2) When the total procurement element exceeds $250,000, the following applies: Except as may be specifically approved or directed in advance by the Agreement Officer, all goods and services financed with U.S. dollars which will be reimbursed under this award must meet the source and nationality requirements set forth in 22 CFR 228 for the authorized geographic code specified in the schedule of this award. If none is specified, the authorized source is Code 937.

c. If USAID determines that the recipient has procured any of these goods or services under this award contrary to the requirements of this provision, and has received payment for such purposes, the Agreement Officer may require the recipient to refund the entire amount of the purchase.

This provision must be included in all subagreements which include procurement of goods or services.

14. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS - JAN 2004

a. The recipient agrees to notify the Agreement Officer immediately upon learning that it or any of its principals:

(1) Are presently excluded or disqualified from covered transactions by any Federal department or agency;

(2) Have been convicted within the preceding three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice; commission of any other offense indicating a lack of business integrity or business honesty that seriously and directly affects your present responsibility;

(3) Are presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b); and

(4) Have had one or more public transactions (Federal, State, or local) terminated for cause or default within the preceding three years.

b. The recipient agrees that, unless authorized by the Agreement Officer, it will not knowingly enter into any subagreements or contracts under this grant with a person or entity that is included on the Excluded Parties List System (http://epls.arnet.gov). The recipient further agrees to include the following provision in any subagreements or contracts entered into under this award:

DEBARMENT, SUSPENSION, INELIGIBILITY, AND VOLUNTARY EXCLUSION (DECEMBER 2003)

The recipient/contractor certifies that neither it nor its principals is presently excluded or disqualified from participation in this transaction by any Federal department or agency.
c. The policies and procedures applicable to debarment, suspension, and ineligibility under USAID-financed transactions are set forth in 22 CFR Part 208.

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15. DRUG FREE WORKPLACE - JAN 2004

a. The recipient agrees that it will publish a drug-free workplace statement and provide a copy to each employee who will be engaged in the performance of any Federal award. The statement must

(1) Tell the employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in its workplace;

(2) Specify the actions the recipient will take against employees for violating that prohibition; and

(3) Let each employee know that, as a condition of employment under any award, he or she

(i) Must abide by the terms of the statement, and
(ii) Must notify you in writing if he or she is convicted for a violation of a criminal drug statute occurring in the workplace, and must do so no more than five calendar days after the conviction.

b. The recipient agrees that it will establish an ongoing drug-free awareness program to inform employees about

(i) The dangers of drug abuse in the workplace;
(ii) Your policy of maintaining a drug-free workplace;
(iii) Any available drug counseling, rehabilitation and employee assistance programs; and
(iv) The penalties that you may impose upon them for drug abuse violations occurring in the workplace.

c. Without the Agreement Officer's expressed written approval, the policy statement and program must be in place as soon as possible, no later than the 30 days after the effective date of this award or the completion date of this award, whichever occurs first.

d. The recipient agrees to immediately notify the Agreement Officer if an employee is convicted of a drug violation in the workplace. The notification must be in writing, identify the employee's position title, the number of each award on which the employee worked. The notification must be sent to the Agreement Officer within ten calendar days after the recipient learns of the conviction.

e. Within 30 calendar days of learning about an employee's conviction, the recipient must either

(1) Take appropriate personnel action against the employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973 (29 USC 794), as amended, or
(2) Require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for these purposes by a Federal, State or local health, law enforcement, or other appropriate agency.

f. The policies and procedures applicable to violations of these requirements are set forth in 22

CFR Part 210.

16. EQUAL PROTECTION OF THE LAWS FOR FAITH-BASED AND COMMUNITY ORGANIZATIONS - DEC 2009

a. All the requirements of 22 CFR Part 205, Participation By Religious Organizations In USAID Programs, are applicable to the recipient and to subrecipients which meet the definition of "Recipient" in 22 CFR Part 226. The requirements of 22 CFR Part 205 apply to both religious and secular organizations.

b. If the recipient makes subawards under this agreement, faith-based organizations must be eligible to participate on the same basis as other organizations, and must not be discriminated for or against on the basis of their religious character or affiliation.

c. The recipient must not engage in inherently religious activities, such as worship, religious instruction, or proselytization, as part of the programs or services directly funded with financial assistance from USAID. If the recipient engages in inherently religious activities, such as worship, religious instruction, and proselytization, it must offer those services at a different time or location from any programs or services directly funded by this award, and participation by beneficiaries in any such inherently religious activities must be voluntary. These restrictions do not apply to programs where USAID funds are provided to chaplains to work with inmates in prisons, detention facilities, or community correction centers, or where USAID funds are provided to religious or other organizations for programs in prisons, detention facilities, or community correction centers, in which such organizations assist chaplains in carrying out their duties.

d. The recipient must not use USAID funds for the acquisition, construction, or rehabilitation of structures to the extent that those structures are used for inherently religious activities. Where a structure is used for both eligible and inherently religious activities, USAID funds may not exceed the cost of those portions of the acquisition, construction, or rehabilitation that are attributable to eligible activities in accordance with applicable cost accounting principles. Sanctuaries, chapels, or other rooms that the recipient uses as its principal place of worship are ineligible for acquisition, construction, rehabilitation, or improvements using USAID funds.

e. The recipient may not discriminate against any beneficiary or potential beneficiary under this award on the basis of religion or religious belief. Accordingly, in providing services supported in whole or in part by this agreement or in its outreach activities related to such services, the recipient may not discriminate against current or prospective program beneficiaries on the basis of religion, a religious belief, a refusal to hold a religious belief, or a refusal to actively participate in a religious practice.

f. When the recipient is a religious organization, the recipient
(1) Retains its independence and may continue to carry out its mission, including the definition, practice, and expression of its religious beliefs, provided that it does not use direct financial assistance from USAID to support any inherently religious activities, such as worship, religious

instruction, or proselytization.
(2) Retains its authority over its internal governance and may retain religious terms in its organization's name, select its board members on a religious basis, and include religious references in its organization's mission statements and other governing documents.
(3) Retains its exemption from the Federal prohibition on employment discrimination on the basis of religion, set forth in Sec. 702(a) of the Civil Rights Act of 1964, 42 U.S.C. 2000e–1.
(4) May use space in its facilities, without removing religious art, icons, scriptures, or other religious symbols.
g. The Secretary of State may waive the requirements of this provision in whole or in part, on a case-by-case basis, where the Secretary determines that such waiver is necessary to further the national security or foreign policy interests of the United States.

17. IMPLEMENTATION OF E.O. 13224 - EXECUTIVE ORDER ON TERRORIST FINANCING - MAR 2002

The Recipient is reminded that U.S. Executive Orders and U.S. law prohibits transactions with, and the provision of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of the recipient to ensure compliance with these Executive Orders and laws. This provision must be included in all contracts/subawards issued under this agreement.

18. REGULATIONS GOVERNING EMPLOYEES - AUG 1992

(The following applies to the recipient's employees working in the cooperating country under the agreement who are not citizens of the cooperating country.)

a. The recipient's employees shall maintain private status and may not rely on local U.S. Government offices or facilities for support while under this grant.

b. The sale of personal property or automobiles by recipient employees and their dependents in the foreign country to which they are assigned shall be subject to the same limitations and prohibitions which apply to direct-hire USAID personnel employed by the Mission, including the rules contained in 22 CFR Part 136, except as this may conflict with host government regulations.

c. Other than work to be performed under this award for which an employee is assigned by the recipient, no employee of the recipient shall engage directly or indirectly, either in the individual's own name or in the name or through an agency of another person, in any business, profession, or occupation in the foreign countries to which the individual is assigned, nor shall the individual make loans or investments to or in any business, profession or occupation in the foreign countries to which the individual is assigned.

d. The recipient's employees, while in a foreign country, are expected to show respect for its conventions, customs, and institutions, to abide by its applicable laws and regulations, and not to interfere in its internal political affairs.

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e. In the event the conduct of any recipient employee is not in accordance with the preceding paragraphs, the recipient's chief of party shall consult with the USAID Mission Director and the employee involved and shall recommend to the recipient a course of action with regard to such employee.

f. The parties recognize the rights of the U.S. Ambassador to direct the removal from a country of any U.S. citizen or the discharge from this grant award of any third country national when, in the discretion of the Ambassador, the interests of the United States so require.

g. If it is determined, either under (e) or (f) above, that the services of such employee should be terminated, the recipient shall use its best efforts to cause the return of such employee to the United States, or point of origin, as appropriate.

19. CONVERSIONS OF US DOLLARS TO LOCAL CURRENCY - NOV 1985

(This provision applies when activities are undertaken outside the United States.)

Upon arrival in the Cooperating Country, and from time to time as appropriate, the recipient's chief of party shall consult with the Mission Director who shall provide, in writing, the procedure the recipient and its employees shall follow in the conversion of United States dollars to local currency. This may include, but is not limited to, the conversion of currency through the cognizant United States Disbursing Officer or Mission Controller, as appropriate.

20. USE OF POUCH FACILITIES - AUG 1992

(This provision applies when activities are undertaken outside the United States.)

a. Use of diplomatic pouch is controlled by the Department of State. The Department of State has authorized the use of pouch facilities for USAID recipients and their employees as a general policy, as detailed in items (1) through (6) below. However, the final decision regarding use of pouch facilities rest with the Embassy or USAID Mission. In consideration of the use of pouch facilities, the recipient and its employees agree to indemnify and hold harmless, the Department of State and USAID for loss or damage occurring in pouch transmission:

(1) Recipients and their employees are authorized use of the pouch for transmission and receipt of up to a maximum of .9 kgs per shipment of correspondence and documents needed in the administration of assistance programs.

(2) U.S. citizen employees are authorized use of the pouch for personal mail up to a maximum of .45 kgs per shipment (but see (a)(3) below).

(3) Merchandise, parcels, magazines, or newspapers are not considered to be personal mail for purposes of this standard provision and are not authorized to be sent or received by pouch.

(4) Official and personal mail pursuant to a.1. and 2. above sent by pouch should be addressed as follows:
Name of individual or organization (followed by letter symbol "G")
City Name of post (USAID/______)
Agency for International Development
Washington, D.C. 20523-0001

(5) Mail sent via the diplomatic pouch may not be in violation of U.S. Postal laws and may not contain material ineligible for pouch transmission.

(6) Recipient personnel are NOT authorized use of military postal facilities (APO/FPO). This is an Adjutant General's decision based on existing laws and regulations governing military postal facilities and is being enforced worldwide.

b. The recipient shall be responsible for advising its employees of this authorization, these guidelines, and limitations on use of pouch facilities.

c. Specific additional guidance on grantee use of pouch facilities in accordance with this standard provision is available from the Post Communication Center at the Embassy or USAID Mission.

21. INTERNATIONAL AIR TRAVEL AND TRANSPORTATION - JUN 1999

(This provision is applicable when costs for international travel or transportation will be paid for with USAID funds. This provision is not applicable if the recipient is providing for travel with private funds as part of a cost-sharing requirement, or with Program Income generated under the award.)

a. PRIOR BUDGET APPROVAL

In accordance with OMB Cost Principles, direct charges for foreign travel costs are allowable only when each foreign trip has received prior budget approval. Such approval will be deemed to have been met when:

(1) the trip is identified. Identification is accomplished by providing the following information: the number of trips, the number of individuals per trip, and the destination country(s).

(2) the information noted at (a)(1) above is incorporated in: the proposal, the program description or schedule of the award, the implementation plan (initial or revisions), or amendments to the award; and

(3) the costs related to the travel are incorporated in the approved budget of the award.
The Agreement Officer may approve travel which has not been incorporated in writing as required by paragraph (a)(2). In such case, a copy of the Agreement Officer's approval must be included in the agreement file.

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b. NOTIFICATION

(1) As long as prior budget approval has been met in accordance with paragraph (a) above, a separate Notification will not be necessary unless:
(i) the primary purpose of the trip is to work with USAID Mission personnel, or

(ii) the recipient expects significant administrative or substantive programmatic support from the Mission.

Neither the USAID Mission nor the Embassy will require Country Clearance of employees or contractors of USAID Recipients.

(2) Where notification is required in accordance with paragraph (1)(i) or (ii) above, the recipient will observe the following standards:

(i) Send a written notice to the cognizant USAID Technical Office in the Mission. If the recipient's primary point of contact is a Technical Officer in USAID/W, the recipient may send the notice to that person. It will be the responsibility of the USAID/W Technical Officer to forward the notice to the field.

(ii) The notice should be sent as far in advance as possible, but at least 14 calendar days in advance of the proposed travel. This notice may be sent by fax or e-mail. The recipient should retain proof that notification was made.

(iii) The notification shall contain the following information: the award number, the cognizant Technical Officer, the traveler's name (if known), date of arrival, and the purpose of the trip.

(iv) The USAID Mission will respond only if travel has been denied. It will be the responsibility of the Technical Officer in the Mission to contact the recipient within 5 working days of having received the notice if the travel is denied. If the recipient has not received a response within the time frame, the recipient will be considered to have met these standards for notification, and may travel.

(v) If a subrecipient is required to issue a Notification, as per this section, the subrecipient may contact the USAID Technical Officer directly, or the prime may contact USAID on the subrecipient's behalf.

c. SECURITY ISSUES

Recipients are encouraged to obtain the latest Department of State Travel Advisory Notices before travelling. These Notices are available to the general public and may be obtained directly from the State Department, or via Internet.

Where security is a concern in a specific region, recipients may choose to notify the US Embassy of their presence when they have entered the country. This may be especially important for long-term posting.

d. USE OF U.S.-OWNED LOCAL CURRENCY

Travel to certain countries shall, at USAID's option, be funded from U.S.-owned local currency. When USAID intends to exercise this option, USAID will either issue a U.S. Government S.F. 1169, Transportation Request (GTR) which the grantee may exchange for tickets, or issue the tickets directly. Use of such U.S.-owned currencies will constitute a dollar charge to this grant.

e. THE FLY AMERICA ACT

The Fly America Act (49 U.S.C. 40118) requires that all air travel and shipments under this award must be made on U.S. flag air carriers to the extent service by such carriers is available. The Administrator of General Services Administration (GSA) is authorized to issue regulations for purposes of implementation. Those regulations may be found at 41 CFR part 301, and are hereby incorporated by reference into this award.

f. COST PRINCIPLES

The recipient will be reimbursed for travel and the reasonable cost of subsistence, post differentials and other allowances paid to employees in international travel status in accordance with the recipient's applicable cost principles and established policies and practices which are uniformly applied to federally financed and other activities of the grantee.

If the recipient does not have written established policies regarding travel costs, the standard for determining the reasonableness of reimbursement for overseas allowance will be the Standardized Regulations (Government Civilians, Foreign Areas), published by the U.S. Department of State, as from time to time amended. The most current subsistence, post differentials, and other allowances may be obtained from the Agreement Officer.

g. SUBAWARDS.

This provision will be included in all subawards and contracts which require international air travel and transportation under this award.

22. OCEAN SHIPMENT OF GOODS - JUN 1999

(This provision is applicable for awards and subawards for $100,000 or more and when goods purchased with funds provided under this award are transported to cooperating countries on ocean vessels whether or not award funds are used for the transportation.)

a. At least 50% of the gross tonnage of all goods purchased under this agreement and transported to the cooperating countries shall be made on privately owned U.S. flag commercial ocean vessels, to the extent such vessels are available at fair and reasonable rates for such vessels.

b. At least 50% of the gross freight revenue generated by shipments of goods purchased under this agreement and transported to the cooperating countries on dry cargo liners shall be paid to or for the benefit of privately owned U.S. flag commercial ocean vessels to the extent such vessels are available at fair and reasonable rates for such vessels.

c. When U.S. flag vessels are not available, or their use would result in a significant delay, the grantee may request a determination of non-availability from the USAID Transportation Division, Office of Procurement, Washington, D.C. 20523, giving the basis for the request which will relieve the grantee of the requirement to use U.S. flag vessels for the amount of tonnage included in the determination. Shipments made on non-free world ocean vessels are not reimbursable under this grant.

d. The recipient shall send a copy of each ocean bill of lading, stating all of the carrier's charges including the basis for calculation such as weight or cubic measurement, covering a shipment under this agreement to:

U.S. Department of Transportation,
Maritime Administration, Division of National Cargo,
400 7th Street, S.W.,
Washington, DC 20590, and

U.S. Agency for International Development,
Office of Procurement, Transportation Division
1300 Pennsylvania Avenue, N.W.
Washington, DC 20523-7900

e. Shipments by voluntary nonprofit relief agencies (i.e., PVOs) shall be governed by this standard provision and by USAID Regulation 2, "Overseas Shipments of Supplies by Voluntary Nonprofit Relief Agencies" (22 CFR Part 202).

f. Shipments financed under this grant must meet applicable eligibility requirements set out in 22 CFR 228.21.

23. VOLUNTARY POPULATION PLANNING ACTIVITIES - MANDATORY REQUIREMENTS - MAY 2006

Requirements for Voluntary Sterilization Programs

(1) None of the funds made available under this award shall be used to pay for the performance of involuntary sterilization as a method of family planning or to coerce or provide any financial incentive to any individual to practice sterilization.

Prohibition on Abortion-Related Activities:

(1) No funds made available under this award will be used to finance, support, or be attributed to

the following activities: (i) procurement or distribution of equipment intended to be used for the purpose of inducing abortions as a method of family planning; (ii) special fees or incentives to any person to coerce or motivate them to have abortions; (iii) payments to persons to perform abortions or to solicit persons to undergo abortions; (iv) information, education, training, or communication programs that seek to promote abortion as a method of family planning; and (v) lobbying for or against abortion. The term "motivate", as it relates to family planning assistance, shall not be construed to prohibit the provision, consistent with local law, of information or counseling about all pregnancy options.

(2) No funds made available under this award will be used to pay for any biomedical research which relates, in whole or in part, to methods of, or the performance of, abortions or involuntary sterilizations as a means of family planning. Epidemiologic or descriptive research to assess the incidence, extent or consequences of abortions is not precluded.

24. CENTRAL CONTRACTOR REGISTRATION AND UNIVERSAL IDENTIFIER (OCTOBER 2010)

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

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

(1) Must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive a subaward from you unless the entity has provided its DUNS number to you.
(2) May not make a subaward to an entity unless the entity has provided its DUNS number to you.

c. Definitions. For purposes of this award term:

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

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

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

25, subpart C:

(i) A Governmental organization, which is a State, local government, or Indian tribe;
(ii) A foreign public entity;
(iii) A domestic or foreign nonprofit organization;
(iv) A domestic or foreign for-profit organization; and
(v) A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

(4) Subaward:

(i) This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
(ii) The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. --.210 of the attachment to OMB Circular A-133, ―Audits of States, Local Governments, and Non-Profit Organizations‖).
(iii) A subaward may be provided through any legal agreement, including an agreement that you consider a contract.

(5) Subrecipient means an entity that:

(i) Receives a subaward from you under this award; and
(ii) Is accountable to you for the use of the Federal funds provided by the subaward.

25. REPORTING SUBAWARDS AND EXECUTIVE COMPENSATION (OCTOBER 2010)

a. Reporting of first-tier subawards.

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

(2) Where and when to report.

(i) You must report each obligating action described in paragraph a.1. of this award term to www.fsrs.gov.
(ii) For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)

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

b. Reporting Total Compensation of Recipient Executives.

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

(i) the total Federal funding authorized to date under this award is $25,000 or more;
(ii) in the preceding fiscal year, you received—
(A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
(B) $25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
(iii) The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at http://www.sec.gov/answers/execomp.htm.)

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

(i) As part of your registration profile at www.ccr.gov.
(ii) By the end of the month following the month in which this award is made, and annually thereafter.

c. Reporting of Total Compensation of Subrecipient Executives.

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

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

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

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

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

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

d. Exemptions

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

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

e. Definitions. For purposes of this award term:

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

> (i) A Governmental organization, which is a State, local government, or Indian tribe;
> (ii) A foreign public entity;
> (iii) A domestic or foreign nonprofit organization;
> (iv) A domestic or foreign for-profit organization;
> (v) A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

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

(3) Subaward:

> (i) This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
> (ii) The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. --.210 of the attachment to OMB Circular A- 133, ―Audits of States, Local Governments, and Non- Profit Organizations).
> (iii) A subaward may be provided through any legal agreement, including an agreement

that you or a subrecipient considers a contract.

(4) Subrecipient means an entity that:

(i) Receives a subaward from you (the recipient) under this award; and
(ii) Is accountable to you for the use of the Federal funds provided by the subaward.

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

(i) Salary and bonus.
(ii) Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
(iii) Earnings for services under nonequity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
(iv) Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.
(v) Above-market earnings on deferred compensation which is not tax-qualified.
(vi) Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds $10,000.

26. TRAFFICKING IN PERSONS (OCTOBER 2010)

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

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

(i) Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
(ii) Procure a commercial sex act during the period of time that the award is in effect; or
(iii) Use forced labor in the performance of the award or subawards under the award.

(2) We as the Federal awarding agency may unilaterally terminate this award, without penalty, if you or a subrecipient that is a private entity —
(i) Is determined to have violated a prohibition in paragraph a. (1) of this award term; or
(ii) Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph a. (1) of this

award term through conduct that is either —

(A) Associated with performance under this award; or

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

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

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

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

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

(A) Associated with performance under this award; or

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

b. Provisions applicable to any recipient.

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

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

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

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

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

d. Definitions. For purposes of this provision:

(1) "Employee" means either:

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

(ii) Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited

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to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.

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

(3) "Private entity":

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

(ii) Includes:

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

(B) A for-profit organization.

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

ANNEX A.

Results of the Polygon Survey and Surface Battle Area Clearance Projections – November 2011

ANNEX B.

Humanitarian Mineclearance in NK, End of Year Report 2012

ANNEX C

Initial Environmental Examination