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Subject: Request for Applications (RFA) No. RFA-114-15-000003
Promoting Rule of Law in Georgia (PROLoG) Activity

The United States Agency for International Development (USAID) is seeking applications for Assistance Agreements for funding to support a program entitled "Promoting Rule of Law in Georgia Activity." The authority for the RFA is found in the Foreign Assistance Act of 1961, as amended. The estimated sum of the proposed activity is not to exceed the amount of $17,000,000.00 over a five-year period. Please refer to Section I – Funding Opportunity Description for a complete statement of goals and expected results.

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.

To be eligible for award, the applicant must provide all required information in its application, including the requirements found in any attachments to this Grants.gov opportunity. This RFA consists of this cover letter plus the following Sections:

1. Section I – Funding Opportunity Description
2. Section II – Award Information
3. Section III – Eligibility information
4. Section IV – Application and Submission Information
5. Section V – Application and Review Information
6. Section VI – Award Administration Information
7. Section VII – Agency Contacts

This funding opportunity is posted on www.grants.gov and may be amended. Potential applicants should regularly check the website to ensure they have the latest information pertaining to this RFA. Applicants will need to have available or download Adobe program to their computers in order to view and save the Adobe forms properly. If you have difficulty registering on www.grants.gov or accessing the RFA, please contact the Grants.gov Helpdesk at 1-800-518-4726 or via email at support@grants.gov for technical assistance.

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Any questions concerning this RFA should be submitted in writing to Ms. Eka Gamezardashvili via email at egamezardashvili@usaid.gov. Responses to questions will be made available to all potential applicants through an amendment to this RFA and posted on grants.gov.

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".

Final award of any resultant cooperative agreement cannot be made until funds have been fully appropriated, allocated, and committed through internal USAID procedures. While it is anticipated that these procedures will be successfully completed, potential applicants are hereby notified of these requirements and conditions for award. Applications are submitted at the risk of the applicant. All preparation and submission costs are at the applicant's expense.

Sincerely,

/s/
Jonathan Chappell
Regional Agreement Officer
USAID/Caucasus

SECTION I – FUNDING OPPORTUNITY DESCRIPTION

Promoting Rule of Law in Georgia (PROLoG) Activity

November 2014

1. Overview

The protection of human rights and respect for rule of law requires a strong legal framework and highly functioning institutions that hold individuals and the government accountable for their actions. The legal framework must be structured to uphold judicial independence and provide equal treatment for all citizens. Institutions must operate in an open and accessible environment where laws and regulations are broadly publicized, widely understood, and fairly applied. Judicial and other legal authorities must be competent and independent in order to effectively protect human rights and the rule of law. In Georgia some progress has been made to advance a capable justice system and efforts continue in this direction.

The arrival of a new government following the October 2012 elections was a turning point for justice system reform in Georgia. While some efforts were made and momentum gained under the former administration, during 2013 the newly elected Parliament adopted legislative changes that began to address significant weaknesses in the justice sector, including empowering individual judges in the governance of the judiciary. The Criminal Procedure Code was modified to increase the balance between parties in a trial. These initiatives demonstrate a willingness on the part of the Government of Georgia (GOG) to work towards reform.

Building on the momentum of these legislative changes, the **Promoting Rule of Law in Georgia Activity (PROLoG)**[1] will support the development of a justice system in Georgia that ensures due process, judicial independence, and the protection of human rights. This assistance will work to eliminate the barriers that prevent people from understanding and exercising their rights by engaging justice sector institutions, professional associations, and civil society, as well as improving the legal framework.

This Activity is predicated on the development hypothesis that the rule of law, including judicial independence, the right to due process, and other human rights, can be enhanced by improving the legal framework, professionalizing justice system institutions, improving the capacity of legal professionals, and increasing access to the justice system for marginalized groups. In summary, PROLoG aims to achieve the following high level results:

- Legal framework strengthened;
- Management of justice system institutions improved;
- Capacity of legal professionals enhanced; and
- Access to justice of marginalized groups improved.

The Activity will consolidate the achievements of USAID’s current rule of law activity. These include: contributions to recent legislative reforms to increase judicial independence and to allow

[1] Applicant is welcome to propose alternative name for the Activity.

judges to directly elect the ruling body of the judiciary, the creation of an active NGO Coalition for an Independent and Transparent Judiciary with over 30 members, the first-ever public court monitoring project in Georgia, a significantly improved Georgian Bar Association (GBA) bar examination, and the advancement of legal education including the establishment of national centers for Alternative Dispute Resolution (ADR) and commercial law and an appreciation of the value of legal clinics.

PROLoG will mainstream gender into all its activities; it will promote equality of men and women and enhance gender balance in the justice system.

2. Strategic Framework

Accountable governance systems are based on the separation and constraint of political power and on citizen oversight of government. Despite positive reforms in a number of areas and a more capable, active government since the Rose Revolution, Georgia still lacks adequate checks on executive authority and sufficient opportunities for accountability. According to USAID/Caucasus Country Development Cooperation Strategy (CDCS), Georgia's commitment to democratic checks and balances and accountable governance is predicated in part on independent, consistent, and professional application of the rule of law.

PROLoG contributes to the CDCS Development Objective (DO) 1 - "Democratic checks and balances and accountable governance enhanced," Intermediate Result (IR) 1.3 "Independent, consistent, and professional application of the rule of law" and its four sub-IRs:

- 1.3.1 Application of due process expanded and access to justice increased
- 1.3.2 Judicial independence and capacity increased
- 1.3.3 Civic participation in judicial affairs increased
- 1.3.4 Skills, knowledge, and ethical standards of legal professionals enhanced, civic participation in judicial affairs increased

There are close linkages between the PROLoG and other activities under DO 1. Results of the activities under the More Transparent and Accountable Governance (TAG) Project will have a considerable impact on certain directions of PROLoG. One example is work under the TAG Project to implement well-functioning systems and processes of public accountability. The GOG is engaged in a process to create systems for better implementation of the Freedom of Information Act requirements, promoting electronic governance and services. Moreover, the Open Government Partnership imposes additional obligations on the GOG to ensure openness and transparency of public agencies. Justice system institutions (including the judiciary) are part of these processes and will need to comply with newly developed/adopted policies regarding transparency and openness of public agencies.

Another common point for the ROL and TAG Projects is media and civil society. Media and CSOs with strengthened financial and technical capacity will be able to deliver better results for PROLoG, which aims to utilize non-state actors to generate demand for reforms in the justice system. Civic education interventions under TAG will promote active citizens through awareness-raising of high school students about their rights, civic duties, and responsibilities. Informed citizens are better positioned to seek equality and protection through legal mechanisms through the justice system.

The Strengthening Elections and Political Processes (SEPP) Project is also important to USAID work on the justice system and human rights. A stable political environment is a key factor for the successful implementation of justice system reform. SEPP's work to foster constructive political competition and free and fair electoral processes will be important for the stability of the country's political environment.

PROLoG may directly contribute to DO 2 of the CDCS - Inclusive and Sustainable Economic Growth - sub-IR 2.1.2 Improve enabling environment, including legislative and policy reform and implementation. Under sub-IR 2.1, the Improved Economic Governance and Leadership (G4G) Project, aims to promote changes in the business enabling environment and natural resource management. Among other things, the G4G Project's assistance will include strengthening the capacity of GOG institutions to develop, implement, and enforce reforms to strengthen the legal and regulatory framework that supports fair market competition and responsible use of natural resources. The G4G Project intends to provide technical assistance and training to select GOG agencies and non-governmental players on priority policy issues such as tax enforcement and administration, customs and trade, and legislation that improves competition. There is a possibility that these policy issues will complement PROLoG's work in commercial law (e.g. bankruptcy law, commercial dispute resolution issues). PROLoG will be closely coordinated with the EG Office.

Moreover, the Activity will work with GOG stakeholders and civil society to develop an effective legal framework for human rights protection. PROLoG will invest in training legal professionals to ensure the legal framework is implemented by justice system players. As part of this, the Activity will promote awareness of human rights and better access to justice for marginalized populations. While PROLoG will focus on the protection of human rights and minority groups by and within the justice system, human rights programming under DO3 will work to promote better social integration of minority groups and overcoming stereotypes at the people-to-people and institutional levels.

PROLoG will directly contribute to DO 3, IR 3.2, and specifically sub-IRs 3.2.1 Increased integration of Georgia's ethnic minorities, and 3.2.2 Broader representation, participation, and inclusion of women. PROLoG will work with marginalized communities to improve access to justice and will select beneficiary communities based on activities carried out under IR 3.2.1 to maximize the impacts of both strands of USAID's support to human rights. The Activity will also promote equitable access to justice for women through improved efficacy of women actors in the system (judges, prosecutors, trainers, etc), attitude and behavior change towards inclusion of women and better understanding of issues women face in accessing the justice sector by all actors, and improved handling of justice sector issues of particular relevance to women.

The U.S. Embassy's 2014-2016 Integrated Country Strategy (ICS) establishes a coordinated approach to reach U.S. Mission goals for all U.S. government activities in Georgia. PROLoG supports the first ICS Goal of "Sustained and deepened democratic development following Georgia's first ever democratic and peaceful transfer of power in 2012," and Objective 1: Governing Democratically and Efficiently. Along with PROLoG, other Embassy programs supporting this mission objective in the rule of law sector are the U.S. State Department's Bureau of International Narcotics and Law Enforcement Affairs (INL) and the Resident Legal Adviser of the Department of Justice (RLA/DOJ).

INL assists Georgia to strengthen the rule of law through practical skills training for law enforcement officers, prosecutors, defense attorneys, and judges. INL efforts also focus on improving local capacity to fight transnational crime, including human trafficking and narcotics trafficking, and advancing implementation of criminal procedure reforms to create a justice system that meets international standards, enhances regional stability and security, and helps support Georgia's Euro-Atlantic integration. Currently INL is funding a one-year program ending in September 2015 implemented by the American Bar Association's Rule of Law Initiative (ABA-ROLI) that provides training to lawyers in criminal law issues.

The RLA/DOJ's Office of Overseas Prosecutorial Development, Assistance and Training (ODPAT) in Georgia focuses attention on discrete areas of DOJ expertise such as money laundering, trial advocacy, ethics, cybercrime, transnational crime, narcotics, task force development, witness security, anti-corruption, and white collar fraud. The RLA also works with prosecutors, courts, Ministry of Justice (MOJ) policy makers, and NGOs to draft new criminal laws that are progressive and due process oriented. The RLA closely works with the Main Prosecutors' Office of Georgia to promote its training capacity and with the judiciary agencies/judges to improve the quality of criminal court decisions through training and technical expertise. The ODPAT office is funded by INL.

PROLoG's technical assistance and support to civil society advocacy on issues related to criminal justice system reform will complement efforts of INL/DOJ programs, which are focused on technical assistance to select GOG agencies in the same sector.

During Activity implementation, USAID will ensure compliance with Section 660 of the Foreign Assistance Act of 1961, as amended, which generally prohibits the use of foreign assistance funds for training, advice, or any financial support, for police, prisons, or other law enforcement forces.

3. Background Information

With the emergence of a reform-minded government led by the United National Movement (UNM) following Georgia's Rose Revolution in 2003, USAID worked with the GOG to improve service delivery, reduce corruption in certain sectors, and strengthen the institutions of Parliament and the judiciary. However, overall democratic progress in Georgia has been mixed. Since justice reform efforts started in 2005, many significant positive changes have taken place, including: reduced corruption in the courts and the police and prosecutors' office; improved infrastructure; the elimination of case backlogs; and a restructuring and consolidation of the courts.

The 2014 Freedom House "Nations in Transit Report" measures Georgia's democratic progress as low, giving a score for Judicial Framework and Independence a 5.00 and an overall

Democracy score of 4.68.[2] Further, the recent review of Georgia's international human rights obligations by the United Nations Human Rights Committee found significant weaknesses in Georgia's capacity to implement anti-discrimination measures, conduct fair trials, and ensure sufficient legal safeguards for defendants under the plea bargaining system, among many other concerns.[3] Thus, **complex and systemic obstacles remain that hinder the independent and professional application of the rule of law in Georgia.**

According to various reports, these systemic weaknesses span the full arena of the rule of law sector in Georgia. The legal foundation remains faulty with gaps in the criminal legislation and the uncertain status of legislative reform. Some structures and internal systems necessary for objective decision-making are yet to be institutionalized. Further, legal professionals themselves do not have the full capacity and range of skills necessary to advance quality outcomes. Indigent populations and representatives of ethnic, religious, and other minority groups have limited access to justice. Women face particular challenges due to their social position in a traditionally conservative, patriarchal society. For some people, costly legal expenses become a barrier to access courts, while for others, language and/or deep rooted social stereotypes are an impediment from accessing the legal system and the protections it offers.

The protection of human rights and respect for the rule of law requires a strong legal framework and highly functioning institutions that hold individuals and the government accountable for their actions. The legal framework must be structured to uphold judicial independence and to provide equal treatment for all citizens. Institutions must operate in an open and accessible environment where laws and regulations are broadly publicized, understood, and fairly applied – including for vulnerable or often marginalized populations. Judicial and legal authorities must be competent and independent.

[2] The ratings are based on a scale of 1 to 7, with 1 representing the highest level of democratic progress and 7 the lowest. The Democracy Score is tabulated as an average of ratings for all categories: Electoral Process, Civil Society, Independent Media, National Democratic Governance, Local Democratic Governance, Judicial Framework and Independence, and Corruption.

[3] Concluding observations on the fourth periodic report of Georgia (CCPR/C/GEO/4), 10 and 11 July 2014: the following matters of concern were identified: lack of legislative mechanism to ensure Georgia's compliance under the ICCPR; ineffective implementation of anti-discrimination measures, non-discrimination and gender equality; discrimination on grounds of sexual orientation and gender identity; domestic violence and corporal punishment of children; lack of accountability for past human rights violations, ineffective remedies and compensation for the civilian population and other protected persons; need for investigations of past abuses without political persecution; need for the establishment of an independent body to investigate allegations of abuse by police and law enforcement officers; concerns with administrative detention, jury trials, plea bargaining system, zero tolerance drug policy, juvenile criminal justice system, rights of internally displaced persons, freedom of conscience and religious belief, rights of minorities, and the lack of dissemination of public information on ICCPR and Optional Protocols.

4. Activity Description

A justice system that ensures due process and provides for the protection of human rights, as well as allows for the constructive and equitable resolution of disputes, may be one of the most fundamental services a government provides its citizens.

> Recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.
> **Preamble, Universal Declaration of Human Rights, 1948**

Due process is the fundamental principle of fairness and justice in all legal matters, both civil and criminal, and at all stages of proceedings in government agencies, especially in courts.[4] It is a broad concept that holds an important place in the hierarchy of values of any democratic state. The concrete guarantees deriving under due process are reflected in various international human rights instruments, such as Article 5 (the right to liberty and security) and 6 (the right to a fair trial) of the European Convention on Human Rights, as well as in Articles 9 (the right to liberty and security) and 14 (the right to a fair trial) of the International Covenant on Civil and Political Rights.

Stemming from the above, due process rights, such as the right to a fair trial and the right to access to justice, are procedural rights that dictate the way justice should be administered. Those guarantees serve as a remedy when other fundamental human rights are at risk. In the Georgian system, it is Articles 18, 40 and 42 of the Constitution that lay the foundation for due process protection and procedural rights such as the right to access courts, the right to a defense, the protection from double jeopardy, and the presumption of innocence, among others. Judicial independence is an indispensable element of due process given a judge must protect a person's right to have their case determined solely on the basis of the law.

When an individual is unimpeded from accessing courts and benefits from the protection provided by the Constitution and international conventions, it means the individual is able to independently defend his or her fundamental human rights through the justice system when and if those human rights are infringed by the state or a private party.

According to the practice of the European Court of Human Rights and theory of human rights law, the essential object of almost all rights is to protect individuals against arbitrary interference by public authority – a negative obligation on a state not to infringe on the rights of individuals. Moreover, when it comes to human rights protection, some rights might inherently impose a positive obligation on the state, which means that the state is required to implement positive measures (such as adopting and implementing laws and ensuring the efficacy of the justice systems) to protect an individual. PROLoG will assist Georgia to comply with the positive obligations to ensure the right to fair trial and access to justice.

This Activity is designed to address key challenges in the rule of law sector and capitalize on opportunities for accelerated rule of law and justice sector reforms where there is political will and/or interest from civil society. The assistance will also eliminate barriers that prevent people from understanding and exercising their rights and proactively reach out to marginalized communities in an attempt to facilitate their easy access to justice and help them to benefit from

[4] Mr. Justice FRANKFURTER, dissenting opinion. SOLESBEE v. BALKCOM, Warden of the State Penitentiary, Tattnall, Georgia. 339 U.S. 9 (70 S.Ct. 457, 94 L.Ed. 604)

legal system.

The overarching **goal** of the Activity is: Democratic checks and balances and accountable governance enhanced. The **purpose** of the Activity is to **strengthen the justice system to ensure due process, judicial independence, and the protection of human rights**. This Activity will support the development of a justice system in Georgia that ensures the effective implementation of due process and judicial independence, as well as the protection of human rights.

The Activity is predicated on the development hypothesis that the justice system in Georgia can be strengthened through improving the legal framework, management of justice sector institutions, the capacity of legal professionals, and access to justice for marginalized populations. USAID will continue to work on both the supply and demand sides of governance in the broader rule of law sector with the ultimate goal to strengthen Georgian justice system so that citizens of Georgia fully enjoy their fundamental rights.

PROLoG will consolidate the achievements of USAID's current rule of law program. These include: contributions to recent legislative reforms to increase judicial independence and to allow judges to directly elect the ruling body of the judiciary, the creation of an active NGO Coalition for an Independent Judiciary with over 30 members, the first-ever public court monitoring project in Georgia, a significantly improved Georgian Bar Association bar examination, and the advancement of legal education including the establishment of national centers for Alternative Dispute Resolution and commercial law and a culture of legal clinics. PROLoG will differ from USAID's current rule of law program by more specifically targeting human rights and the rights of minority and marginalized groups, including through Sub-Purpose 4.

The Activity will mainstream gender into all of its activities, as well as promote the equality of men and women and enhanced gender balance in the justice system. The Activity will promote better access to justice for women.

In addition, the implementer will coordinate activities with the GOG, civil society, other U.S. government agencies and other donors.

Risks and Assumptions: Several risks to achieving results for PROLoG are worth noting. First, political will to ensure rule of law reforms must be present. For now, political will appears high following the June 2014 signing of the Association Agreement with the European Union and the declared agendas of the GOG and Parliament. Second, of all the reforms under consideration by the GOG, PROLoG assumes that justice system reform will remain a priority. Given that the justice system is the lynchpin for many other reform efforts, an assumption can be made that it will remain a priority. This also applies to the application and protection of human rights. Third, the capacity and ability of civil society organizations, in particular the Coalition for Independent and Transparent Judiciary, must be maintained and expanded during the course of the Activity to keep pace with the reform agenda. Lastly, activism by religious or sexual minorities is often considered by the Georgian Orthodox Church and many Georgian citizens as a threat to deep-rooted Georgian traditions. The justice system players and legal professionals are often under the influence of these sentiments. This could impact PROLoG's desired outcome for improved access to justice for marginalized groups.

To contribute to the Activity's purpose, PROLoG aims to achieve the following sub-purposes:

Sub-purpose 1: Legal framework strengthened

This Activity is designed to support rule of law reforms through technical assistance to key justice sector institutions, including the MOJ, which is responsible for drafting legislation, the Judiciary to improve engagement in the legal drafting process, and with civil society to increase civic participation and oversight. PROLoG may engage directly with the Parliament in relation to the Constitutional reform process.

This Activity will build on the prior legal reform successes under USAID's Judicial Independence and Legal Empowerment Project (JILEP)[5]. Technical assistance under JILEP allowed the Coalition for Independent and Transparent Judiciary to produce comprehensive policy documents and reports that addressed multiple gaps in the judiciary. The Amendments to the Organic Law on Common Courts adopted in March 2013 altered the way the High Council of Justice (HCOJ) is formed, thus making it a more participatory and transparent body. The return of cameras to the courtroom and the lessening of the centralized system for judicial discipline by introducing a quasi-independent Judicial Discipline Collegium under the HCOJ were also part of the accepted recommendations. Even before 2013, initial steps to reform the judiciary were made with JILEP support, when in March 2012 legal amendments eliminated certain grounds of judicial discipline that posed a threat to the independence of judges and more clearly regulated the process of judicial transfers and decision-making by the HCOJ.

Activities of PROLoG will focus on developing and improving legislation for rights protection, judicial independence and due process. This represents an expansion of the range of legal reform that will be supported by USAID, beyond judicial independence, continuing to work for the incorporation of international best practices and human rights obligations into Georgia's legal framework. For example, technical assistance could be provided to government and non-governmental stakeholders (such as the NGO Coalition) to analyze, revise and develop legislation, for example related to judicial selection processes, administrative offences, criminal legislation, core institutional structures and mandates (such as the Prosecutor's Office and the Ombudsman of Georgia), anti-discrimination and human

The legislation that may be impacted by PROLoG:

- Constitution (if appropriate)
- Organic Law on the Courts
- Law on Disciplinary Responsibility and Disciplinary Proceedings of Judges of the Common Courts
- Law on Distribution of Cases among Judges
- Law that regulates the social benefits of judges
- Law on the High School of Justice (HSOJ)
- Code of Administrative Offenses
- Anti-discrimination and human rights-related legislation
- Commercial law
- Laws related to institutional reform of the Prosecutor's Office and/or Ombudsman's Office
- Indirectly PROLoG may impact, through NGO partners, the Criminal Code and the Criminal Procedure Code.

[5] Judicial Independence and Legal Empowerment Project is a four year program implemented by a U.S. based non-profit organization, East-West Management Institute. The project timeframe is September 2010-February 2015. JILEP is structured around four major components: 1. Strengthen judicial independence, 2. Strengthen the institutional capacity of legal professional associations, legal rights NGOs, and the state legal aid system. 3. Improve the quality of legal education, and 4. Develop commercial law and improve commercial law related practice.

rights, and commercial law. PROLoG will also work on the legal framework related to independence guarantees for individual judges and for institutions within the justice system.

This may include direct technical assistance for legislative development, as well as support for the NGO Coalition for Independent and Transparent Judiciary to ensure effective civil society engagement in such processes. Technical assistance will promote the consideration of gender-based constraints and needs in the course of legislation refinement work. The Activity may also provide technical assistance to the Parliament of Georgia and civil society to ensure the Constitution Reform Process is participatory and informed by international best practices.

Through technical assistance and grants to NGOs, PROLoG may also promote civil society monitoring, research and advocacy that contributes to recommending effective alternatives to the existing systems and increased transparency of justice system institutions. Activities may provide multiple fora for exchange of ideas between civil society, academia, judges, judiciary leaders and government stakeholders on legal reform issues. Organizations, experts, and groups that are able to assess the gender-specific impact of legislative initiatives will be included as a target group.

Anticipated Results: Activities under this sub-purpose to strengthen the legal framework will contribute to the following results.

- <u>Select aspects of the legal framework conform to international standards and best practices</u>. Laws, policies, and regulations affecting the justice system and human rights are brought into compliance with international standards and obligations under the human rights law paradigm.
- <u>Civil society is effectively engaged in the legislative development process</u>. CSOs may provide oversight and advocacy of the justice system, for example by using their reports and findings to inform proposed amendments to legislation and offer helpful commentary on government proposed amendments, including perspectives of representatives of women and marginalized groups.

Sub-Purpose 2: Improved management of justice system institutions

The level of due process and protection of human rights in a country depends on the effectiveness of its public agencies, especially justice system institutions. Competent state agencies are responsible for fulfilling Georgia's obligations with regards to human rights protections; when the executive branch fails to provide protection, the judiciary steps in as a mechanism for redress. PROLoG may support justice system institutions both through direct technical assistance to the judiciary and MOJ and through civil society advocacy to promote the professionalization of public agencies. PROLoG will provide direct technical support to the Legal Aid Service (LAS) to build its organizational capacity.

Under this sub-purpose, PROLoG will build on other achievements of JILEP, including the provision of direct technical assistance to select core justice sector institutions. JILEP technical assistance to both the HCOJ and civil society groups providing oversight measures successfully increased the transparency of the HCOJ. JILEP helped to establish websites for both the HCOJ and HSOJ, allowing greater access to information on these agencies. Activities under PROLoG will work on the refinement of management systems and structures in justice sector institutions so that they are more capable to serve as a guarantee for, and able to promote the fair application of, due process and the protection of human rights.

The Activity may encourage greater gender diversity in the leadership of related institutions. Technical assistance may promote the introduction of systems and policies that would increase gender parity.

In addition, the Activity may work with the Prime Minister's Office and other relevant government stakeholders on the implementation of certain parts of the Human Rights Strategy. The recent adoption of the Human Rights Action Plan, designed to assist in the implementation of the Human Rights Strategy, contains key sections that directly overlap with the PROLoG's purpose. These sections are: justice in the criminal code; independent, accountable and transparent justice system; the protection of ethnic and national minorities; freedom of religion and religious minorities; and gender equality.

In cooperation with INL, RLA, and other development partners, PROLoG will facilitate increased interaction among justice system institutions – the judiciary, the Prosecutors Office, and the Bar-- in order to build mutual trust among them, as well as to promote consistent application of laws by them. The Activity may facilitate various channels of interaction among justice system players at the central and local levels (for example, bench and bar committee meetings, local councils); it may also promote institutionalization of those channels of interaction.

To facilitate local-level coordination and interaction among justice system players, as well as extend the reform processes to the local level, PROLoG will promote bench and bar committee meetings and the creation of local councils in a few geographic locations. These committees and councils would be comprised of representatives of the local prosecutors' office, the police, the Bar, and the judiciary to discuss general coordination issues and specific cases to facilitate their work. PROLoG may also facilitate the interaction of these institutions with active citizens representing different segments of society (including women, disabled, minority groups, etc.) to discuss the rule of law problems specific to each locality. These forums of interaction would help the general public to relate the numerous reforms in the rule of law system to their everyday lives (everyday justice). Moreover, it would increase the understanding of the general public of its rights and responsibilities to the state. Considering frequent changes in the country's leadership, this bottom-up approach would create a base of social understanding of the justice sector and related reforms, thereby increasing their sustainability.

> "Where, after all, do universal human rights begin? In small places, close to home – so small that they cannot be seen on any maps of the world…
> Unless these rights have meaning there, they have little meaning anywhere. Without concerted citizen action to uphold them close to home, we shall look in vain for progress in the larger world."
>
> **Eleanor Roosevelt.** *In Your Hands: A Guide for Community Action for the Tenth Anniversary of the Universal Declaration of Human Rights*. New York. United Nations. 1958.

At the same time, the Activity will stimulate demand for improved institutional systems and management through support to civil society watchdog and oversight activities of the justice system institutions. This could include grants to CSOs and/or the NGO Coalition to monitor operation of the justice system agencies, including the LAS. Further, PROLoG may provide training and grants to civil society to monitor and conduct analysis on trends and issues in justice sector institutions, such as the Police, which could stimulate institutional improvements. For example, civil society groups can monitor the activities of the Police for compliance with human rights standards.

Anticipated Results: Activities proposed under this sub-purpose to improve management of justice system institutions will contribute to the following results.

- Management systems in justice sector institutions will be improved. This could include management of courts, HCOJ, HSOJ, and the Legal Aid Service.
- Cooperation among justice system institutions will be improved. Routine, periodic meetings of legal professionals (for example, bench and bar meetings and local justice councils) are established to improve the functioning of the justice system and application of key reforms. Joint trainings and professional development and exchanges among legal professionals become part of the workplace which will contribute to unified approaches for legal practice and interpretation of laws.
- Civil society awareness, monitoring, and oversight of the justice system will be strengthened. CSOs are regularly engaged in the monitoring of courts, the HCOJ, and law enforcement bodies to ensure transparency and accountability, including to assess their responsiveness to women and marginalized populations. This oversight would ensure that justice system institutions are effective against discrimination and comply with international best practices, in particular human rights obligations.

Sub-Purpose 3: Capacity of legal professionals enhanced

The competence and qualification of judges, lawyers and prosecutors is one of the necessary preconditions for upholding the integrity, independence and fairness of justice system. The ability of justice system players to carry out their duties underpins the success of the justice system, and protection of human rights.

Under JILEP, many diverse activities with universities, national learning centers, professional groups, law professors, students, practitioners, and legal aid providers received support that significantly contributed to the development of legal education in Georgia.[6] JILEP organized partnerships with U.S. legal and educational institutions, supported legal clinics, and assisted with teaching methodology for law school faculty. Lawyering skills such as client counseling and trial advocacy were taught to a wide range of student and professional lawyers and law school competitions of trial advocacy, moot court, mediation, client counseling and commercial arbitration were conducted. These activities have resulted in establishing partners and allies in both the professional and educational legal arena for training and are thus well positioned for continued intervention.

JILEP technical assistance to the GBA helped revive the effectiveness of this organization by helping it to set standards for legal practice in Georgia and begin to consolidate a training standard for defense attorneys. JILEP improved the management of legal trainings at the HSOJ as well, including through the creation of a web portal for trainees to use for professional development purposes. Another JILEP achievement vis-à-vis the HSOJ was the inclusion of ethics in the training curriculum for judges.

[6] Mid-Term Performance Evaluation of USAID/Georgia Judicial Independence and Legal Empowerment Project/JILEP, September 2013

To continue to improve the qualifications of legal professionals, the Activity will promote improvements in university level legal education so that law schools can better prepare a strong cadre of graduates. PROLoG will work with law school faculty and law professors to promote interactive teaching methodology developing analytical thinking of students.

PROLoG will provide technical assistance and grants to law schools to enable them to create possibilities for law students to apply their knowledge in practice. The emphasis will be made on improved teaching of human rights law, including the rights of minorities, and international legal standards against discrimination. This will also include better teaching of gender equality law and improved understanding of the barriers women face in the justice sector. The Activity may facilitate the organization of mock trials, student competitions, summer/winter courses, etc., with the focus on human rights and commercial law issues. PROLoG activities may support grants to law professors/law schools aimed at developing Georgian language textbooks and teaching materials.

PROLoG will also invest in the increasing the qualifications of defense lawyers so that they can provide quality legal services to their clients, thereby ensuring that the right to an effective defense is implemented in Georgia. On the GBA side, PROLoG may strengthen ability of the GBA training center to provide quality training to GBA members. To the extent needed, the PROLoG may also work with the Ethics Commission of the GBA to ensure that ethical standards for lawyers comply with international standards. Provision of practical training to defense lawyers on human rights law and commercial law issues, training to develop presentations, writing and trial skills, as well as ethical conduct might be another area of work for PROLoG.

PROLoG will also improve the qualifications and professionalism of judges, so that performance of judges and courts comply with “fair trial” standard set by international human rights law. PROLoG may work with case law reporting services (e.g., Westlaw, Lexis/Nexis) and the Judiciary to create a searchable online legal database with legislation, case law, judicial opinions etc. in an easy-to-use format. PROLoG may provide technical assistance and training to the HSOJ and the Human Rights Centre of the Supreme Court to ensure that judges and court clerks have access to international standards and ECHR case-law, and that international best practice is reflected in judicial decisions. Training and technical assistance might be also focused at improving reasoning of judicial decisions and court room communication skills of judges. To continue to strengthen self-governance of legal professionals, the activities under PROLoG will strengthen judicial associations, including institutional capacity.

Depending on political will and if windows of opportunities exist, the Activity may work with the MOJ, HCOJ, HSOJ and the NGO Coalition to revise the institutional set-up of the HSOJ and introduce a sound Continuous Legal Education (CLE) system for judges and judicial personnel. The CLE system should include opportunities for judges to better understand and apply the legal framework for the protection of human rights, women and minorities.

Working with INL, RLA, and other development partners active in the rule of law area, PROLoG may support joint workshops, training courses, and conferences that involve a mix of rule of law practitioners from the judiciary, prosecution, defense bar, and other fields (e.g., probation, social work). Mixed practitioner workshops and conferences would be particularly useful in areas of common concern, such as ethics, appropriate courtroom decorum and behavior, and common expectations on the burden of proof, case elements, rules of evidence and procedure, and jury trial processes. Such joint events would enhance coordination and collaboration among all legal professionals and over time should produce court proceedings that are more coherent and operationally effective, and less arbitrary and capricious.

The Activity will promote gender equality in all its training activities designed and conducted for the benefits of law students and entire range of legal professionals.

Anticipated Results: Activities proposed under this sub-purpose to strengthen the legal framework will contribute to the following results.

- University-level legal education system prepares graduates with practical skills and knowledge. Law schools are better equipped to provide practical skills and student competitions, including mock and moot trials. Law professors utilize modern teaching methodologies. Effective coordination occurs between law schools and the legal market (justice system agencies, bar associations, and other legal associations) to ensure graduating students meet needs. A searchable electronic database for legal professionals of domestic and international case law is created. Continued legal education is standardized and established that includes legal ethics and international human rights law. Students, faculty, and practicing judges and lawyers demonstrate increased awareness of barriers to women and marginalized groups and issues relevant to providing fair access to justice to all groups.
- The self-governance of legal professionals will be strengthened. Strong professional organizations and associations are able to deliver quality services supporting relationships between professional counterparts and ensuring proper treatment of clients. Judicial associations are reliable fora for judges to engage in discussion and decision-making. Professional organizations for women judges would provide effective opportunities for networking and skill-building.
- The performance of legal professionals complies with international ethical standards. As noted above, continued legal education, including ethics, international human rights law, and advancement of women in leadership, is standardized and established within the HSOJ.

Sub-Purpose 4: Access to justice of marginalized groups improved

Belonging to a minority community, especially an ethnic minority community, can be "a major contributing factor to poverty and marginalization. It is therefore essential that social policies pay particular attention to these particularly vulnerable groups, who in practice often end up being the victims of multiple forms of discrimination."[7] Access to justice goes beyond access to tribunals and courts; it includes access to information and support, as well as access to opportunities. Access to justice "encompasses recognition that everyone is entitled to the protection of the law and that rights are meaningless unless they can be enforced. It is about protecting ordinary and vulnerable people and solving their problems."[8]

While previous and current interventions in the rule of law sector addressed the cross-cutting theme of inclusion for women, minorities and vulnerable groups, this Activity will bring the issue of access to justice for vulnerable groups into sharper focus. PROLoG aims to empower vulnerable groups – minorities and women -- and facilitate their access to justice through free

[7] Georgia in Transition. Report on the human rights dimension: background, steps taken and remaining challenges. Assessment and recommendations by Thomas Hammarberg. September 2013. Page 25.
[8] Access to justice is a fine concept. What does it mean in view of cuts to legal aid?
http://www.theguardian.com/law/2011/oct/06/access-to-justice-legal-aid-cuts

legal representation and advice, as well as through support to precedent-setting cases involving their rights. At the same time, PROLoG may work with the justice system institutions and legal professionals to promote better protection of minority populations through improved legal environment and capacity building and awareness-raising. These activities may sometimes contradict well-established traditional attitudes of the Georgian majority towards minority population or those perceptions that exist within specific minority groups.

Especially important for the Activity are social and cultural norms about gender roles. Generally in Georgia, traditions and social attitudes assign men and women their strict roles in the society. This trend is especially obvious in ethnic Azeri communities. As research shows “women in Azeri villages are deprived of rights. It is extremely complicated for a woman to fight for her rights. She is constantly under control coming from parents, or husband’s family”[9] PROLoG will promote better access to justice for women and promote awareness-raising, especially those in ethnic minority regions, of women’s rights. Assistance will work to promote an understanding of gender-specific problems among legal professionals and promote better teaching of gender equality in law schools. This may also extend to the empowerment of women judges so that they become more active in decision-making roles.

PROLoG will promote better access to justice for marginalized groups through awareness-raising and skills of justice system players of their role and responsibilities in ensuring equality for all, helping marginalized communities to understand and advocate for their rights, and through improved delivery of legal aid, including precedent-setting cases involving the rights of women and minorities.

Anticipated Results: Activities proposed under this sub-purpose to improve access to justice of marginalized groups will contribute to the following results.

- Legal aid to marginalized individuals and communities is increased. More points of access are created for marginalized communities, especially women, to access legal services.
- The awareness of legal professionals of roles and responsibilities in ensuring equality before the law is increased. Lawyers and judges understand the state’s obligations to, and the rights of, vulnerable individuals, communities, and populations.
- Civil society awareness of and advocacy for justice for marginalized populations is improved. CSOs raise public awareness on the rights of vulnerable groups in order to create national dialogue on human rights issues.

5. Gender Considerations

According to the official statistics in 2013, there were 2,345,000 women and 2,138,000 men in Georgia;[10] more than half of the country’s population is women. Women constitute more than half of the students in high schools and universities, they play an active role in civic initiatives, and they constitute around 46% of the labor force.[11] However, strong gender stereotypes still play an important role in determining the status of women and girls in the society. Spheres like politics and law enforcement are dominated by men. Women do not participate in decision-

[9] Access to Justice of Ethnic Minorities Living in Georgia. Resaerch Report. Civil Development Agency. 2013. Page 23
[10] Women and Men in Georgia: Statistical Publication. National Statistics Office of Georgia. Tbilisi 2013. Page 5
[11] Ibid. Page 51

making, since they are underrepresented in leadership positions both in the public and private sectors.

The main findings of USAID's gender analysis with implications for rule of law programming are the following:

- Georgian legislation provides a solid foundation for gender equality and equitable application of the law. However, those who are responsible for implementing the law often lack understanding of gender issues. Subject to traditional beliefs, police officers and legal professionals sometimes fail to ensure adequate protection and equal opportunity for women.
- Judges usually do not consider the implications of their decisions on societal norms on gender. There are cases when judicial decisions indirectly strengthen the subordination of women to men on cases that, at first sight, have nothing to do with gender equality.[12]
- Women's access to justice is often more problematic than that of men due to the lack of awareness, cultural restrictions to act independently from men, and/or limited financial resources to cover court fees. This is especially acute in regions with ethnic minority populations, where even enforcement of decisions made in favor of women sometimes becomes problematic.
- As statistical data proves, traditional gender roles considerably influence the gender configuration within the legal community. While there is gender parity among judges, law enforcement agencies are entirely male-dominated. More female lawyers find it comfortable to practice civil/administrative law, whereas more male lawyers practice criminal law.
- Even in the judiciary system, where almost half of judges are women, women are minimally represented in leadership positions. Disparity is more significant when it comes to the number of women occupying managerial or decision-making positions in the prosecutors' office.
- There are no formal barriers that would prevent female professionals from competing with their male counterparts for managerial positions. As reported, women lawyers, judges and prosecutors mostly choose not to do so; citing their family-related duties, women often prefer to be less burdened with responsibility and increased workload that additional obligations entail.

It is necessary to facilitate the closing of gender gaps and promote improved gender equality and effective protection of women by the justice system. The Democracy and Governance Office will integrate the gender issues and programming recommendations into the design of activities under this PAD based on the gender analysis. The Activity will address the identified gaps in the following ways:

- Promote better access to justice of women
- Promote awareness raising of women, especially those in ethnic minority regions, of their rights

[12] See Assessment of Citizens' Property Rights in Georgia. LANDESA – Rural Development Institute. Commissioned by USAID/JILEP. September 2013. Page 28

- Promote understanding of gender specific problems among legal professionals (defense lawyers and judges)
- Promote better teaching of gender equality law in law schools
- Promote the empowerment of women judges so that they become more active in decision-making roles
- Promote the introduction of systems and policies that would increase gender parity
- Promote the consideration of gender equality in the course of legislation refinement work.

USAID's Automated Directive System (ADS) states: "Gender issues are central to the achievement of strategic plans and Assistance Objectives (AO), and USAID strives to promote gender equality, in which both men and women have equal opportunity to benefit from and contribute to economic, social, cultural and political development; enjoy socially valued resources and rewards; and realize their human rights."

The implementing partner will be required to ensure that gender issues are suitably integrated into various components of the Activity and will be required to undertake specific efforts to ensure that activities do not discriminate against or disproportionately benefit either gender. To the extent possible, the implementing partner will be required to encourage the equal participation of men and women in all aspects of this program listed in the program description.

As part of the Activity proposal processes, applicants will be required to identify and outline any potential gender issues that might be encountered during the implementation of this Activity and how these issues will be addressed.

6. Sustainability Considerations

There are several factors that have the potential to heavily influence the implementation and sustainability of PROLoG's planned results. The main factor is the political will of the government to continue justice system reform. Due to the commitments vis-a-vis the European Union (EU), the Georgian Government has developed a comprehensive Criminal Justice System Reform Strategy and taken the responsibility to implement legal reforms in practically every institution that falls under the justice system. Moreover, the Parliament of Georgia approved the National Human Rights Strategy of Georgia, where the GOG reaffirms its commitment to rule of law reforms. However, while core principles and commitments are identified in these strategy documents, there are often struggles around the details and concrete solutions to Georgia's challenges. There remains some level of risk that the government will slow down its efforts to carry out radical reforms towards liberalization and democratization.

In order to achieve sustainable results in rule of law reforms, PROLoG will continue building upon the approach of the current USAID intervention. Along with investments in people (for example through training, study tours, and technical assistance) a considerable effort will be put into the creation of systems that will be able to operate independently from personalities and/or staff turnover in public agencies.

During the course of the PROLoG implementation period, numerous changes in Georgia's political context are anticipated: Parliamentary elections in 2016, which will entail the reappointment of the cabinet of ministers, and Presidential elections in 2018 could alter the circumstances in the rule of law sector. Furthermore, in 2015, Parliament will appoint a new

Chief Justice who is also the chair of the HCOJ. Membership of the HCOJ and HSOJ, as well as that of the Georgian Bar Association governing bodies, will be renewed 2017. While planning PROLoG activities, the offerors will consider the risk of possible fluctuations in the justice system due to the numerous anticipated changes in country/justice system leadership. In order to mitigate this risk, the Activity will carefully stagger its assistance in distinct phases.

The NGO Coalition for Independent and Transparent Judiciary has proven itself as an important player in justice system reforms. However, the capacity of the Coalition remains limited. In the course of its implementation, PROLoG will mentor the Coalition member NGOs and provide them with expertise in advocating for reforms and addressing justice sector issues. Additionally, PROLoG will assist the NGOs in coordination and working in more collaborative ways. PROLoG will identify and promote those NGOs that have the potential to become influential leaders in the justice system.

Ensuring sustainability of the results achieved by PROLoG will be one of the core issues examined and monitored throughout the entire period of its implementation. While trying to achieve maximum sustainability, it is still reasonable to assume that not all results will be sustainable given the constraints of this type of technical assistance and support.

One USAID policy related to sustainability is the Local Solutions Initiative (formerly known as the Implementation and Procurement Reform Initiative or "IPR") of the USAID Forward reforms, which is designed to increase the use of host country systems and organizations to deliver assistance. To promote sustainable development utilizing Local Solutions strategies, local organizations will be utilized to the fullest extent possible in the implementation of this Activity, either through sub-grants or sub-contracts from the implementing partner. To the extent possible, implementer's staff will be kept to a necessary minimum; and technical assistance and training will be conducted by and through local organizations whenever possible. Activities to strengthen capacity of local organizations might be also included in the application. These efforts will be supplemented by the implementer's own long-term staff or short-term consultants only when the requisite technical expertise is not available locally. This approach should be articulated in the application submitted to USAID and clear plan for sustainability of activities after funding ends should be presented.

7. Monitoring and Evaluation

A solid monitoring and evaluation system is critical to the success of the Activity. Performance of PROLoG will be evaluated in part based on progress toward achieving outputs and outcomes set by USAID and the implementing partner. The progress (or lack thereof) will be measured through quantitative and qualitative indicators. USAID and the implementer will use objectively verifiable indicators with periodic data collection to measure performance and adjust approaches as necessary. Monitoring will be an ongoing, collaborative process with the participation of the implementing partner and USAID.

In June 2013, the USAID Mission approved a PMP for Georgia's 2013-2017 CDCS. "This Performance Management Plan (PMP) is the tool that USAID will use to assess progress toward achievement of CDCS results. Consistent with CDCS guidance, this PMP will enable the Mission to monitor and manage a core set of performance indicators that reflect appropriate targets, baselines, and data collection and analysis approaches."[13] PROLoG will contribute to the Mission PMP through specific indicators that will capture data on the progress towards DO 1 and the overarching CDCS goal.

The Mission plans to track progress of the Activity against intended results through output and outcome indicators outlined in the Logical Framework in Annex 2. Some of the indicators are taken from publicly available third party indices produced by various international players; others are selected from the Standard Indicator list of the F Framework; and still others have been designed by the Mission to capture specific data that will inform progress and management of the activity. Additionally, some indicators will capture qualitative analysis conducted by experts. Periodic Data Quality Assessments will be conducted for all indicators that are reported to Washington, as required by ADS 203. Indicator targets will be determined in the implementer's Performance Management Plan (PMP). The partner PMP will also set forth the process and procedures for planning, managing, and documenting how performance data is collected and used. The implementer will be expected to establish baselines, targets and benchmarks within the first sixty (60) days of award.

The illustrative indicators below (also attached in Log Frame Annex) form the basis of USAID's Performance Management Plan (PMP) as it relates to this Activity. Data will be disaggregated geographically and by gender as applicable. These indicators will serve as the basis for the implementing partner to prepare the Activity M&E Plan and Logical Framework.

Activity Purpose and Sub-Purpose Level Indicators	
Purpose: Improved governance of the justice system to ensure due process, judicial independence, and the protection of human rights	▪ Freedom House Nations in Transit Judicial Framework and Independence Score ▪ % of legal professionals who feel there is effective balance between disputing parties in courts ▪ % of legal professionals who feel citizens have the possibility to benefit from the protection justice system offers ▪ % of ethnic and other minorities who perceive they have equal access to the justice system and/or perceive themselves as equal before the law
Sub-Purpose 1: Legal framework strengthened	▪ Number of laws and regulations and procedures designed and adopted to enhance judicial independence with USG assistance ▪ Number and percentage of laws and regulations related to judicial affairs adopted consistent with citizen input ▪ Number of laws, regulations and procedures

[13] Country Development Cooperation Strategy Performance Management Plan, Fiscal Year 2013 – 2017;June 2013, Georgia

	designed and adopted to enhance due process and protection of human rights developed with USG support ▪ Expert assessment of judicial independence, due process, and human rights protections against international standards ▪ Custom outcome indicator that will measure the relative importance of law or amendment adopted (as established from expert assessment at baseline)
Sub-Purpose 2: Improved management of the justice system institutions	▪ % of legal professionals who positively assess performance of justice system institutions (Ministry of Justice, High Council of Justice, High School of Justice, Legal Aid Services, Courts, Prosecutor and legal professional associations) ▪ Number of domestic NGOs engaged in monitoring or advocacy work on human rights receiving USG support ▪ % of citizens who recognize and identify domestic NGOs engaged in monitoring of advocacy work on human rights[14] ▪ % of citizens who are confident in courts ▪ % of justice sector users who are satisfied with their experience (disaggregated by service and demographics) ▪ % of citizens aware of justice system reform in select communities versus nationwide % of citizens aware on the same issues
Sub-Purpose 3: Skills and knowledge of legal professionals enhanced	▪ Number of law students, lawyers, judges and court personnel benefitting from improved teaching facilities and curricula supported by the USG ▪ % of test takers who pass the bar exam ▪ %of legal professionals who assess quality of legal education as adequate for the market demand

Sub-Purpose 4: Access to justice of marginalized groups improved	▪ % level of satisfaction among representatives of vulnerable groups who received legal advice and/or representation to remedy their violated rights ▪ Number of legal precedents set that promote equality before the law ▪ Number of cases referred to justice system with USG assistance ▪ Number of legal professionals benefitting from training on rights of marginalized groups provided with USG assistance (disaggregated by occupation and demographics)

Perception surveys related to citizens' and legal professionals' attitudes towards justice system institutions will be implemented during the life of the Activity. The USAID DG Office will conduct a DO 1-wide perception survey to assess attitudes towards specific institutions and reforms. The implementing partner will be primarily responsible for focus groups and other data collection apart from a nation-wide public opinion survey.

Consistent with USAID's Evaluation Policy, the Mission will perform a mid-term performance evaluation to examine whether the Activity interventions are achieving the intended results and generate learning opportunities that will help to track the Activity performance and determine its effectiveness and will potentially inform future program designs.

ENVIRONMENTAL COMPLIANCE

As part of its initial Work Plan, and all Annual Work Plans, thereafter, the recipient in collaboration with the USAID Agreement Officer Representative (AOR) and Mission Environmental Officer, as appropriate, shall review all ongoing and planned activities under this grant to determine if they are within the scope of the approved Regulation 216 environmental documentation.

If the recipient plans any new activities outside the scope of the approved Regulation 216 environmental documentation, it shall prepare an amendment to the documentation for USAID review and approval. No such new activities shall be undertaken prior to receiving written USAID approval of environmental documentation amendments. Any ongoing activities found to be outside the scope of the approved Regulation 216 environmental documentation shall be halted until an amendment to the documentation is submitted and written approval is received from USAID.

1a) The Foreign Assistance Act of 1961, as amended, Section 117 requires that the impact of USAID's activities on the environment be considered and that USAID include environmental sustainability as a central consideration in designing and carrying out its development programs. This mandate is codified in Federal Regulations (22 CFR 216) and in USAID's Automated Directives System (ADS) Parts 201.5.10g and 204 (http://www.usaid.gov/policy/ads/200/), which, in part, require that the potential environmental impacts of USAID-financed activities are identified prior to a final decision to proceed and that appropriate environmental safeguards are adopted for all activities. Recipient environmental compliance obligations under these regulations and procedures are specified in the following paragraphs of this cooperative agreement.

1b) In addition, the recipient must comply with host country environmental regulations unless otherwise directed in writing by USAID. In case of conflict between host country and USAID regulations, the latter will govern.

1c) No activity funded under this cooperative agreement will be implemented unless an environmental threshold determination, as defined by 22 CFR 216, has been reached for that activity, as documented in a Request for Categorical Exclusion (RCE), Initial Environmental Examination (IEE), or Environmental Assessment (EA) duly signed by the Bureau Environmental Officer (BEO). (Hereinafter, such documents are described as "Regulation 216 environmental documentation.")

2) Any ongoing activities found to be outside the scope of the approved Regulation 216 environmental documentation must be halted until an amendment to the documentation is submitted and written approval is received from USAID.

3) When the approved Regulation 216 documentation is (1) an IEE that contains one or more Negative Determinations with conditions and/or (2) an EA, the recipient shall:

3a) Unless the approved Regulation 216 documentation contains a complete environmental mitigation and monitoring plan (EMMP) or a project mitigation and monitoring (M&M) plan, the recipient shall prepare an EMMP or M&M Plan describing how the recipient will, in specific terms, implement all IEE and/or EA conditions that apply to proposed project activities within the scope of the award. The EMMP or M&M Plan shall include monitoring the implementation of the conditions and their effectiveness.

3b) Integrate a completed EMMP or M&M Plan into the initial work plan.

3c) Integrate an EMMP or M&M Plan into subsequent Annual Work Plans, making any necessary adjustments to activity implementation in order to minimize adverse impacts to the environment.

4a) Cost and technical applications must reflect IEE or EA preparation costs and approaches.

4b) The recipient will be expected to comply with all conditions specified in the approved IEE and/or EA.

4c) If an IEE, as developed by the recipient and approved by USAID, includes a Positive Determination for one or more activities, the contractor/recipient will be required to develop and submit an EA addressing these activities.

5a) A provision for sub-grants is included under this award; therefore, the recipient will be required to use an Environmental Review Form (ERF) or Environmental Review (ER) checklist using impact assessment tools to screen grant proposals to ensure the funded proposals will result in no adverse environmental impact, to develop mitigation measures, as necessary, and to specify monitoring and reporting. Use of the ERF or ER checklist is called for when the nature of the grant proposals to be funded is not well enough known to make an informed decision about their potential environmental impacts, yet due to the type and extent of activities to be funded, any adverse impacts are expected to be easily mitigated. Implementation of sub-grant activities cannot go forward until the ERF or ER checklist is completed and approved by USAID. Recipient is responsible for ensuring that mitigation measures specified by the ERF or ER checklist process are implemented.

5b) The recipient will be responsible for periodic reporting to the USAID AOR, as specified in the Schedule/Program Description of this solicitation/award.

6a) USAID anticipates that environmental compliance and achieving optimal development outcomes for the proposed activities will require environmental management expertise.
Respondents to the RFA should therefore include as part of their application their approach to achieving environmental compliance and management, to include:

6b) The respondent’s approach to developing and implementing an EA or environmental review process for a grant fund and/or an EMMP or M&M Plan.

6c) The respondent's approach to providing necessary environmental management expertise, including examples of past experience of environmental management of similar activities.

6d) The respondent's illustrative budget for implementing the environmental compliance activities. For the purposes of this RFA, applicants should reflect illustrative costs for environmental compliance implementation and monitoring in their cost proposal.

[END OF SECTION I]

SECTION II – AWARD INFORMATION

USAID expects to award a cooperative agreement based on this RFA. The anticipated total federal funding amount is approximately $17,000,000.00. The period of performance is five years with an anticipated start date of April, 2015.

The Government plans to award one Cooperative Agreement resulting from this RFA to the responsible applicant whose application conforming to this RFA is 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.

Substantial Involvement. Understanding that USAID always has some involvement in assistance awards (including monitoring performance, reviewing reports, and/or providing approvals, in order to effectively support the achievement of the expected results, in addition to the standard prior approvals), this Cooperative Agreement will also require substantial involvement in the following areas:

1. Annual Work-Plans

   The Agreement Officer (AO) has delegated to the Agreement Officer’s Representative (AOR) the ability to approve the annual work plan. Any significant changes or revisions to the approved work-plans will require additional approval.

2. Key Personnel

   USAID will be substantially involved in approving specified key personnel. All Recipient-recommended changes in key personnel must be submitted for review to the Agreement Officer and the USAID Agreement Officers Representative (AOR) at least 30 days in advance of the recommended amendment, together with written justification in sufficient detail to permit evaluation of the impact on this activity.

3. Performance Management Plan (PMP), Monitoring and Evaluation Plans, Implementation plan.

USAID AOR will approve the Recipient's PMP developed and aligned with USAID's Program Element Indicators, including any significant changes or revisions thereto, monitoring and evaluation plans and implementation plan.

4. Sub-awards

USAID AOR will approve the selection criteria and selected sub-recipients (as defined in 22 CFR 226.2) and the technical and programmatic matters provisions of the sub-awards (as defined in 22 CFR 226.2).

USAID AOR will review and concur with selection of any sub-grant between $10,000 and $100,000.

USAID AO will review and concur with selection of any sub-grants over $100,000.

Please note that consistent with existing responsibility as per 22 CFR 226.51, section (f), "Recipients shall immediately notify USAID of developments that have a significant impact on the award-supported activities. Also, notification shall be given in the case of problems, delays, or adverse conditions which materially impair the ability to meet the objectives of the award. This notification shall include a statement of the action taken or contemplated, and any assistance needed to resolve the situation." This provision is applicable to all sub-grants as well as the prime grantee.

5. USAID AOR will monitor to authorize specified kinds of direction or redirection because of interrelationships with other projects.

[END OF SECTION II]

SECTION III – ELIGIBLITY INFORMATION

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

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 Cooperative Agreement.

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

To be eligible for award of a Cooperative Agreement, in addition to other conditions of this RFA, organizations must have a commitment to non-discrimination with respect to beneficiaries and adherence to equal opportunity employment practices. Non-discrimination includes equal treatment without regard to race, religion, ethnicity, gender, and political affiliation.

Applicants are 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 sub-awards issued under this Cooperative Agreement.

(2) Cost share is not required but encouraged. Cost Share: ADS 303.3.10 Cost Share defines cost share as “the resources a recipient contributes to the total cost of an agreement. It is the portion of project or program costs not borne by the Federal Government.” USAID/Caucasus encourages but does not require the potential applicants to propose cost sharing since “it is critical that the activity continues after USAID assistance ends.” These cost sharing requirements can ensure that the project establishes adequate alternate sources of funding, as well as give the applicant a financial stake in the success of the program. The applicants’ proposed cost share may enable additional worthwhile activities to be undertaken which USAID funds could not support. Cost share may secure the programmatic and financial sustainability of the initiatives.

USAID encourages applicants to propose for which activities and in which amount cost sharing will be applied. The exact level of cost share is left to applicants to propose per 303.3.10.1 (http://www.usaid.gov/policy/ads/300/303.pdf). Ultimately the Agreement Officer shall determine if the applicant’s cost share contributions (e.g. categories or items) meet the standards set in the Standard Provision entitled "Cost Sharing" for non-U.S. organizations (Mandatory References, 22 CFR 226.23; and Standard Provisions for Non-U.S. Nongovernmental Recipients, and ADS 303.3.10 Cost Sharing). Once approved, cost sharing becomes a condition of an award. Cost sharing must be verifiable from the recipient’s records, is subject to the requirements of 22 CFR 226.23, and can be audited. If the recipient does not meet its cost sharing requirement, it can result in questioned costs.

Cost sharing applies throughout the life of an agreement, and the AOR will monitor the recipient's financial reports to ensure that the recipient is making progress toward meeting the required cost share. If it appears that the recipient is not making adequate progress, the AOR will bring this to the attention of the AO. The AO then will initiate discussions with the recipient to resolve the issue.

Cost sharing may be demonstrated either through direct funding, beneficiary contributions, in-kind assistance, or a combination thereof. Valuation of the cost share must be realistic and will be examined as part of the application evaluation process.

(3) The authorized geographic codes for procurement of goods and services under this Award are 110 and 937 as described in 22 CFR 228.

[END OF SECTION III]

SECTION IV – APPLICATION AND SUBMISSION INFORMATION

I. GENERAL

The federal grant process is web-enabled, allowing for applications to be submitted on-line. Instructions to submit applications electronically on-line in response to this RFA are found on Grants.gov in the "For Applicants" section – under "Apply for Grants." Applicants are also encouraged and it is USAID's preference that applicants submit an electronic copy of their application via e-mail to RCOCAUCASUS@usaid.gov . The file size for each transmission shall not exceed 25 MB. Please note that applicants are only required to submit their application through one modality. Please e-mail Ms. Eka Gamezardashvili at egamezardashvili@usaid.gov to verify your application has been received.

If your organization decides to submit an application, it must be received by the closing date and time indicated at the top of the cover letter. The applicant must provide all required information in its application, including the requirements found in any attachments to this RFA. Applicants should retain for their records one copy of all enclosures which accompany their applications.

To be eligible for award, the application should be prepared according to the structural format set forth below in (II) Technical Application Format and (III) Cost/Business Application Format. Applications which are received late or are incomplete run the risk of not being considered in the review process. Late applications will be considered for award only if the Agreement Officer determines it is in the Government's interest.

USAID will consider only applications conforming to the format prescribed below. All applications received by the closing date and time indicated on the cover letter will be reviewed for responsiveness and programmatic merit in accordance with the specifications outlined in these guidelines and the application format. Section B addresses the selection criteria and procedures for the applications.

Applicants who 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:

a) 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 cooperative 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 TBD"; and

b) 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."

OTHER SUBMISSION REQUIREMENTS:

1. 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.

2. Telegraphic or Faxed Applications – Telegraphic or faxed applications will not be considered.

3. Language – All applications must be in English.

II. TECHNICAL APPLICATION FORMAT

Technical applications must be single spaced, utilizing Times New Roman 12-font size, typed on standard 8½"x11" sized paper with one-inch margins, numbered consecutively, and not exceed **25** pages. The cover letter, dividers, table of contents, annexes (e.g. performance monitoring plan, personnel resumes, past performance information, certificates, forms, acronym list, etc.) will not count toward the page limitation. Any pages that exceed the page limitation will not be considered by the Technical Evaluation Committee. There is no page limit on attachments or the cost application.

Applications will be evaluated on a Best Value basis. As such, the technical application will have more significance than the cost application in the selection of a successful applicant. The technical application should demonstrate the applicant's capabilities and expertise with respect to achieving the goals of this program. Therefore, it should be specific, concise, and complete. It should take into account and be arranged in the order of the technical evaluation criteria specified in Section V.

In this section, applicants are not to merely repeat what is already described in this RFA. Applicants should focus on describing how they propose to achieve the project objective(s) and make a significant contribution towards achieving the strategic goals and priorities identified in the project description. Applicants will present a convincing and compelling articulation of their technical approach and demonstrate why it is the most effective way to realize the objectives of this project, including a reasonable course of action and tasks relevant to the current needs of Georgia.

Applicants are required to present a technical approach that meets RFA objectives and anticipated results. USAID has provided illustrative activities to guide applicants' approach.

Application Contents: The technical application, at a minimum, shall contain the following:

1. Cover Page
This page shall include the project title and RFA number, the names of the organizations/institutions involved, and the lead or primary Applicant clearly identified. Any proposed sub grantees (or implementing partners) should be listed separately. 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 and e-mail address. State whether the contact person is the person with authority to contract for the Applicant, and if not, that person should also be listed with contact information.

2. Table of Contents
This page shall list all sections of the technical application with page numbers and attachments.

3. Executive Summary (counts toward the page limitation and shall not exceed 2 pages)
This section shall briefly describe:

- Proposed purpose and objectives;
- Key activities and anticipated results; and
- How the overall project will be managed and implemented.

In addition, applicants are encouraged to propose a different name for the program that will replace Promoting Rule of Law in Georgia (PROLoG) Activity.

III. COST/BUSINESS APPLICATION FORMAT

Cost is a required evaluation criterion and will be evaluated separately. Although the Cost Application will not be assigned points, it is an important evaluation criteria, although less significant than non-cost (technical) factors.

The Cost/Business Application is to be submitted under separate cover from the technical application.

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

1. **Budget,** which provides a breakdown by elements of all costs associated with the program (e.g. personnel, fringe, equipment, travel, headquarters, regional and/or country offices if applicable and etc.)

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

3. **Budget narrative**, which provides detailed budget explanations and supporting justification of each proposed budget line item. It must briefly describe programmatic relevance and clearly identify the basis of estimate (i.e. how the budget number was determined fair and reasonable) for each cost element, such as market surveys, price quotations, current salaries, historical experience, etc.

A summary of the budget must be submitted using Standard Forms 424, 424A and 424B which are available at Grants.gov under the “Forms” tab.

The budget must include:

1. The breakdown of all costs associated with the project according to costs of headquarters, regional and/or country offices, if any;
2. Potential contributions of non-USAID or private commercial donors to the expected cooperative agreement; if any
3. The name (if identified), annual salary, and expected level of effort of each candidate named or TBD and charged to the activity. Provide annual salary history for at least the three most recent years for all identified and proposed long-/short-term key and non-key personnel;
4. If applying fringe benefit rates, the applicant must provide information regarding how this rate is being applied for each category of employees and an explanation of the benefits included in the rate. Should the applicant have a negotiated indirect cost rate agreement (NICRA) with the U.S. Government, submission of their approved NICRA is all that is required.
5. Travel, per diem and other transportation expenses detailed to include number of trips, expected itineraries, number of per diem days and per diem rates.
6. All equipment proposed to be purchased; and
7. A cost share is encouraged but not required. Amount and source of cost share contribution may be in cash or in kind. Submit information indicating the financial and/or in-kind resources to be leveraged and any written commitments by other organizations, donors, or individuals. The cost share must be verifiable from the recipient’s records; it is subject to the requirements of 22 CFR 226.23. If a recipient does not meet its cost share requirement, the AO may apply the difference in actual cost share amount from the agreed upon amount to reduce the amount of USAID funding for the following funding period, require the recipient to refund the difference to USAID when this award expires or is terminated, or reduce the amount of cost share required under the award.

The following information should be taken into consideration when developing the budget:

(1) Salaries and wages must be reflective of the “market value” for each position. Salaries and wages may not exceed the Applicant’s established written personnel policy and

practice, including the Applicant's established pay scale for equivalent classifications of employees, which shall be certified by the Applicant. Salaries for locally employed staff should not exceed the Local Compensation Plan for USAID/Caucasus.

(2) Base pay, or base salary, is defined as the employee's basic compensation (salary) for services rendered. Taxes which are a responsibility or liability of the employee are inclusive of, and not additive to, the base pay or salary. The base pay excludes benefit and allowances, bonuses, profit sharing arrangements, commission, consultant fees, extra or overtime payments, overseas differential or quarters, cost of living or dependent education allowances, etc.

(3) This USAID-funded project implemented under the anticipated cooperative agreement will be for an estimated period of performance of five (5) years; also referred to as the award period. Unless the Applicant/Recipient demonstrates otherwise to the USAID Agreement Officer's satisfaction, Cooperating Country Nationals (CCNs) employed by the Applicant/Recipient solely to work under the USAID-funded project under this agreement are considered by USAID as employed by the Applicant/Recipient for a specified period not to exceed the agreement period. This provision shall be interpreted in accordance with applicable cost standards including 2 CFR 230 – Cost Principles for Non-Profit Organizations (OMB Circular A-122) for non-profit organization, 2 CFR 220 – Cost Principles for Education Institutions (OMB Circular A-21), as applicable, including, but not limited to Selected Items of Cost - Compensation for Personal Services, and 22 CFR 226.

Annual Salary Increases

Annual salary increase and/or promotional increase may be granted in accordance with the Applicant's established policies but should be kept in line with USAID/Caucasus Local Compensation Plan.

Fringe Benefits - If accounted for as a separate item of cost, fringe benefits should be accounted in accordance with local labor law.

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 project, specifying quantities and unit cost.)

Allowances, if any, must be broken down by specific type and by person and must be in accordance with the Applicant's established policies.

Travel and Per Diem - The narrative should indicate the purpose of trip(s), number of trips, domestic and international, and the estimated unit cost of each. Specify the origin and destination for each proposed trip, duration of travel and number of individuals traveling. 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.

Other Direct Costs (ODC) - could include costs such as communications, office rental, utilities, report preparation costs, passports, visas, medical exams and inoculations, insurance (other than the Applicant's normal coverage), other filed office operation costs, etc. The narrative, or supporting schedule, should provide a complete breakdown and support for each item of other direct costs.

Proposed (Sub) contracts/agreements - Applicants who intend to utilize subcontractors or sub recipients should indicate the extent intended and a complete cost breakdown, as well as all the information required herein for the Applicant. Extensive (sub) contract/agreement financial plans should follow the same cost format as submitted by the Applicant.

Cost share: ADS 303.3.10 Cost Share defines cost share as "the resources a recipient contributes to the total cost of an agreement. It is the portion of project or program costs not borne by the Federal Government."

Responsibility Determination - An award shall be made only when the Agreement Officer makes a positive determination that the applicant possesses, or has the ability to obtain, the necessary management competence in planning and carrying out assistance programs and that it will practice mutually agreed upon methods of accountability for funds and other assets provided by USAID. For the organizations that are new to USAID, or organizations with outstanding audit findings, it may be necessary to perform a pre-award survey. The cost/business applications of all applicants submitting a technically acceptable application will be evaluated for general reasonableness, cost realism, allowability and allocability.

1. Applicants who do not currently have a Negotiated Indirect Cost Rate Agreement (NICRA) from U.S. Government agency shall submit the following information:
   - 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;
   - Cash flow and organizational chart; and
   - A copy of the organization's accounting manual.
   - Copies of applicable policies and procedures (e.g., accounting, purchasing, property management, personnel).

2. Applicants are required to submit Pre-award Certifications, Assurances and other Statements of the Recipient at http://transition.usaid.gov/policy/ads/300/303.pdf. Please note that these certifications are required for both the applicant and all sub-grantees whether US or non-US organizations.

3. Special Provision: In addition to the certifications as noted in paragraph 2 above,

Applicants are required to complete and submit the following certification:

REPRESENTATION BY ORGANIZATION REGARDING A DELINQUENT TAX LIABILITY OR A FELONY CRIMINAL CONVICTION (August 2014)

(a) In accordance with section 7073 of the Consolidated Appropriations Act, 2014 (Pub. L. 113-76) none of the funds made available by that Act may be used to enter into an assistance award with any organization that –

(1)Was "convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency has direct knowledge of the conviction, unless the agency has considered, in accordance with its procedures, that this further action is not necessary to protect the interests of the Government"; or
(2)Has any "unpaid Federal tax liability that has been assessed for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency has direct knowledge of the unpaid tax liability, unless the Federal agency has considered, in accordance with its procedures, that this further action is not necessary to protect the interests of the Government".
For the purposes of section 7073, it is USAID's policy that no award may be made to any organization covered by (1) or (2) above, unless the M/OAA Compliance Division has made a determination that suspension or debarment is not necessary to protect the interests of the Government.

(b) Applicant Representation:
(1)The Applicant represents that it is [ ] is not [ ] an organization that was convicted of a felony criminal violation under a Federal law within the preceding 24 months.
(2)The Applicant represents that it is [ ] is not [ ] an organization that has any unpaid Federal tax liability that has been assessed for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.

Signature: ______________

Date: __________________

4. Applicants shall submit any <u>additional evidence of financial responsibility</u> deemed necessary for the Agreement Officer to make a determination of responsibility to manage USG funds. The information submitted should substantiate that the Applicant:

    - Has adequate financial, management and personnel resources and systems, or the ability to obtain such resources as required during the performance of the award;
    - Has the ability to comply with the award conditions, taking into account all existing and currently prospective commitments of the applicant, nongovernmental and governmental;

- 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; and
- Has a satisfactory record of integrity and business ethics.

5. Certificate of Compliance: if available, submit a copy of your Certificate of Compliance if your organization's systems have been certified by the USAID/Washington's Office of Acquisition and Assistance (M/OAA).

6. 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.

7. 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 SAM 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 SAM early so that, if selected, award will not be delayed.

SPECIAL PROVISION: ELECTRONIC PAYMENTS SYSTEM

1. Definitions:

a. “Cash Payment System” means a payment system that generates any transfer of funds through a transaction originated by cash, check, or similar paper instrument. This includes electronic payments to a financial institution or clearing house that subsequently issues cash, check, or similar paper instrument to the designated payee.
b. “Electronic Payment System” means a payment system that generates any transfer of funds, other than a transaction originated by cash, check, or similar paper instrument, that is initiated through an electronic terminal, telephone, mobile phone, computer, or magnetic tape, for the purpose of ordering, instructing or authorizing a financial institution to debit or credit an account.

The term includes debit cards, wire transfers, transfers made at automatic teller machines, and point-of-sale terminals.

2. The recipient agrees to use an electronic payment system for any payments under this award to beneficiaries, subrecipients, or contractors.

3. Exceptions. Recipients are allowed the following exceptions, provided the recipient documents its files with the appropriate justification:

a. Cash payments made while establishing electronic payment systems, provided that this exception is not used for more than six months from the effective date of this award.

b. Cash payments made to payees where the recipient does not expect to make payments to the same payee on a regular, recurring basis, and payment through an electronic payment system is not reasonably available.

c. Cash payments to vendors below $3000, when payment through an electronic payment system is not reasonably available.

d. The Recipient has received a written exception from the Agreement Officer that a specific payment or all cash payments are authorized based on the Recipient's written justification, which provides a basis and cost analysis for the requested exception.

4. More information about how to establish, implement, and manage electronic payment methods is available to recipients at http://solutionscenter.nethope.org/programs/c2e-toolkit."

[END OF SECTION IV]

SECTION V – APPLICATION REVIEW INFORMATION

The technical applications will be evaluated in accordance with the Technical Evaluation Criteria set forth below. Applicants shall organize the narrative sections of their technical applications in the same order as the selection criteria. Technical evaluation of applications will be based on the extent and appropriateness of proposed approaches and feasibility of achieving the strategic objectives, in accordance with the following criteria.

If award is not made on the initial applications, USAID may request clarification and supplemental materials from applicants whose applications have a reasonable chance of being selected for award. The entry into discussion is to be viewed as part of the evaluation process and shall not be deemed by USAID or the applicants as indicative of a decision or commitment upon the part of USAID to make an award to the applicants with whom discussions are being held.

TECHNICAL EVALUATION CRITERIA AND TECHNICAL INSTRUCTIONS

A technical evaluation committee, using the criteria shown in this Section, will evaluate the technical applications. The various functional elements of the technical criteria are assigned weighted scores, so that the Applicants will know which areas require emphasis in the preparation of applications.

Where technical applications are considered essentially equal, cost may be the determining factor. Applicants should note that these criteria serve as the standard against which all applications will be evaluated and serve to identify the significant matters which applicants should address in their applications.

The relative importance of each criterion is indicated by the number of points assigned. A total of 100 points is possible. All sub-criteria are equal in weight.

1. EVALUATION FACTORS

a. Factor Identification – The technical evaluation will evaluate the applicants using the following factors:

FACTOR	FACTOR NAME
Factor 1	Technical Approach
Factor 2	Management Plan and Key Personnel
Factor 3	Illustrative Performance Management Plan
Factor 4	Past Performance

b. Factor Instructions & Evaluation Criteria –

FACTOR 1	**FACTOR NAME:**	Technical Approach	**IMPORTANCE or WEIGHT:**	40 Points

a. Instructions to Applicant:
Applicants must describe their 5-year vision and planned activities to meet the objective, results and outcomes of the Request for Assistance.

b. Evaluation Criteria:

SUB FACTOR 1.1	**FACTOR NAME:**	Clear definition of the problem and a vision of what will be accomplished by the end of the Cooperative Agreement (CA).	**IMPORTANCE or WEIGHT:**	20 Points

a. Instructions to Applicant:
Clear definition of the problem and a vision of what will be accomplished by the end of the Cooperative Agreement (CA). This section should also describe stakeholders and counterpart institutions under the CA, including local partnership (e.g. NGO Coalition for Independent and Transparent Judiciary, justice system agencies) commitments. Applicants should also explain how the proposed activities relate to the agenda of state or non-state partners, as well as other donors active in the rule of law sector.

b. Evaluation Criteria:
Applicants will be evaluated on the extent to which they demonstrate subject matter understanding and strategic thinking related to current opportunities and challenges facing the Georgian justice sector, including strong problem identification and proposed activities related to: 1) the rule of law policy and institutional environment in Georgia; 2) the state of affairs in the legal profession; 3) the university-level legal education system; 4) work of legal rights NGOs; and 5) the current status of human rights protection in Georgia (with a specific focus on due process rights, including for marginalized populations). Applicants will also be evaluated on their detailed analysis of potential obstacles, risks and problems that could be encountered during project implementation, as well as proposals for overcoming and minimizing them. Applications will be evaluated on their demonstrated understanding of the capacity and needs of local stakeholders, as well as the clarity and appropriateness of the technical approach and proposed objectives and the feasibility of achieving Activity results and objectives.

SUB FACTOR 1.2	**FACTOR NAME:**	Illustrative Work Plan for Year I of the award.	**IMPORTANCE or WEIGHT:**	10 Points

a. Instructions to Applicant:
An illustrative work plan for Year 1 of the award that sets priorities and justifies them, describes activities, milestones, and an implementation schedule.

b. Evaluation Criteria:
Applicants will be evaluated on the extent to which the proposed work plan is clear, realistic, technically sound, strategically justified, appropriate for achieving the CA results and outcomes, and demonstrates selectivity, focus and the rationale for the selected priorities. Applications will also be evaluated on the extent to which the plan justifies realistic priorities by maximizing limited funding to achieve end results.

SUB FACTOR 1.3	FACTOR NAME:	Integration of gender and minority considerations.	IMPORTANCE or WEIGHT:	5 Points

a. Instructions to Applicant:
Identification and meaningful integration of gender and minority considerations in the proposed vision and activities with concrete and realistic examples of where support for equality can advance the objectives of the Activity.

b. Evaluation Criteria:
Applicants will be evaluated on the extent to which gender and minority considerations are identified and meaningfully integrated into proposed activities with concrete examples where support for equality can advance the objectives of the Activity.

SUB FACTOR 1.4	FACTOR NAME:	Sustainability Plan	IMPORTANCE or WEIGHT:	5 Points

a. Instructions to Applicant:
A plan for how the proposed program and activities will be implemented in a sustainable way and generate sustainable, long-term impact with explanations showing how the project will be institutionalized. This should include how the project will be institutionalized, proposed targets and where the activities will realistically end (justified with prior experience/performance) and why this outcome is likely, and how the use of and capacity building of local Georgian organizations and Georgian expertise will support sustainable program implementation

b. Evaluation Criteria:
Applications will be evaluated on the extent to which the proposals will generate sustainable, long-term impact, and to the extent to which the applications justify how the project will be institutionalized. The applications will be evaluated on the extent to which they include sound justification in proposing targets and where activities will realistically end (based on the past experience/performance of the applicant) and why this outcome is likely. The applications will also be evaluated on the extent to which they show how the use of and capacity building of local Georgian organizations and Georgian expertise will support sustainable program implementation.

FACTOR 2	FACTOR NAME:	Management Plan and Personnel	IMPORTANCE or WEIGHT:	40 Points

SUB FACTOR 2.1	FACTOR NAME:	Management/Staffing Plan	IMPORTANCE or WEIGHT:	15 Points

a. Instructions to Applicant:
The proposed Management/Staffing plan should include information relevant to how the award will be managed to effectively achieve its objective and results.

Applicants will provide 1) A staffing pattern with position titles and supervisory relationships; 2) the level and type of involvement and responsibilities of the applicant's home office and any key partner organizations; 3) and identification of up to five positions as key personnel positions, including an Chief of Party (expatriate) and Deputy Chief of Party, 4) Position Descriptions for key personnel and planned recruitment strategies during award.

If the application includes a transition to a local COP by the end of the award, the potential future COP should be part of the team in a key personnel position for at least one year prior to the proposed transition.

Given competing political interests and roles among various Georgian stakeholders, including the Ministry of Justice, Judiciary and civil society, the staffing pattern should be structured to ensure that relationships with these diverse stakeholders can be maintained and balanced by the project as a whole.

b. Evaluation Criteria:
Applicants will be evaluated on the extent to which 1) the proposed management plan/staffing pattern justifies that the award will be managed to achieve objectives and results and is cost effective, and 2) the staffing pattern and position descriptions for key personnel positions are justified to accurately reflect the needs of the program both at award and in the all years of the award.

SUB FACTOR 2.2	FACTOR NAME:	Qualifications of Key Personnel	IMPORTANCE or WEIGHT:	15 Points

a. Instructions to Applicant:
Candidates for key personnel positions with resumes included as an annex. While there is no restriction on the citizenship of key personnel (other than that of COP), applicants are encouraged to propose a mix of candidates that will ensure outstanding performance management, interpersonal skills, and technical expertise, while preserving as much money as possible for programming.

For each of the key personnel candidates, Applicants must demonstrate the requisite management and technical expertise, as well as any other important qualifications such as language skills and names of references.

b. Evaluation Criteria:
Key personnel candidates will be evaluated on the applicant's justification that these personnel can implement the award, sharing the appropriateness of the education, qualifications and experience of proposed personnel, as well as demonstrated quality of prior technical and managerial leadership as provided by references.

SUB FACTOR 2.3	FACTOR NAME:	Ensuring high quality TA and non-key personnel.	IMPORTANCE or WEIGHT:	10 Points

a. Instructions to Applicant:
A detailed explanation of the processes and systems Applicants will use to ensure high quality of STTA and non-key personnel.

b. Evaluation Criteria:
Applicants will be evaluated on the extent to which they can demonstrate that proposed processes for the STTA and non-key personnel selection are able to maximize impact in a cost-effective way; show a developed pool of specialists from which to draw on for STTA; provide an explanation of how the pool of experts is comprised, justification for the selection of a respective expert from that pool; demonstrate the ability to ensure highly qualified non-key personnel, and strategic thinking in how best to utilize local expertise in combination with STTA in a cost-effective manner.

FACTOR 3	FACTOR NAME:	Illustrative Performance Management Plan	IMPORTANCE or WEIGHT:	10 Points

a. Instructions to Applicant:
Clarity of expected achievements/outcomes of the project, and a brief description of the proposed Performance Management Plan, including a results framework, illustrative performance measures (indicators at the output and outcome level), tentative life of project targets, data sources , and methods of data collection.

b. Evaluation Criteria:
Applicants will be evaluated on the extent to which the proposed Performance Management Plan is sound; includes indicators which measure outputs and high level outcomes; establishes targets that are aspirational yet realistic given the breadth of proposed activities and planned budget.

FACTOR 4	FACTOR NAME:	Past Performance	IMPORTANCE or WEIGHT:	10 Points

a. Instructions to Applicant:
Applications should include a list of past performance references. 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 five 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.

b. Evaluation Criteria:
Applicants will be evaluated on prior ability to quickly and effectively launch and manage similar programs; documented (e.g., evaluations) positive experiences and successes in implementing multi-component development programs related to justice system reform, human rights and civil society engagement in rule of law sector of similar complexity; evidence of good cost control on similar activities; and evidence of client/funding agency satisfaction with program results.

COST EVALUATION

Cost has not been assigned a weight but will be evaluated for realism, reasonableness, allowability, allocability, and cost effectiveness. The pre-award evaluation of cost effectiveness will include an examination of the application's budget detail to ensure it is a realistic financial expression of the proposed project and does not contain estimated costs which may be unallocable, unreasonable, or unallowable. Applications that have more efficient operational systems that reduce operation costs will be favorably considered.

Applications that maximize direct activity costs including cost sharing and that minimize administrative costs is encouraged. Other considerations are the completeness of the application adequacy of budget detail and consistency with elements of the technical application. In addition, the organization must demonstrate adequate financial management capability, to be measured by a responsibility determination.

AWARD DECISION

Award will be made to the Applicant whose application offers the best value to the Government. Best value is defined as the expected outcome of a solicitation that, in the Government's estimation, provides the greatest overall benefit in response to the funding opportunity.

For this RFA, technical application merits are considered significantly more important than cost relative to deciding which Applicant might best implement the activity. Cost realism, effectiveness and reasonableness will be the determining factors in the event that the applications receiving the highest ratings are closely ranked. Therefore, after the final evaluation of the application, the Agreement Officer will make the award to the Applicant whose application offers the best value to the Government considering technical, cost and other factors.

Other areas of review and discussion will vary according to the circumstances pertaining to the application.

[END OF SECTION V]

SECTION VI – AWARD AND ADMINISTRATION INFORMATION

1. A written award mailed or otherwise furnished to the successful applicant within the application's validity time as specified either in the application or in this RFA (whichever is later) shall result in a binding Cooperative Agreement without further action by either party. Before the application's specified validity expiration time, the Government may accept an application, whether or not there are negotiations after its receipt, unless a written notice of withdrawal is received by the applicant before award. Negotiations or discussions conducted after receipt of an application do not constitute a rejection or counteroffer by the Government.

2. Applicants must set forth full, accurate and complete information as required by this RFA. The penalty for making false statements to the Government is prescribed in 18 U.S.C. 1001.

3. Neither financial data submitted with an application nor representations concerning facilities or financing, will form a part of the resulting Cooperative Agreement unless explicitly stated otherwise in the agreement.

4. USAID reserves the right to perform a pre-award survey which may include, but is not limited to: (1) interviews with individuals to establish their ability to perform agreement duties under the project conditions; (2) a review of the prime recipient's financial condition, business and personnel procedures, etc.; and (3) site visits to the prime recipient's institution.

5. Relevant Policy and Regulatory References: Resulting awards to U.S. non-governmental organizations will be administered in accordance with Chapter 303 of USAID's Automated Directives System (ADS-303), 22 CFR 230 for nonprofit organizations (formerly OMB Circular A-122), and OMB Circular A-133 for both universities and non-profit organizations, and Standard Provisions for U.S. Nongovernmental Organizations. These policies and federal regulations are available at the following web sites:

1. ADS-303: http://www.usaid.gov/policy/ads/300/303.pdf
2. 22 CFR 226 and 22 CFR 230 (formerly OMB Circular A-122) http://www.gpo.gov/fdsys/pkg/CFR-2003-title22-vol1/content-detail.html
3. OMB Circular A-133 - Audits of States, Local Governments and Non-Profit Organizations http://www.whitehouse.gov/sites/default/files/omb/assets/a133/a133_revised_2007.pdf
4. Standard Provisions for U.S. Nongovernmental Organizations: http://www.usaid.gov/pubs/ads/300/303maa.pdf

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

6. Authority to Obligate the Government: The Agreement Officer is the only individual who may legally commit the Government to the expenditures of public funds. No costs chargeable to the proposed Cooperative Agreement may be incurred before receipt of either a fully executed Cooperative Agreement or a specific, written authorization from the Agreement Officer.

7. Performance Monitoring and Reporting Requirements:

The Recipient shall be responsible for delivery of the following items:

Implementation Plan: The recipient must provide a draft implementation plan for the program components described in the program description within 30 days of award. The recipient must provide annual implementation plans, including annual monitoring and evaluation plans that will be approved by the Agreement Officer's Representative (AOR). The 2nd and subsequent year implementation plans shall be submitted within 30 days after expiring of previous year implementation plan. Annual implementation plans may be revised on an occasional basis, as needed and with the concurrence of the AOR, to reflect changes on the ground.

Performance Management Plan: The recipient must submit a Performance Management Plan (PMP) plan with the annual implementation plan; the PMP will be approved at the same time by the AOR. The recipient will be required to collect baseline data for all the PMP indicators during the first year of the project. The PMP should track applicable indicators from the program description, standard F indicators, and any other output and outcome indicators proposed by the recipient. The recipient must collect and submit to USAID/Caucasus all applicable indicator data on a bi-annual basis. The PMP should be updated annually and revised as appropriate in collaboration with USAID. The updated PMP should ensure that the data effectively capture and adequately measure the expected outputs/results/impact outlined in the implementation plan. In addition, the recipient should ensure that there is a clear link between the quarterly reports and the approved implementation plan, i.e. the expected results of the activities (PMP targets) outlined in approved implementation plan are in due course reflected in the project's quarterly performance reports. The PMP should disaggregate data by sex for all people-level indicators and monitor and assess the success of gender-mitigating activities.

Quarterly Progress Reports: The recipient must submit quarterly progress reports within10 days from the end of the reporting period. Submission will follow the U.S. Government (USG) reporting periods beginning October 1. These reports should summarize progress on major activities during the period of performance, indicating any problems encountered and the steps that were taken or will be taken to resolve those issues as appropriate and also include success stories. The recipient should promptly notify the Agreement Officer (AO) and the AOR of any problems, delays, or adverse conditions, which materially impair the recipient's ability to meet the requirements of the Agreement.

Monthly Meetings: The recipient must hold monthly (or more frequently as necessitated by conditions related to project performance) meetings with the AOR, and/or the alternate AOR if the AOR is not available, to discuss progress, identify opportunities for program improvement, and resolve problems as required.

Annual and Final Reporting: The recipient must submit an annual report for each Fiscal Year, describing program activities from the four quarters (a separate fourth quarter report is not necessary) and providing an assessment toward achieving the annual objectives set forth in the annual implementation plan. This report is due 30 days after the end of the fiscal year.

At the end of implementation, the recipient must prepare a final program report. The recipient should prepare periodic success stories and other outreach materials that can be utilized by USAID.

Final Report: The Recipient is required to submit final report will be submitted within 90 calendar days after the estimated completion date of the Award. The Recipient shall submit one copy of a Final Report to the USAID AOR and one copy to the Agreement Officer. In addition, one copy shall be submitted to:

USAID Development Experience Clearinghouse (DEC)
Online (preferred):
http://dec.usaid.gov

Mailing address:
USAID Development Experience Clearinghouse
M/CIO/ITSD/KM
RRB M.01
U.S. Agency for International Development
Washington DC 20523

The Final Report shall contain the following information as described in 22 CFR 226.51(d), covering the full period of the Award: an executive summary of the accomplishments and results achieved; an overall description of the activities and accomplishments; a summary of problems/obstacles encountered during implementation; success stories; an assessment of the performance in accomplishing the project's objectives; significance of these activities; findings; comments and recommendations; other pertinent information.

This report should eliminate politically sensitive or proprietary information. Reports should incorporate as many graphics (maps, photos, charts, etc.) as possible and should include all project and evaluation tools and materials, in annex.

Financial Reporting:

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 FR at the same time to the Agreement Officer's Representative (AOR) and The Agreement Officer (AO).
In addition to SF425, budget breakdown and accruals information should be submitted on a quarterly basis. Detailed budget reporting form will be agreed with AOR in advance.

Electronic copies of the SF-425 can be found at:
http://www.whitehouse.gov/omb/grants/standard_forms/ff_report.pdf and
http://www.forms.gov/bgfPortal/docDetails.do?dId=15149.

Line item instructions for completing the SF-425 can be found at:

http://www.whitehouse.gov/omb/grants/standard_forms/ffr_instructions.pdf.

The recipient must submit the original and two copies of all final financial reports to USAID/Washington, M/CFO/CMPLOC Unit, the Agreement Officer (AO), and the AO. 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.

Geographic Information System (GIS) Reporting:

1. The recipient will provide the AOR with ArcGIS compatible information about the project activities along with quarterly project reports. For this purpose, the recipient should fill in the appropriate Excel Spreadsheet "Project General and Activity Data Template." This template will be provided by the USAID/Caucasus Program Office.

2. The recipient will submit data for several key indicators that measure the most significant outputs/deliverables of the project by region, municipality, town or village annually. This data must be submitted at the same time as the Annual Report. The recipient should work closely with the AOR to review the project-level PMP or M&E plan to identify jointly key indicators of success PMP or M&E plan to identify jointly key indicators of success that reflect and convey the most important results achieved or to be achieved. USAID is most interested in the indicators that can be meaningfully disaggregated by geographic location. The number of these indicators will depend upon the complexity of the project and could range in number approximately from 1 to 10.

3. The recipient will provide semi-annually the AOR and mission GIS Specialist with thematic data such as demographic and health indicators, land use, land cover, hydrology, and transportation infrastructure; project specific geographic data such as the analytical output of a geographic analysis that is conducted while implementing a project and is useful to USAID's planning and project design purposes; any other geographic data, maps, aerial and satellite imagery created or purchased under this award.

4. Geographic data must be submitted to USAID in industry standard formats such as Esri Shapefile or Esri Feature Class and include metadata. Metadata is a summary document providing content, quality, type, creation, and spatial information about a data set. It represents who, what, when, where, why and how of the resource. It can be stored in any format such as a text file, Extensible Markup Language (XML), or database record. Metadata records include core library catalog elements such as Title, Abstract, and Publication Data; geographic elements such as Geographic Extent and Projection Information; and database elements such as Attribute Label Definitions and Attribute Domain Values. Geographic Data must be projected to the Geographic Coordinate System World Geodetic System 1984 (GCS WGS 1984). All data must use the World Geodetic System 1984 (WGS 1984) datum.

8. BRANDING STRATEGY AND MARKING PLAN:

It is a federal statutory and regulatory requirement (see Section 641, Foreign Assistance Act of 1961, as amended and 22 CFR 226.91) 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 sub-award must be marked appropriately overseas with the USAID identity. In accordance with ADS 320.3.3 Branding and Marking Requirements for Assistance Awards USAID's policy is that programs, projects, activities, public communications, or commodities implemented or delivered under co-funded instruments – such as grants, cooperative agreements, or other assistance awards that usually require a cost share – generally are "co-branded and co-marked."

The successful applicant will be required to submit a branding strategy and marking plan. The Applicant may request a presumptive exemption to marking requirements established in 22 CFR 226.91. More information on Branding strategy and Marking plan are available at **http://www.usaid.gov/work-usaid/branding/assistance-awards**

The branding strategy and marking plan will become a material element of the cooperative agreement. Information on USAID's branding "assistance" applies to this RFA. ADS Chapter 320 sections concerning "acquisition" do not apply to this RFA. ADS Chapter 320 can be found on USAID website: http://www.usaid.gov/policy/ads/300/320.pdf.

[END OF SECTION VI]

SECTION VII – AGENCY CONTACTS

Any prospective applicant desiring an explanation or interpretation of this RFA must request it in writing by the deadline for questions specified in the cover letter to allow a reply to reach all prospective applicants before the submission of their applications. 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.

Any questions or comments concerning this RFA must be submitted in writing by email to Ms. Eka Gamezardashvili at egamezardashvili@usaid.gov by the deadline for questions indicated at the top of this RFA's cover letter.

[END OF SECTION VII]