



**USAID/DCHA/CMM and USAID/Gaza-West Bank
Annual Program Statement (APS)
FY 13 Conflict Mitigation and Reconciliation Programs and Activities
APS # 294-13-000001**

ISSUANCE DATE: May 17, 2013
DEADLINE FOR QUESTIONS: May 31, 2013
CLOSING DATE: June 24, 2013

SUBJECT: USAID/West Bank and Gaza Annual Program Statement (APS) for Conflict Mitigation and Reconciliation Programs and Activities

The United States Agency for International Development (USAID) is seeking applications from eligible institutions as described in Section A.1.d., to carry out activities that mitigate conflict and promote reconciliation by bringing together individuals of different ethnic, religious or political backgrounds from areas of national conflict, civil conflict and war.

Under this 2013 APS, the term "Grant" is synonymous with "Cooperative Agreement"; "Grantee" is synonymous with "Recipient"; and "Grant Officer" is synonymous with "Agreement Officer".

Organizations receiving an award under this APS must comply with all applicable U.S. laws. Failure to comply with applicable U.S. law and regulations may result in forfeiture/termination of an award. Grantees who sign awards will be subject to the terms of the OFAC license granted for the program.

Awards may be made to eligible U.S. nongovernmental organizations (501(c)3 NGOs) and accredited U.S. colleges and universities in accordance with 22 CFR 226 and USAID's Standard Provisions for U.S. Nongovernmental Recipients, as well as eligible private firms and non-U.S. organizations.

The authority for the APS is found in Foreign Assistance Act of 1961, as amended. Pursuant to 22 CFR 226.81, it is USAID policy not to award profit under assistance instruments. 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 grant.

USAID requests summary applications limited to five pages. Summary applications must be submitted by June 24, 2013¹. These applications will be reviewed in accordance with the

¹ This APS is open for six months from the date of issuance. USAID reserves the right to call for future applications.

evaluation criteria, with the finalists being subsequently asked to submit a full application, except in the case of Fixed Obligation Grants, which will not require a full application. USAID's request for full application does not commit USAID to make an award. All applicants will be informed of the results of the evaluation of the summary applications as soon as time permits. Upon request, USAID will provide feedback concerning the applications. USAID reserves the right to fund any or none of the applications submitted.

USAID anticipates awarding multiple Standard Assistance Awards (Grants and Cooperative Agreements) and Fixed Obligation Grants (FOGs) up to \$9 million under this APS as follows:

Standard Assistance Award (See Section B): The proposed Estimated Total Amount for Standard Assistance Awards should range from a minimum amount of \$500,000 to a maximum amount of \$1,200,000. Finalists applying for a Standard Assistance Award will be invited to submit a full application. (See Attachment A of the APS for guidance on full application format).

Fixed Obligation Grants (See Section C): The proposed Estimated Total Amount for Fixed Obligation Grants (FOGs) should range from a minimum amount of \$50,000 to a maximum amount of \$100,000. Applicants that submit applications that fall within the parameters of FOGs will not be required to submit a full application and will be notified if successful or unsuccessful based only on the summary application.

From the pool of ten expected FOGs, it is anticipated that the US Embassy Tel Aviv will be taking on the pre and post award responsibilities of FOGs whose geographic area of implementation is within Israel only.

This APS consists of this cover letter and the following:

- | | |
|-------------------|---|
| 1. Section A - | APS objectives; |
| 2. Section B - | Standard Assistance Awards; |
| 3. Section C - | Fixed Obligation Grants (FOGs); |
| 4. Section D - | Selection Criteria; |
| 5. Attachment A- | Standard Assistance Award-Full Application Format; |
| 6. Attachment B- | USAID West Bank and Gaza Mandatory Special Provisions; |
| 7. Attachment C- | Other Information-References; |
| 8. Attachment D- | Fixed Obligation Grant (FOG) Entity Eligibility Checklist; |
| 9. Attachment E- | Standard Assistance Award Technical Application Cover Page; |
| 10. Attachment F- | FOG Technical Application Cover Page and Program Summary; |
| 11. Attachment G- | Budget Template; |
| 12. Attachment H- | Sample Budget Narrative; |
| 13. Attachment I- | VAT Guidance; |
| 14. Attachment J- | Mission Order No.21. |

The preferred method of distribution of USAID Annual Program Statements (APS) is electronically via Grants.gov. This APS and any future amendments can be downloaded from <http://www.grants.gov>. It is the responsibility of the recipient to ensure that it has received the APS and any future amendments from <http://www.grants.gov> in its entirety. All interested parties

are encouraged to register on <http://www.grants.gov> to receive automatic notification of amendments to this APS.

Applicants may upload applications to <http://www.grants.gov>; however, USAID bears no responsibility for data errors resulting from transmission or conversion processes associated with electronic submissions. **Additionally, USAID/West Bank and Gaza requires that all applications be submitted electronically (e-mailed) to WBG-APS-CMM2013@usaid.gov by the date reflected herein. Applicants are required to request a receipt confirmation to ensure that the application was received.**

Issuance of this APS does not constitute an award commitment on the part of USAID, nor does it commit USAID to pay for any costs incurred in the preparation and submission of an application. Further, USAID reserves the right to reject any or all applications received. **In addition, final award of any resultant Assistance Award(s) will not be made until funds have been fully appropriated, allocated, and committed through internal USAID procedures, including a strategic review conducted in coordination with the State Department.** All costs are at the Applicant's own expense.

IMPORTANT: USAID requests that all questions regarding this APS be submitted in writing to Ms. Sandy Sakran, Acquisition and Assistance Specialist, via e-mail at WBG-APS-CMM2013@usaid.gov no later than May 31, 2013. Answers to all questions will be provided through an amendment to the APS.

USAID/West Bank and Gaza may be hosting one or more pre-application conference(s) for prospective applicants. USAID/West Bank and Gaza will post a supporting document to the APS providing detailed information on venue(s), date(s) and time(s) on <http://www.grants.gov>.

Applicants should retain for their records one copy of all enclosures which accompany their application.

Thank you for your interest in USAID Programs.

Sincerely,

Chitahka Floore
Agreement Officer
USAID/West Bank and Gaza

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Attachments

1. Attachment A-	Standard Assistance Award-Full Application Format;
2. Attachment B-	USAID West Bank and Gaza Mandatory Special Provisions;
3. Attachment C-	Other Information-References;
4. Attachment D-	Fixed Obligation Grant (FOG) Entity Eligibility Checklist;
5. Attachment E-	Standard Assistance Award Technical Application Cover Page;
6. Attachment F-	FOG Technical Application Cover Page and Program Summary;
7. Attachment G-	Budget Template;
8. Attachment H-	Sample Budget Narrative;
9. Attachment I-	VAT Guidance;
10. Attachment J-	Mission Order No.21.

SECTION A - APS OBJECTIVES

A.1 PROGRAM OBJECTIVES

USAID seeks to effectively prevent, mitigate and manage the causes and consequences of violent conflict, instability and extremism. The Bureau for Democracy, Conflict, and Humanitarian Assistance (DCHA), Office of Conflict Management and Mitigation (CMM) leads USAID's efforts to identify and analyze sources of conflict, supports early responses to address the causes and consequences of instability and violent conflict, and seeks to integrate conflict mitigation and management into USAID's analysis, strategies and programs.

This APS is managed in accordance with a Congressional appropriation to provide a central source of funding for reconciliation programs. To meet Congressional intent, this APS will support "people-to-people" conflict mitigation and reconciliation programs and activities which bring together individuals of different ethnic, religious or political backgrounds from areas of civil conflict, national conflict and war. Programs that provide opportunities for adversaries to address issues, reconcile differences, promote greater understanding and mutual trust and work on common goals with regard to potential, ongoing, or recent conflict will receive consideration for funding under this APS.

The objective of the FY 2013 USAID/WBG CMM Annual Program Statement (APS) is to make significant strides toward the overall goal of conflict mitigation, peace and reconciliation in the Middle East while contributing to USAID's developmental objectives. USAID seeks programs that go beyond workshops and awareness-raising to producing more concrete and measurable results through the resolution of conflict by having participating groups working together to resolve issues of common concern. Studies have shown that when such common goals or shared problems are present, communication between groups moved in the direction of reducing conflict. Therefore, in addition to the people-to-people approach, USAID would like applicants to focus on issues of common interest to four categories of participants: 1) Israelis and Palestinians; 2) Israeli Arab and Jewish citizens; 3) Israelis, Palestinians and citizens of other Middle Eastern countries;² 4) Israelis and citizens of other Middle Eastern countries. In other words, USAID seeks programs where participants engage in activities that will clearly benefit from the participation of another group in order to reach common goals or solve shared issues. Programs addressing issues in water, farming, tourism, health and the environment are just a few examples of successful past programming. In addition USAID will encourage proposals that involve women, youth and/or the disabled and demonstrate understanding of their role in conflict mitigation. Proposals should be able to measure their effectiveness in reducing conflict and in changing perceptions and it is expected that the potential partner will develop a monitoring system to effectively measure their results.

² For the purpose of this APS Middle Eastern countries will include countries where USAID operates in the Middle East. These countries are Egypt, Iraq, Jordan, Lebanon, Morocco, Yemen, Libya, and Tunisia.

“People-to-people” programs are one approach among many to conflict mitigation. This solicitation is intended to fund conflict mitigation programs with a people-to-people approach, and to derive lessons learned and best practices for future people-to-people programming. Lessons learned will be incorporated into future programs and solicitations, and will inform DCHA/CMM’s research agenda for conflict management and mitigation. Successful applications under this solicitation will describe a people-to-people approach based on a context and conflict analysis that leads to a concrete program change hypothesis.

USAID programs under this APS can support activities in Gaza, but applicants are cautioned about the difficult and restricted operating environment in Gaza. Grants may assist civil society organizations and others that encourage peace dialogue. USAID implementing partners working in Gaza must minimize security risks and adhere to the U.S. Government “contact policy” that prohibits contact with Hamas and other designated Foreign Terrorist Organizations (FTOs).

In addition, in accordance with legislative restrictions applicable to USAID funds, proposed activities in Gaza may not currently include assistance or direct benefit to public institutions in Gaza with the exception of any non-FTO-controlled municipal governments. Applicants should also be cognizant of additional issues related to Gaza, such as restrictions on getting materials into Gaza, avoiding support of the tunnel economy, and the inability to use award funds for Hamas-imposed taxes in Gaza.

In addition, all proposed activities, regardless of location, should take into account statutory and Executive Order restrictions relating to the furnishing of material support and resources or engaging in transactions or dealings with FTOs or FTO-controlled entities.

USAID manages this APS in accordance with a Congressional appropriation to provide a central source of funding for reconciliation activities (see Public Law 112-74, Division I, Section 7062).

A.1.a. PROGRAM REQUIREMENTS

Applications should be aware of the following:

- Programs that have a strong academic or research focus will not be considered.
- Applicants are encouraged to keep costs reasonable in relation to the scope of their proposed activities and must explain and/or support the costs in their application, which shall be subject to the USG’s cost analysis, including cost realism analysis.
- In recognition of the increased challenges of movement and access between Israel, WBG and other Middle Eastern countries, meetings in third-country venues are permissible if the neutrality of the meeting location or the security of participants is an issue and measures are taken to ensure the cost-effectiveness of the endeavor. Sufficient technical justification should be provided for use of a third-country venue.

A.1.b MULTIPLE AWARDS, AWARD AMOUNT, AWARD TYPE, AVAILABILITY OF FUNDS

In order to help expedite the review process and alleviate the burden on applicants, USAID/WBG requests Summary Applications limited to five pages. USAID anticipates awarding multiple Standard Assistance Awards (Grants and Cooperative Agreements) and Fixed Obligation Grants (FOGs) up to \$9 million under this APS as follows:

Standard Assistance Award (See Section B): The proposed Estimated Total Amount for Standard Assistance Awards should range from a minimum amount of \$500,000 to a maximum amount of \$1,200,000. The highest rated applications applying for a Standard Assistance Award will be invited to submit a full application for further review and evaluation. (See Attachment A of the APS for guidance on full application format).

Fixed Obligation Grants (See Section C): The proposed Estimated Total Amount for Fixed Obligation Grants (FOGs) should range from a minimum amount of \$50,000 to a maximum amount of \$100,000. It anticipated that up to ten Fixed Obligation Grants (FOGs) will be awarded. Applicants that submit applications that fall within the parameters of FOGs will not be required to submit a full application and will be notified if successful or unsuccessful based on their summary application only. However, successful applicants may be requested to submit a revised FOG application during negotiations.

USAID reserves the right to determine the actual assistance award type. Issuance of this APS does not constitute an award or commitment on the part of the US Government to make any awards, nor does it commit the US Government to pay for costs incurred in the preparation and submission of an application. Note that funds are not currently available for this APS. The issuance of this APS, or the submission of any application, does not assure any award(s).

A.1.c ENVIRONMENTAL PROTECTION AND COMPLIANCE

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/who-we-are/agency-policy/series-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.

No activity funded hereunder 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 "approved Regulation 216 environmental documentation.") Subsequently, over the Life of the Activity (LOA), these environmental

mitigation measures are to be a standard component of program management. Successful applicants will be advised by USAID how to satisfy these requirements.

A.1.d. ELIGIBILITY INFORMATION

To be eligible for funding under this APS, applications must propose people-to-people programs as described in Section A.1 above.

Potential partners include but are not necessarily limited to: private voluntary organizations, foundations, colleges and universities, civic groups, faith-based and community institutions, international organizations, private businesses and associations, regional organizations, philanthropic organizations, and advocacy groups. For-profit applicants should note that USAID policy prohibits the payment of fee/profit to the prime recipient under grants and cooperative agreements. Forgone profit does not qualify as cost-sharing or leveraging. USAID encourages applications from potential new partners.

I. Types and Nationalities of NGOs

1. U.S. and Non-U.S. Non-Profit Organizations

Qualified U.S. and non-U.S. private non-profit organizations may apply for USAID funding under this APS. Foreign government-owned parastatal organizations from countries that are ineligible for assistance under the FAA or related appropriations acts are ineligible.

2. U.S. and Non-U.S. For-Profit Organizations

Potential for-profit applicants should note that, pursuant to 22 CFR 226.81, the payment of fee/profit to the prime recipient under grants and cooperative agreements is prohibited. Forgone profit does not qualify as cost-sharing or leveraging. However, if a prime recipient has a (sub)-contract with a for-profit organization for the acquisition of goods or services (*i.e.*, if a buyer-seller relationship is created), fee/profit for the (sub)-contractor is authorized.

3. U.S. and Non-U.S. Colleges and Universities

Qualified U.S. and non-U.S. colleges and universities may apply for funding under this APS. USG and USAID regulations generally treat colleges and universities as NGOs, rather than governmental organizations; hence, both public and private colleges and universities are eligible. Non-U.S. colleges and universities in countries that are ineligible for assistance under the FAA or related appropriations acts are ineligible.

II. Private Voluntary Organization (PVO)

A local or indigenous PVO, which by definition is a non-U.S. PVO operating in the same foreign country in which it is organized, that is not already registered with USAID is eligible to receive funding. However, such organizations are encouraged to consider registration. In accordance with 2 CFR 203, U.S. PVO or an "International PVO", which by definition is a non-U.S. PVO that performs development work in one or more countries other than the country in which it is domiciled, must be registered with USAID to be eligible to receive funding.

III. Public International Organizations (PIOs)

PIOs are eligible to apply for funding under this APS. Please see Automated Directives Series (ADS) 308 for USAID policy on defining PIOs.

<http://www.usaid.gov/sites/default/files/documents/1868/308.pdf>

USAID encourages applications from partnerships or consortia directed by or including local organizations. In this context, partnerships are defined as a negotiated arrangement among organizations that provides for a substantive, collaborative role for each of the partners in the planning and implementation of the project. Applicants intending to represent a coalition of providers should be prepared to provide, if requested, a signed partnership agreement stating:

- An intent to commit or receive resources from the prospective partner(s) contingent upon receipt of funds;
- How the partnership arrangement advances the objectives of the program;
- Supporting documentation identifying the resources, experience, and expertise of the partner(s);
- Evidence that the partner(s) has been involved in the planning of the project; and
- Clarification of the role of the partner(s) in the implementation of the program, evaluation, and sustainability.

A.4 NGO FINANCIAL PARTNERSHIP/COST SHARING

USAID does not require cost share under this APS. Nonetheless, USAID recognizes that cost share may be an important element of the USAID-recipient relationship. Accordingly, USAID welcomes applicants who will pledge their own resources towards the activities for which they seek USAID funding.

If a cost share application is accepted and made part of an award, contributions must be supported by adequate documentation, be allowable under the applicable cost principles and meet the criteria set forth in 22 CFR 226.23. In-kind contributions are allowable as cost sharing in accordance with [OMB Circular A-110](#) and [22 CFR 226.23](#). Cost sharing contributions may include volunteer services provided by professional and technical personnel; valuation of donated supplies, equipment, and other property; and, use of unrecovered indirect costs.

Funds that are paid by the Federal Government through another source may **not** be used by an organization in cost share calculations (see 22 CFR 226.23). Cost share contributions must be reported on a periodic basis on payment forms, and USAID has the right to reduce its share of funding if the cost share reported is less than the agreed upon percentage or amount contained in the award. Grantees should be prepared to distinguish in their reporting the outputs and outcomes that result from cost share contributions versus USAID monies. If a difference remains after an award has expired, the recipient may be required to refund the difference.

USAID does not apply its source and nationality requirements or the restricted goods provision established in the Standard Provision "USAID Eligibility Rules for Goods and Services" to cost sharing contributions. The AO may authorize the recipient to attribute cost sharing contributions from sub-recipients to the prime award.

A.5 PROGRAM INCOME

1. NGOs

If the successful applicant(s) is/are a non-profit organization, any program income generated under the award(s) will be **added to** USAID funding (and any cost-sharing that may be provided), and used for program purposes. However, pursuant to 22 CFR 226.82, if the successful applicant is a for-profit organization, any program income generated under the award(s) will be **deducted from** the total program cost to determine the amount of USAID funding. Program income will be subject to 22 CFR 226.24 for U.S. NGOs or the standard provision entitled "Program Income" for non-U.S. NGOs.

2. PIOs

If the successful applicant(s) is/are a PIO, any program income generated under the award(s) will be **added to** USAID funding (and any non-USAID funding that may be provided) and used for program purposes.

A.6 AUTHORIZED GEOGRAPHIC CODE

1. NGOs

USAID's rules for the source of goods (other than "restricted goods," as described in ADS 312 [<http://www.usaid.gov/sites/default/files/documents/1876/312.pdf>]), and the nationality of suppliers of goods and services (other than delivery services, as described in ADS 314 [<http://www.usaid.gov/sites/default/files/documents/1876/314.pdf>]), which are financed by USAID and procured by the recipient under the award(s) resulting from this APS, are set forth in 22 CFR 228 (http://www.access.gpo.gov/nara/cfr/waisidx_08/22cfr228_08.html). These rules do not apply to procurement by the recipient with cost-sharing or program income funds. Applicants should assume the authorized geographic code (see 22 CFR 228.1) for the award(s) resulting from this APS is 937.

2. PIOs

USAID's procurement rules do not apply to awards to PIOs unless USAID is the sole contributor to a trust fund established by the PIO. If USAID is the sole contributor, the same rules, as prescribed in the above paragraph for NGOs, will apply.

A.7 STATUTORY AND REGULATORY CERTIFICATIONS

Applicants are advised that, pursuant to ADS 303.3.8, an executed set of Certifications and Representations must be provided prior to award of an Agreement. Should negotiations commence, the Agreement Officer will request the requisite documentation from the successful Applicant at that time.

A.8 POTENTIAL REQUEST FOR ADDITIONAL DOCUMENTATION

Upon consideration of award or during the negotiations leading to an award, Applicants may be required to submit additional documentation deemed necessary for the Agreement Officer to make an affirmative determination of responsibility.

IMPORTANT NOTE

Applicants should **not** submit the information below with their summary applications! The information in this section is provided so that Applicants may become familiar with additional documentation that may be requested by the Agreement Officer in order to make the responsibility determination:

1. Audited financial statements for the past three years that have been audited by a certified public accountant or other auditor satisfactory to USAID;
2. Bylaws, constitution, and articles of incorporation, if applicable;
3. Copies of organizational travel, procurement, financial management, accounting manual and personnel policies and procedures, especially regarding salary, promotion, leave, differentials, etc., and indicate whether such policies and procedures have been reviewed and approved by any agency of the Federal Government. If so, provide the name, address, and phone number of the cognizant reviewing official;
4. Other documentation, as required by the Agreement Officer, to substantiate that the Applicant:
 - Has adequate financial resources or the ability to obtain such resources as required during the performance of the Cooperative Agreement;
 - Has the ability to comply with the award's terms and 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;
 - Has a satisfactory record of integrity and business ethics;
 - Is otherwise qualified and eligible to receive a Cooperative Agreement/Grant under applicable laws and regulations (e.g., Equal Employment Opportunity Laws).

An award shall be made only by the USAID West Bank and Gaza Agreement Officer upon his/her signature to incur costs but only after he/she makes a positive responsibility 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.

A.9 PRE-AWARD SURVEYS

For organizations that are new to working with USAID or for organizations with outstanding audit findings, or otherwise at USAID's discretion, USAID may perform a pre-award survey to assess the applicant's management and financial capabilities. If notified by USAID that a pre-award survey is necessary, applicants must prepare, in advance, the required information and documents. Please note that a pre-award survey does not commit USAID to make any award.

SECTION B- STANDARD ASSISTANCE AWARD

B.1 GENERAL INFORMATION

B.1.a RECIPIENT RESPONSIBILITIES: OVERVIEW

The Recipients will retain overall management responsibility for all aspects of the program including all sub-grants, if any. In addition to USAID assistance award and other country-specific regulations and laws, Recipient responsibilities are outlined below:

- General program management including financial management and reporting.
- In consultation with USAID, determine appropriate working and coordination relationships with other USAID grantees and other U.S. and Non U.S. NGOs.
- In consultation with USAID, finalize action, implementation, and monitoring and evaluation plans covering all program components as specified in the award.
- Carry out reporting, monitoring and evaluation responsibilities as described below.

B.1.b REPORTS

In accordance with the CFR 22, parts 226.51 and 226.52, the Recipient shall submit performance and financial reports in English on a quarterly basis (covering in detail all activities) to the designated staff of the USAID West Bank and Gaza Mission. Reporting requirements, such as the format, number of copies, information to be included, due dates and distribution will be developed in consultation with the Agreement Officer Representative (AOR) after the issuance of the award.

B.1.c MONITORING, RESULTS AND INDICATORS

Successful applicants will be responsible for developing and tracking activity targets, outputs and impact, and overall activity indicators in their applications which gauge individual program activities and program effectiveness. Standard assistance award Applicants will be expected to submit complete implementation plans outlining proposed activities and timelines. In conjunction with and corresponding to the stated objectives of the implementation plan, Applicants shall submit a monitoring and evaluation plan in their application.

Applicants should be able to measure the impact of their programs, including change in perceptions among beneficiaries and how the project contributed to mitigate conflict.

Upon award, USAID will consult with all Recipients to ensure Recipients' monitoring, evaluation, results tracking, and reporting of activities and indicators are realistic, feasible, and contribute to overall Program objectives. Recipients will routinely monitor, track, evaluate, and report on program activities using the agreed upon indicators. As appropriate, USAID encourages Applicants to disaggregate gender and youth when collecting indicator data.

B.1.d EVALUATION

Recipients are responsible for following their approved implementation and monitoring and evaluation plans throughout the life of their award. These plans should provide the basis for Recipient's reporting to USAID during the life of the award. USAID will utilize these plans (including the approved budget plan) to monitor, assess, and evaluate a Recipient's program and program operations. USAID understands the difficult operating environment in Israel and the West Bank and Gaza, and if necessary, will work with a Recipient to revise plans if mid-program corrections and adjustments are required. However, it is the Recipient's responsibility to inform the USAID AOR if implementation issues arise which may affect approved plans.

B.1.e ACCOUNTABILITY

The Recipient will be fully responsible for all funds disbursed to it under the award. Funds will be denominated and disbursed in the U.S. dollars. All funds are subject to audit.

The Recipient will be responsible for all financial reporting, end-use verification, and sub-grant management. Recipients and subrecipients that are institutions of higher education or other non-profit organizations shall be subject to the audit requirements contained in the Single Audit Act Amendment of 1996 (31 U.S.C. 7501-7507) and revised OMB Circular A-133, Audits of States, Local Governments and Non-Profit Organizations" (or equivalent audit requirements if non-U.S. organization) if they incur expenditures of Federal funds that total \$500,000 (\$300,000 for a non-U.S. organization) or more during a fiscal year. Sub-awards must be submitted to USAID for prior written approval.

Organizations receiving an award under this APS must comply with all applicable U.S. laws and regulations. Failure to comply with applicable U.S. law and regulations may result in termination of award.

B.1.f SUBSTANTIAL INVOLVEMENT

USAID will have substantial involvement in cooperative agreements through approval of all sub-awards, key personnel, workplans, monitoring/evaluation plans and agency and Recipient collaboration or joint participation. Substantial involvement is in accordance with ADS 303.3.11.

B.2 SUMMARY APPLICATION FORMAT

PREPARATION GUIDELINES

All applications received by the deadline will be reviewed for responsiveness to the specifications outlined in these guidelines and the application format. Applications may be submitted at any time prior to the deadline. Section D addresses technical evaluation application criteria.

LIMITED USE OF DATA STATEMENT

An application may include data that the applicant does not want disclosed for any purpose other than evaluation. The Government's determination to withhold or disclose a record will be based upon the particular circumstances involving the record in question and whether the record may be exempted from disclosure under the Freedom of Information Act. If the applicant wishes to restrict the data in the application, the title page must be marked with the following legend:

“USE AND DISCLOSURE OF DATA

Unless disclosure is required by the Freedom of Information Act, 5 U.S.C. 552, as amended, (the Act) as determined by Freedom of Information (FOI) officials of the U.S. Agency for International Development, data contained in the portions of this application which have been specifically identified by page number, paragraph, etc. by the applicant as containing restricted information shall not be used or disclosed except for evaluation purposes.

The applicant acknowledges that the Agency may not be able to withhold a record (data, document, etc.) nor deny access to a record requested pursuant to the Act and that the Agency's FOI officials must make that determination. The applicant hereby agrees that the Government is not liable for disclosure if the Agency has determined that disclosure is required by the Act.

If a cooperative agreement is awarded to the applicant as a result of, or in connection with, the submission of this application, the Government shall have the right to use or disclose the data to the extent provided in the cooperative agreement. Applications not resulting in a cooperative agreement remain subject to the Act.

The applicant also agrees that the Government is not liable for disclosure or use of unmarked data and may use or disclose the data for any purpose, including the release of the information pursuant to requests under the Act.

The data subject to this restriction are contained in pages _____ (insert page numbers, paragraph designations, etc. or other identification).”

In addition, the applicant should mark each page of data it wishes to restrict with the following statement:

“Use or disclosure of data contained on this page is subject to the restriction on the cover sheet of this application.”

Applicants must clearly identify the person authorized as the official point of contact, the legal mailing and street addresses, phone and fax numbers and e-mail address.

Applicants are expected to review, understand, and comply with all aspects of this APS. Failure to do so may lead to the rejection of application.

Oral explanations or instructions given before award of a grant or a cooperative agreement will not be binding. Any information given to a prospective Applicant concerning this APS will be

made available to all other prospective Applicants through an amendment of this APS posted on Grants.gov, if that information is necessary in submitting applications or if the lack of it would be prejudicial to any other prospective Applicants.

B.3 TECHNICAL SUMMARY APPLICATION FORMAT

The technical application is the critical item of consideration in selection for award of this APS. Technical applications should be specific, complete and presented concisely. The applications should demonstrate the Applicant's capabilities, understanding of, and expertise with respect to achieving the Program Objectives described in Section A.

To facilitate the competitive review of the summary applications, USAID may consider only applications conforming to the format prescribed below.

Summary applications are limited to **5 pages** exclusive of the following attachments:

- Standard Assistance Technical Application Cover Page (two page limit, see template in Attachment E);
- CVs of up to three key personnel (one page limit each);
- Standard Budget Forms (SF 424 & 424A) and 424B
- Detailed Budget and Budget Narrative (see templates in Attachments G and H)

B.3.a. PROGRAMMATIC AND PEOPLE-TO-PEOPLE APPROACH

Applicants should provide a clear description of the overall objectives, the results to be achieved, the resources and steps required to meet them in an identifiable period of time, and benchmark measures of progress towards achievement by addressing the following:

- Context & Conflict Analysis:** Identify the sources of conflict and impediments to reconciliation as they relate to the applicant's proposed activities, and should include an assessment of gender dynamics as applicable.
- Program Hypothesis:** Explain the theory or theories of change³ that underlie the programmatic approach that they have taken in their application. The program hypothesis will describe the anticipated causal link between the proposed activities and their intended impact on the problems identified in the context and conflict analysis. Program

³ Additional information on Theories of Change as they apply to conflict mitigation and peacebuilding may be found in *Theories and Indicators of Change Briefing Paper: Concepts and Primer for Conflict Management and Mitigation*, <https://dec.usaid.gov/dec/content/GetDoc.axd?ctID=ODVhZjk4NWQtM2YyMi00YjRmLTkxNjktZTCxMjM2NDByY2Uy&rID=MzMzNDI4&pID=NTYw&attchmnt=VHJ1ZQ==&rdp=ZmFsc2U=> or *Theories and Indicators of Change: Concepts and Primer for Conflict Management and Mitigation*, <https://dec.usaid.gov/dec/content/GetDoc.axd?ctID=ODVhZjk4NWQtM2YyMi00YjRmLTkxNjktZTCxMjM2NDByY2Uy&rID=MzMzNDI3&pID=NTYw&attchmnt=VHJ1ZQ==&rdp=ZmFsc2U=> and *Reflective Peacebuilding: A Planning, Monitoring, and Learning Toolkit* available at: http://kroc.nd.edu/sites/default/files/reflective_peacebuilding.pdf or on the *Beyond Intractability* web-site: http://www.beyondintractability.org/essay/theories_of_change/?nid=1256.

hypotheses are generally articulated as “if-then” statements, e.g., “*If* young people from opposing sides become friends, *then* they will be less vulnerable to violent political rhetoric and be inspired to work for peace.”

- iii. **People-to-People Approach:** Proposed interventions will employ a people-to-people approach in order to break down barriers among parties through personal contact in addressing issues of common interest.⁴
- iv. **Sustainability:** USAID will seek applications that demonstrate impact on conflict mitigation that lasts beyond of the life of the project. In addition, all proposed activities shall promote, strengthen and be supported by sustainable local organizations that can champion sound concepts, innovative practices and changes beyond the life of the award.
- v. **Gender:** USAID/WBG is committed to empowering and protecting women and girls as a key requirement for achieving our broader development and humanitarian objectives. In situations of crisis and conflict, women’s participation can be vital to the success of peace building processes. When women are included as meaningful participants in peace building processes, they enlarge the scope of agreements to include the broader set of critical societal priorities and needs required for a lasting and just peace. Given this emphasis, USAID/WBG requests that applications present a coherent approach for empowering women and enhancing their role in conflict mitigation. All activities shall be designed to increase the participation of women, as relevant to the project’s objective, and insure a more equitable and sustainable impact for both men and women.

To ensure that all selected projects are in accordance with USAID’s policies related to gender, prior to award leading applicants shall answer the following questions:

1. What obstacles (access, cultural, institutional) have been identified that prevent women’s participation in the project?
2. How will the project address these obstacles to provide equal access and opportunities for women and men to participate in the proposed project?
3. What specific elements have been integrated in the project design to increase the participation of women - as relevant to the project’s objective- to insure higher impact?

In addition, applicants must address the following in their application if applicable:

- i. **Youth:** USAID strongly encourages applicants to mitigate the effects of conflict on youth, and recommends that applicants designing youth programs refer to USAID’s *Youth & Conflict* toolkit.⁵ Youth are often seen as the promise for tomorrow, the ones who will

⁴ Please see *People-to-People Peacebuilding: A Program Guide* on CMM’s publication page at http://transition.usaid.gov/our_work/cross-cutting_programs/conflict/publications/docs/CMMP2PGuidelines2010-01-19.pdf

⁵ Available at: http://transition.usaid.gov/our_work/cross-cutting_programs/conflict/publications/docs/CMM_Youth_and_Conflict_Toolkit_April_2005.pdf

transform their communities and the world into a more secure, productive and just place. Applicants are encouraged to submit applications that involve youth and demonstrate understanding of their role in conflict mitigation. All youth projects will be structured to ensure that activities benefit a broad spectrum of Israeli and Arab youth no matter their gender, sexual orientation, ethnicity, religion, economic status, or disability status.

- ii. USAID also encourages applicants to focus on women and the disabled when designing people-to-people programs.
- iii. **Public Private Partnerships:** USAID is committed to increasing the sustainable impact of our conflict mitigation programs through strategic partnerships with the private sector. Such partnerships enable the projects to leverage private sector markets, expertise, interests, and assets in a manner that solves critical development problems and promotes effective solutions to issues of common interest such as water, agriculture, health, and economic growth. The APS encourages applicants to engage private businesses, financial institutions, chambers of commerce, industry associations, foundations, entrepreneurs, investors, philanthropists, and other private-sector organizations to identify, suggest, and implement activities to mitigate the conflict in the region.

B.3.b. MANAGEMENT PLAN AND KEY PERSONNEL

- i. **Management Plan:** The composition and organizational structure of the proposed project team should be well described, including the titles, roles and responsibilities of key personnel. The management plan should be structured so as to best support the project's goals and implementation.
- ii. **Key Personnel:** The applicant shall provide experienced, qualified personnel in relevant disciplines and areas for project management and conflict mitigation. The applicant shall provide sufficient information on the technical and managerial experience of the proposed project director as well as any other key personnel. CVs of up to three key personnel may be included as attachments to the Summary Application and should not exceed one page each.

B.3.c. ORGANIZATION QUALIFICATIONS; PAST EXPERIENCE

Provide a concise summary of your organization's qualifications. The summary should include a description of your present and on-going programs that have a direct relationship to the proposed activities under the Award that demonstrate past experience implementing conflict management and mitigation programs in the region. The summary may also include a description of relevant collaborative efforts your organization has undertaken jointly or in coordination with other institutions with a focus on developing and/or transitional countries. If your organization is a new one, please describe the past experience and efforts that resulted in its formation.

Applicants are also requested to provide a concise summary of the positive impact that resulted from past experience described above.

In addition, applicants may provide a description of any publications or reports that demonstrate any special qualification and experience that your organization has, related directly to the proposed activities.

Finally, applicants are required to supply the names of the entities (i.e., donors) from which applicants have received assistance awards or contracts for similar activities over the past three years. Reference information should include addresses, current telephone numbers, current points of contact, award numbers if available, and brief descriptions of the work performed.

B.4. BUDGET AND BUDGET NARRATIVE

The budget and budget narrative are to be submitted under a separate cover from the technical application. The following sections describe the documentation that Applicants must submit to USAID prior to award.

B.4.a. SF 424, 424A and 424B

The budget and budget summary shall be submitted using the Face Sheet-Cost Volume of Application (OMB Standard Form 424) the budget summary (OMB Standard Form 424A) and SF-424B for Assurances-Nonconstruction Programs. These forms are available at ADS 303.4.3 <http://www.usaid.gov/sites/default/files/documents/1868/303.pdf>

B.4.b DETAILED BUDGET AND BUDGET NARRATIVE

The budget shall be submitted in Excel (see template in Attachment G), and must be accompanied by a budget narrative in Word document (see sample in Attachment H). The budget should outline the total proposed costs for implementation of the program described in this APS. The budget narrative must provide sufficient information to adequately support and explain all proposed costs, i.e. the actual cost basis for the line items in the detailed budget.

The proposed costs will be examined for allowability, allocability and reasonableness. Applicants are required to provide a detailed breakdown of each budget line item and explain the basis under which the proposed costs were determined.

The allowability of costs incurred by non-profit organizations is determined in accordance with the provisions of OMB Circular A-122, "Cost Principles for Non-Profit Organizations." And the allowability of costs incurred by institutions of higher education is determined in accordance with the provisions of OMB Circular A-21, "Cost Principles for Educational Institutions."

SECTION C - FIXED OBLIGATION GRANTS (FOGs)

C.1 GENERAL INFORMATION

As stated in section A.1.b of this APS it is anticipated that up to ten FOGs will be awarded as a result of this APS. This section reflects further details on FOGs to be awarded under this APS.

i. Period of Performance

The period of performance for programs funded under this APS should not exceed 18 months.

ii. Fixed Obligation Grants Amount

FOGs should range from a minimum amount of \$50,000 to a maximum amount of \$100,000.

Regional Applications are not eligible to apply for a FOG.

FOGs support a program with very specific elements and are appropriate for supporting specific projects when USAID is confident that a reasonable estimate of the actual cost of the overall effort can be established. The applicant must be able to identify and quantify programmatic accomplishments or results in establishing grant milestones. FOGs are based on the achievement of milestones. It focuses on outputs and results. Guidance on FOGs can be found in ADS 303.3.25 at the following link: <http://www.usaid.gov/policy/ads/300/303.pdf>
Appropriate activities for FOGs include, but are not limited to:

- Conferences
- Workshops
- Technical development assistance when costs can be segregated by milestone

Applicants who submit applications that fall within the parameters of FOGs will not be required to submit a full application and will be notified if successful or unsuccessful based on the evaluation of their summary application only. Furthermore, if appropriate, these applicants may be given additional instructions on how their Application should be revised to meet the requirements of this APS.

Please be advised that budgets submitted under potential FOGs should be associated with specific milestones (see Attachment F) and should describe in sufficient detail established program milestone and associated amount.

Responsibility determination of potential applicants to be awarded FOGs will be made in accordance with the requirements set forth under the “FOG Entity Eligibility Checklist” reflected under ADS 303.3.25. (See Attachment D)

Congress has mandated that all contractors and grantees, and significant sub-contractors and sub-grantees at USAID WBG be audited at least annually. USAID will be contracting the services of a CPA approved firm to carry out this audit on any resultant program. As such, the recipient

agrees to maintain records of transactions related to the FOG agreement for at least three years. USAID retains the right, at its discretion, to examine all or a sample of the recipient's records or transactions related to a FOG where concerns of implementation irregularities arise

C.1 TECHNICAL APPLICATION SUMMARY FORMAT

PREPARATION GUIDELINES

All applications received by the deadline will be reviewed for responsiveness to the specifications outlined in these guidelines and the application format. Applications may be submitted at any time prior to the deadline. Section D addresses technical evaluation application criteria.

LIMITED USE OF DATA STATEMENT

An application may include data that the applicant does not want disclosed for any purpose other than evaluation. The Government's determination to withhold or disclose a record will be based upon the particular circumstances involving the record in question and whether the record may be exempted from disclosure under the Freedom of Information Act. If the applicant wishes to restrict the data in the application, the title page must be marked with the following legend:

“USE AND DISCLOSURE OF DATA

Unless disclosure is required by the Freedom of Information Act, 5 U.S.C. 552, as amended, (the Act) as determined by Freedom of Information (FOI) officials of the U.S. Agency for International Development, data contained in the portions of this application which have been specifically identified by page number, paragraph, etc. by the applicant as containing restricted information shall not be used or disclosed except for evaluation purposes.

The applicant acknowledges that the Agency may not be able to withhold a record (data, document, etc.) nor deny access to a record requested pursuant to the Act and that the Agency's FOI officials must make that determination. The applicant hereby agrees that the Government is not liable for disclosure if the Agency has determined that disclosure is required by the Act.

If a cooperative agreement is awarded to the applicant as a result of, or in connection with, the submission of this application, the Government shall have the right to use or disclose the data to the extent provided in the cooperative agreement. Applications not resulting in a cooperative agreement remain subject to the Act.

The applicant also agrees that the Government is not liable for disclosure or use of unmarked data and may use or disclose the data for any purpose, including the release of the information pursuant to requests under the Act.

The data subject to this restriction are contained in pages _____ (insert page numbers, paragraph designations, etc. or other identification).”

In addition, the applicant should mark each page of data it wishes to restrict with the following statement:

“Use or disclosure of data contained on this page is subject to the restriction on the cover sheet of this application.”

Applicants must clearly identify the person authorized as the official point of contact, the legal mailing and street addresses, phone and fax numbers and e-mail address.

Applicants are expected to review, understand, and comply with all aspects of this APS. Failure to do so may lead to the rejection of application.

Oral explanations or instructions given before award of a grant or a cooperative agreement will not be binding. Any information given to a prospective Applicant concerning this APS will be made available to all other prospective Applicants through an amendment of this APS posted on Grants.gov, if that information is necessary in submitting applications or if the lack of it would be prejudicial to any other prospective Applicants.

C.2 TECHNICAL SUMMARY APPLICATION FORMAT

The technical application is the critical item of consideration in selection for award of this APS. Technical applications should be specific, complete and presented concisely. The applications should demonstrate the Applicant’s capabilities, understanding of, and expertise with respect to achieving the Program Objectives described in Section A.

To facilitate the competitive review of the summary applications, USAID may consider only applications conforming to the format prescribed below.

Summary applications are limited to **5 pages** exclusive of the following attachments:

- FOG Technical Application Cover Page (one page limit) and Program Summary (two page limit, see template in Attachment F)
- CVs of up to three key personnel (one page limit each);
- Standard Budget Forms (SF 424 & 424A) and 424B;
- Detailed Budget and Budget Narrative (see Attachments G and H).

C.2.a. PROGRAMMATIC AND PEOPLE-TO-PEOPLE APPROACH

Applicants should provide a clear description of the overall objectives, the results to be achieved, the resources and steps required to meet them in an identifiable period of time, and benchmark measures of progress towards achievement by addressing the following:

- i. **Context & Conflict Analysis:** Identify the sources of conflict and impediments to reconciliation as they relate to the applicant’s proposed activities, and should include an assessment of gender dynamics as applicable.

- ii. **Program Hypothesis:** Explain the theory or theories of change⁶ that underlie the programmatic approach that they have taken in their application. The program hypothesis will describe the anticipated causal link between the proposed activities and their intended impact on the problems identified in the context and conflict analysis. Program hypotheses are generally articulated as “if-then” statements, e.g., “If young people from opposing sides become friends, then they will be less vulnerable to violent political rhetoric and be inspired to work for peace.”
- iii. **People-to-People Approach:** Proposed interventions will employ a people-to-people approach in order to break down barriers among parties through personal contact in addressing issues of common interest.⁷
- iv. **Sustainability:** USAID will seek applications that demonstrate impact on conflict mitigation that lasts beyond of the life of the project. In addition, all proposed activities shall promote, strengthen and be supported by sustainable local organizations that can champion sound concepts, innovative practices and changes beyond the life of the award.
- v. **Gender:** USAID/WBG is committed to empowering and protecting women and girls as a key requirement for achieving our broader development and humanitarian objectives. In situations of crisis and conflict, women’s participation can be vital to the success of peace building processes. When women are included as meaningful participants in peace building processes, they enlarge the scope of agreements to include the broader set of critical societal priorities and needs required for a lasting and just peace. Given this emphasis, USAID/WBG requests that applications present a coherent approach for empowering women and enhancing their role in conflict mitigation. All activities shall be designed to increase the participation of women, as relevant to the project’s objective, and insure a more equitable and sustainable impact for both men and women.

To ensure that all selected projects are in accordance with USAID’s policies related to gender, prior to award leading applicants shall answer the following questions:

1. What obstacles (access, cultural, institutional) have been identified that prevent women’s participation in the project?

⁶ Additional information on Theories of Change as they apply to conflict mitigation and peacebuilding may be found in *Theories and Indicators of Change Briefing Paper: Concepts and Primer for Conflict Management and Mitigation*, <https://dec.usaid.gov/dec/content/GetDoc.axd?ctID=ODVhZjk4NWQtM2YyMi00YjRmLTkxNjktZTcxMjM2NDBmY2Uy&rID=MzMzNDI4&pID=NTYw&attchmnt=VHJ1ZQ==&rdp=ZmFsc2U=> or *Theories and Indicators of Change: Concepts and Primer for Conflict Management and Mitigation*, <https://dec.usaid.gov/dec/content/GetDoc.axd?ctID=ODVhZjk4NWQtM2YyMi00YjRmLTkxNjktZTcxMjM2NDBmY2Uy&rID=MzMzNDI3&pID=NTYw&attchmnt=VHJ1ZQ==&rdp=ZmFsc2U=> and *Reflective Peacebuilding: A Planning, Monitoring, and Learning Toolkit* available at: http://kroc.nd.edu/sites/default/files/reflective_peacebuilding.pdf or on the *Beyond Intractability* web-site: http://www.beyondintractability.org/essay/theories_of_change/?nid=1256.

⁷ Please see *People-to-People Peacebuilding: A Program Guide* on CMM’s publication page at http://transition.usaid.gov/our_work/cross-cutting_programs/conflict/publications/docs/CMMP2PGuidelines2010-01-19.pdf

2. How will the project address these obstacles to provide equal access and opportunities for women and men to participate in the proposed project?
3. What specific elements have been integrated in the project design to increase the participation of women - as relevant to the project's objective- to insure higher impact?

In addition, applicants must address the following in their application if applicable:

- i. **Youth:** USAID strongly encourages applicants to mitigate the effects of conflict on youth, and recommends that applicants designing youth programs refer to USAID's *Youth & Conflict* toolkit.⁸ Youth are often seen as the promise for tomorrow, the ones who will transform their communities and the world into a more secure, productive and just place. Applicants are encouraged to submit applications that involve youth and demonstrate understanding of their role in conflict mitigation. All youth projects will be structured to ensure that activities benefit a broad spectrum of Israeli and Arab youth no matter their gender, sexual orientation, ethnicity, religion, economic status, or disability status.
- ii. USAID also encourages applications to focus on women and the disabled when designing people-to-people programs.
- iii. **Public Private Partnerships:** USAID is committed to increasing the sustainable impact of our conflict mitigation programs through strategic partnerships with the private sector. Such partnerships enable the projects to leverage private sector markets, expertise, interests, and assets in a manner that solves critical development problems and promotes effective solutions to issues of common interest such as water, agriculture, health, and economic growth. The APS encourages applicants to engage private businesses, financial institutions, chambers of commerce, industry associations, foundations, entrepreneurs, investors, philanthropists, and other private-sector organizations to identify, suggest, and implement activities to mitigate the conflict in the region.

C.2.b. MANAGEMENT PLAN AND KEY PERSONNEL

- i. **Management Plan:** The composition and organizational structure of the proposed project team should be well described, including the titles, roles and responsibilities of key personnel. The management plan should be structured so as to best support the project's goals and implementation.
- ii. **Key Personnel:** The applicant shall provide experienced, qualified personnel in relevant disciplines and areas for project management and conflict mitigation. The applicant shall provide sufficient information on the technical and managerial experience of the proposed project director as well as any other key personnel. CVs of up to three key

⁸ Available at: http://transition.usaid.gov/our_work/cross-cutting_programs/conflict/publications/docs/CMM_Youth_and_Conflict_Toolkit_April_2005.pdf

personnel may be included as attachments to the Summary Application and should not exceed one page each.

C.2.c. ORGANIZATION QUALIFICATIONS; PAST EXPERIENCE

Provide a concise summary of your organization's qualifications. The summary should include a description of your present and on-going programs that have a direct relationship to the proposed activities under the Award that demonstrate past experience implementing conflict management and mitigation programs in the region. The summary may also include a description of relevant collaborative efforts your organization has undertaken jointly or in coordination with other institutions with a focus on developing and/or transitional countries. If your organization is a new one, please describe the past experience and efforts that resulted in its formation. Please also provide a concise summary of the positive impact that resulted from past experience described above.

In addition, applicants may provide a description of any publications or reports that demonstrate any special qualification and experience that your organization has, related directly to the proposed activities.

Finally, applicants are required to supply the names of the entities (i.e., donors) from which applicants have received assistance awards or contracts for similar activities over the past three years. Reference information should include addresses, current telephone numbers, current points of contact, award numbers if available, and brief descriptions of the work performed.

C.3. BUDGET AND BUDGET NARRATIVE

The budget and budget narrative are to be submitted under a separate cover from the technical application. The following sections describe the documentation that Applicants must submit to USAID prior to award.

C.3.a. SF 424 424A & 424B

The budget and budget summary shall be submitted using the Face Sheet- Cost Volume of Application (OMB Standard Form 424) the budget summary (OMB Standard Form 424A) and SF-424B for Assurances-Nonconstruction Programs. These forms are available at ADS 303.4.3 <http://www.usaid.gov/sites/default/files/documents/1868/303.pdf>

C.3.b DETAILED BUDGET AND BUDGET NARRATIVE

In addition to the FOG technical cover page and program summary (Attachment F), a budget shall be submitted in Excel (see template in Attachment G), and must be accompanied by a budget narrative in Word document (see sample in Attachment H). The budget should outline the total proposed costs for implementation of the program described in this APS. The budget narrative must provide sufficient information to adequately support and explain all proposed costs, i.e. the actual cost basis for the line items in the detailed budget.

The proposed costs will be examined for allowability, allocablility and reasonableness. Applicants are required to provide a detailed breakdown of each budget line item and explain the basis under which the proposed costs were determined.

The allowability of costs incurred by non-profit organizations is determined in accordance with the provisions of OMB Circular A-122, "Cost Principles for Non-Profit Organizations." And the allowability of costs incurred by institutions of higher education is determined in accordance with the provisions of OMB Circular A-21, "Cost Principles for Educational Institutions."

SECTION D- SELECTION CRITERIA

D.1. OVERVIEW

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

Applications for Standard Assistance Awards that are regional will undergo a segregated evaluation process. Technical applications will be evaluated in accordance with the Technical Evaluation Criteria set forth below. Thereafter, the cost proposal of all Applicants submitting a technically acceptable application will be opened and costs will be reviewed for general reasonableness, allowability, and allocability. While technical criteria are paramount, cost considerations may be a factor for award.

The technical application will be the most important item of consideration in selection for these assistance awards. It should be specific, complete, and presented concisely. Applicants should review all information in this APS prior to preparing applications, especially the program description, eligibility criteria, and evaluation criteria.

The technical application should be directly responsive to the terms, conditions, guidelines and provisions of this APS to be assured of consideration. Applications not conforming to this APS may be categorized as not meeting the minimum requirements of the Government, thereby eliminating them from further consideration.

The technical application must set forth in detail the conceptual approach, methodology, and techniques for accomplishment of the stated program objectives. The application must define results and benchmarks for monitoring progress in achieving the results.

Applicants are reminded that the U.S. Government is not obligated to make an award on the basis of lowest proposed cost or to the Applicant with the highest technical evaluation score. The Agreement Officer will make award to the Applicants whose applications are judged to be the most advantageous in accomplishing USAID's foreign assistance objectives. Programmatic diversity as well as other USG strategic and policy priorities will also be taken under consideration in making final award decisions.

D.2. COST EVALUATION CRITERIA

Applications shall include a budget and budget narrative that details the total costs for full implementation of the proposed project and explains all contemplated costs. The budget should clearly show how funds will be used to support the activities proposed in the application's Technical Narrative. The budget should display unit costs (if applicable) and costs by year; and include sub-budgets for each component. Suggested line items include, but are not limited to:

personnel, fringe benefits, office rent, utilities, equipment, communications, local travel, program expenses, sub-awards and Partner Contracted Audit (PCA).

The budget and budget narrative will not be scored; however, they will be evaluated for cost effectiveness and realism. This will consist of a review of the cost portion of an application for the work to be performed, to determine whether the costs reflect the Applicant understands of the requirements, and whether the costs are consistent with the technical application.

D.3. TECHNICAL EVALUATION CRITERIA

Standard Assistance Applications will be evaluated and rated on the basis of the evaluation criteria described in D.3.I (see first table below). FOG Applications will be evaluated and rated on the basis of the evaluation criteria described in D.3.II (see second table below).

The below criteria are organized in descending order of importance per award type. The first criterion (Proposed Program) is of highest importance. Criteria two and three are of equal importance.

I. STANDARD ASSISTANCE AWARDS

TECHNICAL EVALUATION CRITERIA
I. Proposed Program
The extent to which the program convincingly supports the objectives of the APS as reflected in sections A.1, A.1.a and B.3a.
II. Management Plan and Key Personnel
The extent to which the applicant's proposed management plan, including key personnel, convincingly supports the success of program implementation and, the achievement of results as reflected in section B.3.b.
III. Organization Qualifications / Past Experience
The extent to which the summary application describes the applicant's experience and success in implementing similar interventions, and which demonstrates the positive impact resulting from that experience as reflected in section B.3.c.

II. FIXED OBLIGATION GRANTS

TECHNICAL EVALUATION CRITERIA	
I. Proposed Program	
The extent to which the program convincingly supports the objectives of the APS as reflected in sections A.1, A.1.a and C.2.a	
II. Management Plan and Key Personnel	
The extent to which the applicant's proposed management plan, including key personnel, convincingly supports the success of program implementation and, the achievement of results as reflected in section C.2.b.	
III. Organization Qualifications / Past Experience	
The extent to which the summary application describes the applicant's experience and success in implementing similar interventions, and which demonstrates the positive impact resulting from that experience as reflected in section C.2.c.	

ATTACHMENT A- STANDARD ASSISTANCE AWARD – FULL APPLICATION FORMAT

Finalists will be invited to submit Full Applications, which provide greater detail of the proposed program. Full Applications must address the comments provided by USAID in the request letter.

Full Applications will have the following sections, which expand on the information provided in the summary applications, and must conform to the following page limits:

- Cover Page (limit two pages, must use template provided in Attachment E of this APS.);
- Program Summary (limit five pages);
- Management Plan and Organizational Qualifications (limit one page);
- CVs of up to three key personnel (limit one page each);
- Implementation, Monitoring and Evaluation Plan (limit two pages);
- Budget;
- Budget Narrative;
- Branding and Marking Plan;
- Certifications and Representations.

A.1. TECHNICAL APPLICATION

STANDARD ASSISTANCE AWARD

A.1.a. TECHNICAL APPLICATION COVER PAGE

The technical application cover page must conform to requirements stated in Attachment E of this APS.

A.1.b. PROGRAM DESCRIPTION (LIMIT 5 PAGES)

This section must include the information specified in Section B of this APS, “Programmatic and People-to-People Approach”, for Summary Applications. The full application should include more detailed information about program participants and geographic location and time-frames of program implementation. For instance, the Program Description should specify the gender of planned participants as well as whether they are youth or adults. In the case of the former, the participants’ age range should also be provided. If the program design contemplates participation of policymakers or prominent figures, illustrative names must be provided.

Full applications must also include a brief “gender analysis” statement that describes gender dynamics as they pertain to the project’s design. The statement should describe how the proposed activities will impact men and women and address any constraints/opportunities. (For example, if the program design will likely attract mostly male participants, the statement should address how female participants will be included.) If gender is not an issue for the proposed

activity, an explanation and rationale must be provided. For more guidance on gender analysis and integration, please see the following references:

- ADS 201.3.9.3 “Gender Analysis” (<http://www.usaid.gov/policy/ads/200/201.pdf>)
- Applicants are strongly encouraged to consider the guidance contained in UN Security Council Resolution 1325 on Women, Peace and Security. For additional information, please see http://www.peacewomen.org/security_council_monitor/ and http://www.usaid.gov/our_work/cross-cutting_programs/conflict/in_the_spotlight.html

The described program impact must be consistent with and supported by the information provided in the Implementation, Monitoring and Evaluation Plan.

A.1.c. MANAGEMENT PLAN, KEY PERSONNEL AND INSTITUTIONAL SUSTAINABILITY

- Management Plan (one page):*** In addition to the information requested for the Summary Application (Section B), the Management Plan for the Full Application should clearly present the Applicant’s management and administrative arrangements to oversee execution of the proposed activities; organizational structure; logistical support; functions and responsibilities of key personnel and other staff, including any sub-awards,; and management and evaluation of USAID award compliance. The Management Plan should also include a brief description of the organizational history and experience of the Applicant and proposed sub-partner organization(s) (if applicable).
- Key Personnel (up to three pages):*** In addition to the information requested for the Summary Application (Section B), the Key Personnel for the Full Application should clearly identify a maximum of three key persons (those whose participation in the proposed activities is considered essential) by name and position, and quantified according to the level of effort planned under each activity area presented in the application. CVs for each key person may not exceed one page in length, and shall be in chronological order starting with most recent experience. Each résumé shall be accompanied by a SIGNED letter of a commitment from each individual indicating his/her (a) availability to serve in the stated position and for the stated term of service; and (b) agreement to the compensation levels as set forth in the Cost Proposal. Key Personnel shall include at a minimum, the project Director and the Financial Officer.

A.1.d. IMPLEMENTATION PLAN, MONITORING & EVALUATION PLAN (LIMIT TWO PAGES)

As part of the Full Application, the Applicant must provide a Monitoring, Evaluation and Implementation plan that outlines proposed activities and timelines for the program, with increased detail provided for the first year. The plan must explain how activities will be sequenced, monitored and subsequently evaluated. The plan should identify activity outputs (with targets and indicators) and outcomes (with indicators and targets) that correspond to the overall program level impact. For each indicator, Applicants must describe data collection methods, data quality assurances (if applicable), and indicator reporting timelines.

Applicants must also include a separate detailed description of how compliance with USAID/WBG Mission Order 21 on Anti-Terrorism Procedures (See Attachment J) will be actively monitored and evaluated.

A.2. BUDGET AND BUDGET NARRATIVE FORMAT

The Budget and Budget Narrative must conform to requirements stated in Sections B of this APS for Summary Applications, and must include the following additional details. While there is no page limit for this portion, Applicants are encouraged to be as clear and concise as possible, but still provide the necessary detail to address the following:

- The breakdown of all costs associated with the project according to costs of, if applicable, headquarters, regional and/or country offices.
- The breakdown of all costs according to each partner organization involved in the project.
- The costs associated with external, expatriate technical assistance and those associated with local in-country technical assistance.
- The breakdown of the financial and in-kind (cost share) contributions of all organizations involved in implementing this project.
- Potential cost-share and/or contributions of non-USAID donors or other entities to this project.

A.3. BRANDING STRATEGY AND MARKING PLAN

Applicants are requested to note that in accordance with **22 CFR 226.91**, USAID requires the submission of a Branding Strategy and a Marking Plan by the “apparently successful applicant.” The apparently successful applicant’s proposed Marking Plan may include a request for approval of one or more exceptions to the marking requirements in **22 CFR 226.91**. The AO evaluates the apparently successful applicant’s Branding Strategy and Marking Plan (including any requests for exceptions) for approval; consistent with the regulations contained in **AAPD 05-11, 22 CFR 226.91**, and **ADS 320**.

A.4. CERTIFICATIONS AND REPRESENTATIONS

Applicants are requested to note that in accordance with ADS 303.3.8, USAID will require the submission of the following certifications by successful applicants:

- a. A signed copy of [Certifications and Assurances](#), which includes:
 1. **Assurance of Compliance with Laws and Regulations Governing Nondiscrimination in Federally Assisted Programs** (This assurance applies to Non-U.S. organizations, if any part of the program will be undertaken in the U.S.);

2. **Restrictions on Lobbying (22 CFR 227);**
 3. **Prohibition on Assistance to Drug Traffickers (ADS 206); and**
 4. **Certification Regarding Terrorist Funding (AAPD 04-14).**
- b. Other certifications and statements found in [Certifications, Assurances, and Other Statements of the Recipient:](#)
1. The **Survey on Ensuring Equal Opportunity for Applicants;**
 2. A Data Universal Numbering System (DUNS) number (See **Use of a Universal Identifier by Grant Applicants** for background information.);
 3. A signed copy of **Key Individual Certification Narcotics Offenses and Drug Trafficking, (ADS 206.3.10)** when applicable;
 4. A signed copy of **Participant Certification Narcotics Offenses and Drug Trafficking (ADS 206.3.10)** when applicable.

ATTACHMENT B- MANDATORY SPECIAL PROVISIONS

I. SUBCONTRACTING WITH GOVERNMENT OR QUASI-GOVERNMENT ENTITIES

No subcontracting with any government or quasi-government entity shall be conducted under this Agreement unless a specific waiver is approved for this purpose.

II. CAPITAL ASSISTANCE (611e REQUIREMENTS)

Prior to committing any USAID funds for capital assistance projects proposed under this Agreement, including mechanical items and other equipment that will be purchased for use by local partners, the Recipient will provide USAID with sufficient information to determine that Palestinian counterpart institutions and communities have the capacity to maintain and utilize the assistance effectively. Upon review and analysis of information provided, USAID West Bank and Gaza will advise the Recipient when and if all AID regulations for proceeding with capital assistance have been met.

III. PROHIBITION AGAINST SUPPORT FOR TERRORISM

- (a) The Contractor/Recipient is reminded that U.S. Executive Orders and U.S. law prohibit transactions with, and the provision of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of the Contractor/Recipient to ensure compliance with these Executive Orders and laws.
- (b) One of the applicable orders is Executive Order 13224, dated September 24, 2001. The website of the Office of Foreign Assets Control (OFAC) of the Department of Treasury contains the text of that order and a list of the individuals and entities designated thereunder. It also contains lists of individuals and entities designated under other anti-terrorism statutes, regulations and Executive Orders. See <http://www.treasury.gov/offices/enforcement/ofac/sdn/>.
- (c) USAID reserves the right to review, and either approve or reject, the following subawards if proposed under this contract/agreement: (i) any contract or subcontract in excess of \$25,000 with a non-U.S. organization or individual; and (ii) any grant or subgrant to a non-U.S. organization or individual, regardless of the dollar value. Furthermore, the written consent of USAID is required before certain other forms of assistance may be provided to a non-U.S. organization or individual. These include in-kind assistance such as renovation of an NGO's facilities, repair or replacement of a company's equipment, and certain training activities. The details of these requirements are described in notices issued by USAID/West Bank & Gaza from time to time. No approval (or failure to disapprove) by USAID shall relieve the Contractor/Recipient of its legal obligation to comply with applicable Executive Orders and laws.
- (d) USAID reserves the right to rescind approval for a subaward in the event that USAID subsequently becomes aware of information indicating that the subaward is contrary to

U.S. law or policy prohibiting support for terrorism. In such cases, USAID's Contracting Officer will provide written instructions to the Contractor/Recipient to terminate the subaward.

- (e) USAID reserves the right to terminate this contract/agreement if USAID determines that the Contractor/Recipient is involved in or advocates terrorist activity or has failed to comply with any of the requirements of this provision.
- (f) This provision, including this paragraph (f), shall be included in all contracts, subcontracts, grants and subgrants issued under this contract/agreement. Upon request, the Contractor/Recipient shall promptly provide to USAID's Contracting/Agreement Officer a copy of the pages from each subaward that contain this provision
- (g) The Contractor/Recipient agrees to promptly notify USAID's Contracting Officer Representative (COR)/Agreement Officer Representative (AOR) in the event of any change in the identity of its "key individuals" or in the identity of "key individuals" of any recipient of a subaward described in paragraph (c). For purposes of this requirement, "key individuals" means (i) principal officers of the organization's governing body (e.g., chairman, vice chairman, treasurer and secretary of the board of directors or board of trustees); (ii) the principal officer and deputy principal officer of the organization (e.g., executive director, deputy director, president, vice president); (iii) the program manager or chief of party for the USAID-financed program; and (iv) any other person with significant responsibilities for administration of USAID-financed activities or resources. Note that this definition differs from the definition of "key personnel" under contracts and cooperative agreements.
- (h) Before awarding any grant or similar instrument providing [cash or in-kind assistance under this contract][cash assistance under this agreement], the Contractor/Recipient shall (1) obtain from the proposed subawardee the certification required under USAID's Acquisition and Assistance Policy Determination 04-14 (AAPD 04-14), "Certification Regarding Terrorist Financing Implementation E.O. 13224 (Revision 2)," and (2) provide a copy of the certification to USAID's Agreement/Contracting Officer.

IV. PROHIBITION AGAINST CASH ASSISTANCE TO THE PALESTINIAN AUTHORITY

U.S. legislation provides that none of the funding under this Award may be "obligated or expended with respect to providing funds to the Palestinian Authority." In accordance with that prohibition, the Recipient shall not provide any cash to the Palestinian Authority; to any ministry, agency or instrumentality of the Palestinian Authority; to any municipality or other local government unit; or to any full-time or part-time employee or official of any of the foregoing entities. This restriction applies to payments of any kind, including salaries, stipends, fees, honoraria, per diem, and so forth.

This restriction does not prohibit the provision of in-kind assistance, such as technical assistance, training, equipment, supplies, or the construction of public works to the extent it is not otherwise prohibited by U.S. law or the terms of this Agreement.

This provision shall be included in all contracts, subcontracts, grants and subgrants or any other instruments or awards issued under this Agreement. The Recipient shall promptly provide to USAID's Agreement Officer a copy of the pages from each subaward that contains this provision.

V. RESTRICTION ON FACILITY NAMES

- (a) No assistance shall be provided under this contract/agreement for any school, community center or other facility that is named after any person or group of persons that has advocated, sponsored or committed acts of terrorism. This includes any facility that has "shuhada" or "shaheed" ("martyr" or "martyrs") in its name, unless an exception is approved by the USAID Mission Director. In any case where assistance is proposed for a facility that is named after, or is planned to be named after, a person or group of persons, the Contractor/Recipient shall provide to USAID's Contracting Officer Representative (COR)/Agreement Officer Representative (AOR) written information about the person(s) or group and shall not proceed with the assistance unless or until the COR/AOR has provided written approval therefore. This restriction applies to all forms of cash or in-kind assistance, including construction services, equipment, supplies, technical assistance, and training.
- (b) In case of any failure to comply with this restriction, USAID may disallow any or all costs incurred by the Contractor/Recipient with respect to the facility and, if necessary, issue a bill for collection for the amount owed. This is in addition to any other remedies that may be available to USAID for such noncompliance.
- (c) This provision, including this paragraph (c), shall be included in all contracts, subcontracts, grants and subgrants issued under this contract/agreement. Upon request, the Contractor/Recipient shall promptly provide to USAID's Contracting/Agreement Officer a copy of the pages from each subaward that contains this provision.

VI. VALUE ADDED TAX AND CUSTOMS DUTIES

Pursuant to agreements with the Palestinian Authority (PA) and the Government of Israel (GOI), all imports and expenditures under this award by the Recipient and by non-local subgrantees and subcontractors (as defined below) will be exempt from Value-Added Tax (VAT) and customs duties imposed by the PA and from customs duties imposed by the GOI. Therefore, in accordance with paragraph 51 of OMB Circular No. A-122, Attachment E, such VAT and customs duties shall not constitute allowable costs under this award. No exemptions from VAT imposed by the GOI are available through USAID. Therefore, Israeli VAT is an allowable cost under this award, except for VAT from which exemptions are available to the Grantee/Recipient directly.

The Recipient and any non-local subgrantees or subcontractors shall make reasonable efforts to avoid Palestinian VAT at the point of sale by obtaining 0% VAT exemption. USAID will assist the Recipient to obtain zero percent (0%) VAT status from the PA. The

Recipient shall use this exemption to avoid paying any PA VAT to local subcontractors and vendors by obtaining approval from the PA VAT Department for suppliers to issue 0% VAT invoices.

In cases where Israeli and Palestinian VAT cannot be avoided, the Recipient shall obtain original VAT receipts from the vendors. Receipts must be submitted to USAID's Financial Management Office on a monthly basis to enable USAID to process refund claims with VAT authorities. The Recipient is responsible for ensuring that subgrantees or subcontractors comply with this requirement. All VAT claims for the subgrantees and subcontractors shall be submitted to USAID through Recipient. *(Please refer to VAT Guidance dated April 2, 2003 issued to USAID WBG Contractors and Grantees attached as Attachment F)*. Receipts for subgrantees and subcontractors must be addressed to the project name /Recipient to enable USAID to claim refunds.

Recipients that already have exemption mechanisms in place with the GOI and/or the PA should continue to follow those procedures. Any refund of taxes received directly by the Recipients which were allowed as award costs, should be credited either as a cost reduction or cash refund, as appropriate, to USAID.

"Non-local subgrantees and subcontractors" means subgrantees and subcontractors that are present in the West Bank or Gaza solely for the purpose of performing work financed by USAID or other tax-exempt foreign donors."

VII. REPORTING OF FOREIGN TAXES

- (a) The awardee must annually submit one report by April 6 of the next year. The reporting period will cover from October 1 to September 30.
- (b) Contents of Report. The reports must be in the format provided in attachment E and contain:
 - (i) Recipient name.
 - (ii) Contact name with phone, fax and email.
 - (iii) Award number(s); separate report needs to be provided for each award.
 - (iv) Amount of foreign taxes assessed by the Palestinian Authority on commodity purchase transactions valued at \$500 or more financed with U.S. foreign assistance funds under this agreement during the prior U.S. fiscal year.
 - (v) Only foreign taxes assessed by the foreign government in the country receiving U.S. assistance are to be reported. Foreign taxes by a third party foreign government are not to be reported. For example, if an assistance program for the Palestinian Authority involves the purchase of commodities in Israel using foreign assistance funds, any taxes imposed by Israel would not be reported.
 - (vi) Any reimbursements on the taxes reported in (iv) received by the recipient through March 31. Any refund from the Palestinian Authority that is received directly by the awardee should be reflected. For refunds processed by USAID, we will fill in the VAT refunded amount. If a VAT refund receipt was provided to USAID for refund processing the awardee will need to provide the month under which the claim was submitted to USAID and the serial number of the invoice as included in the claim.

- (vii) Reports are required even if the recipient did not pay any taxes during the report period.
- (viii) Cumulative reports may be provided if the recipient is implementing more than one program in a foreign country.
- (c) Definitions. For purposes of this clause:
 - (i) “Agreement” includes USAID direct and country contracts, grants, cooperative agreements and interagency agreements.
 - (ii) “Commodity” means any material, article, supply, goods, or equipment.
 - (iii) “Foreign government” includes only a Palestinian Authority entity.
 - (iv) “Foreign taxes” means value-added taxes and custom duties assessed by a foreign government on a commodity. It does not include foreign sales taxes.
- (d) Where. Submit the reports by either of the following means:

E-mail attachment (preferred): 579vat@usaid.gov or fax to 972-3-511-4888, attention Issa Hanna.
- (e) Subagreements. The awardee must include this reporting requirement in all applicable subcontracts, subgrants and other subagreements.
- (f) For further information see <http://www.state.gov/m/rm/c10443.htm>.

VIII. PROHIBITION ON ASSISTANCE TO THE PALESTINIAN BROADCASTING CORPORATION

- a) U.S. legislation provides that none of USAID’s funding “may be used to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.” In accordance with this prohibition, the Grantee shall not provide any assistance to the Palestinian Broadcasting Corporation.
- b) This provision, including this paragraph (b), shall be included in all contracts, subcontracts, grants and subgrants issued under this grant.

IX. USAID DISABILITY POLICY —ASSISTANCE (DECEMBER 2004)

The objectives of the USAID Disability Policy are (1) to enhance the attainment of United States foreign assistance program goals by promoting the participation and equalization of opportunities of individuals with disabilities in USAID policy, country and sector strategies, activity designs and implementation; (2) to increase awareness of issues of people with disabilities both within USAID programs and in host countries; (3) to engage other U.S. Government agencies, host country counterparts, governments, implementing organizations, and other donors in fostering a climate of nondiscrimination against people with disabilities; and (4) to support international advocacy for people with disabilities. The full text of the policy paper can be found at the following website: <http://www.usaid.gov/about/disability/DISABPOL.FIN.html>

USAID therefore requires that the Recipient not discriminate against people with disabilities in the implementation of USAID funded programs and that it make every effort to comply with the objectives of the USAID Disability Policy in performing the program under this Grant or Cooperative Agreement. To that end and to the extent it can accomplish this goal within the scope of the program objectives, the Recipient should demonstrate a comprehensive and consistent approach for including men, women and children with disabilities.

X. USAID/WEST BANK AND GAZA MISSION NOTICES

The Recipient will comply and adhere to all USAID West Bank and Gaza notices to Contractors and Grantees. The notices are posted on the USAID/West Bank Gaza website under Partners resources and can be found at the following link:

<http://www.usaid.gov/wbg/PartnersResources.html>.

XI. USAID/WEST BANK AND GAZA MISSION PARTNER CONTRACTED AUDIT PROGRAM (PCA)

Since Fiscal Year 2003, the U.S. Congress has mandated in its annual appropriations laws that the USAID shall ensure that all contractors and grantees, and significant sub-contractors and sub-grantees, under the West Bank and Gaza Program be subject to Federal or non-Federal audits at least annually.

Recipients and significant sub-awardees under any resultant award from this APS will be required to adhere to the above requirement and therefore are subject to audit under the WBG Partner Contracted Audit (PCA) program at least annually. USAID/WBG is responsible for managing the Mission's PCA program.

Partners shall follow the guidance provided in the "USAID/WBG Partner Contracted Audit Guidelines" which are posted on the Mission's web-site at the following address <http://www.usaid.gov/wbg/audit.html>. Partners will be required to contract one of the independent audit firms that have been approved by the Regional Inspector General/Cairo to fulfill the annual audit requirements under their awards.

All prime recipients as well and sub-awardees must maintain complete records and proper documentation pertaining to their awards for auditing purposes.

XII. USAID/WEST BANK AND GAZA MISSION ORDER NO. 21

The Contractor must comply with the Mission's updated anti-terrorism policies and procedures as stated under the revised Mission Order No. 21 (Mission Notice No. 2007-WBG-26) and any amendments thereafter. The Mission Order No. 21 can be accessed through the following URL: <http://transition.usaid.gov/wbg/misc/2007-WBG-26.pdf>.

ATTACHMENT C- OTHER INFORMATION - REFERENCES

I. APPLICABLE REGULATIONS & REFERENCES

1. MANDATORY STANDARD PROVISIONS FOR U.S., NONGOVERNMENTAL RECIPIENTS
<http://www.usaid.gov/pubs/ads/300/303maa.pdf>
2. REQUIRED AS APPLICABLE STANDARD PROVISIONS FOR U.S., NONGOVERNMENTAL RECIPIENTS
<http://www.usaid.gov/policy/ads/300/303maa.pdf>
3. MANDATORY STANDARD PROVISIONS FOR NON U.S NON GOVERNMENTAL RECIPIENTS
<http://www.usaid.gov/policy/ads/300/303mab.pdf>
4. REQUIRED AS APPLICABLE STANDARD PROVISIONS FOR NON U.S NON GOVERNMENTAL RECIPIENTS
<http://www.usaid.gov/policy/ads/300/303mab.pdf>
5. 22 CFR 226
http://www.access.gpo.gov/nara/cfr/waisidx_02/22cfr226_02.html
6. OMB CIRCULAR A-122
<http://www.whitehouse.gov/omb/circulars/a122/a122.html>
7. OMB CIRCULAR A-110
<http://www.whitehouse.gov/omb/circulars/a110/a110.html>
8. ADS SERIES 300 ACQUISITION AND ASSISTANCE
<http://www.usaid.gov/pubs/ads/>
9. SF-424 DOWNLOADS
<http://www.usaid.gov/sites/default/files/documents/1868/303.pdf>

ATTACHMENT D-FIXED OBLIGATION GRANT (FOG) ENTITY ELIGIBILITY CHECKLIST

SECTION A - ENTITY ELIGIBILITY

1. Organizational integrity

- Obtain copy of Articles of Incorporation or other documentation which substantiates the legal character/registration of the entity in country/region of operation.
- Identify principals/key personnel/organization structure
- Vet the organization/principals through local RSO or other checkpoints to
 - i. Validate good standing in local community (integrity, reputation, internal controls)
 - ii. Ensure minimum statutory restrictions have been met
 - 1) Excluded Parties List System (EPLS)
 - 2) Terrorism/Special Designated Nationals (SDN)/Blocked Persons/Office of Foreign Assets Control (OFAC)/etc.

2. Organization technical capacity to achieve proposed FOG activity

- Staff expertise/management capabilities to be utilized for activity
- Intellectual property to be applied
- Technology resources to be applied
- Other assets available and commitments incurred to determine cash flow

3. Past Performance in the Sector

- Identify similar activities the entity has implemented
- Obtain third party information on performance related to quality of performance, timeliness of completion, input from past funding entities and activity beneficiaries
- Review, if available, objective performance documentation such as evaluations

4. FOG activity implementation viability

- Are milestones appropriate to the activity? - “reasonable certainty about the cost and USAID can reasonably define accomplishment of the purpose of the grant or milestones.”
- Are milestones verifiable?
- Is there sufficient information available on estimated costs to:
 - i. Price milestones such that the FOG represents a good value to the Agency?
 - ii. Identify risks to both the implementing entity and Agency and mitigate the risks through “special conditions”?

1. Milestone pricing will Ensure payments correspond to milestone achievement costs?
2. Permit activity liquidity throughout implementation?

Are FOG objectives/purposes to be accomplished within applicable Source/Origin/Nationality restrictions?

IV. FOG Pre-Award financial review checklist applicable for authorizing advances of funds, if necessary

- Is there a properly established bank account to receive USAID advances?
- Are account-related bank unused checks and petty cash on hand adequately safeguarded?
- Are there appropriate controls established over account disbursements?
- Are procedures established adequate to document account disbursement usage for grant activities?
- Are appropriate procedures established for regular reconciliation of bank account statements with internal records?
- Does recipient have prior experience with managing advances from external sources? If so, was past accountability adequate or past issues resolved? (Note: prior advance management experience not required).
- Does recipient have a comprehensive cash-flow projection for the proposed activity which supports the proposed implementation plan, and which can be readily updated periodically to project revised cash needs?
- Does the recipient understand USAID cash management requirements using either the 30 day rolling advance process or the working capital advance type methodology (see ADS 303, Awarding Fixed Obligation Grants Additional Help Document)?
- A written report of findings on the above points should be made as part of the FOG checklist documentation. The report should provide a summary assessment of the overall advance fiduciary risks as high, medium or low with a brief summary supporting narrative.

V. Minimum statutory certifications/representations/provisions included/obtained, as appropriate

- Lobbying: Only applies to grants greater than \$100,000;
- Terrorist financing: Simplified version of standard clause;
- Drug Trafficking certifications: Only applies to grants of greater than \$100,000;
- Equal Opportunity Certification: Applicants not legally required to complete, but we are legally required to include - attach a copy to the grant;
- Individuals authorized to commit the recipient;
- DUNS number;
- Procurement information: Local procurement rules apply for small grants under ADS 311;
- Estimated Costs of Communications Products: Policy requirement only applies to communications product exceeding US \$25,000 in value;

- Condom and Prostitution provisions: Only apply to HIV/AIDS activities (see AAPD 05-04 Amendment 3);
- VOLUNTARY POPULATION PLANNING ACTIVITIES – MANDATORY REQUIREMENTS (MAY 2006): Mandatory Standard Provision in ADS 303 required for all assistance awards, regardless of the purpose of the award; and
- Other Family Planning provisions as required in ADS 303, if the purpose of the FOG involves family planning activities: Note that programs outside the usual Global Health area may involve family planning-related activities, in which case the required-when-applicable provisions must also be included.

SECTION B – INSTITUTIONAL CAPACITY BUILDING

Minimum organizational capabilities for determining the extent of technical assistance the recipient may require

- Assess ability to maintain/manage auditable records (for cost reimbursement grants);
- Assess availability of local/certified accounting services (for cost reimbursement grants);
- Assess ability to procure/manage property/personnel; and
- Assess management skills/resources

ATTACHMENT E – STANDARD ASSISTANCE AWARD
TECHNICAL APPLICATION COVER PAGE

General Characteristics	
Project's Title:	
Applicant's organization information - Name - Mailing Address - Main point of Contact - Telephone - Fax	
Sub-Partner's Name and Place of Origin	
Total Amount of USAID Funds Requested	
Total Cost-Share Amount	
Period of Program (in months)	
Brief Description of the Project (up to five sentences)	
Geographic Location of Proposed Project 1. <u>Israel and West Bank</u> ☐ 2. <u>Israel Only</u> ☐ 3. <u>Israel + Palestinians + Middle East countries</u> ☐ 4. <u>Israel + citizens of other Middle East countries</u> ☐	<u>Locations:</u> ▪ <u>....</u> ▪ <u>....</u> ▪ <u>....</u> ▪ <u>....</u>

Project's Main Expected Impact, Outputs, and Activities	
Main Impact Expected to be Achieved in Terms of Conflict Mitigation	Please link your project's expected impact to mitigation of conflict. Explain how your project is expected to change perceptions and/or behaviors
Main Results	Please list at least three main results at the output level to be achieved by your project
Main Project Activities	Please include at least three illustrative activities to achieve your outputs

**ATTACHMENT F-
FOG TECHNICAL APPLICATION COVER PAGE AND PROGRAM SUMMARY**

The language below must be reflected into each applicant's cover page. Applicants should ensure all fields are complete. This should be the only information provided on the cover page.

"Cover Page – USAID/WBG FY 2013 CMM APS

- Project title: _____
- Applicant organization (name and mailing address): _____
- Sub-partner(s) (if applicable, if not please type N/A): _____
- Total amount of USAID funds requested: \$_____ (USD)
- Period of program (in months): _____
- Geographic area of implementation: _____

- Brief description of program (not more than five sentences):

- Contact person regarding this application:
 - Name: _____
 - Email: _____
 - Telephone: _____
 - Fax (if available): _____

All correspondence regarding the application will be sent to the contact person and email address listed on this page.

I. Program Summary Table

Impact on Conflict Mitigation	
Intended Results	
Proposed Activities	
Location (s)	
Total Estimated Amount Requested from USAID	

II. Milestones' definition and table

- Milestones: are measurable objective products that the grantee is responsible to accomplish and complete in order to get paid. AORs should be able to measure completion of these products.
- FOG Payment: Recipients are paid only after specific milestones are met. Initial milestone may provide recipient with financial liquidity (example, submission of implementation plan typically within 14-30 days after award). For additional information please review the following ADS 303.3.25 regulations on FOGs (<http://www.usaid.gov/policy/ads/300/303.pdf>)
- Milestones Table: Include each milestone with a detailed explanation of what it encompasses, and a clear date of when they will be accomplished.

MILESTONES (please write in chronological order)	Activities included in the Milestone	Estimated Date of Accomplishment	Estimated Cost associated with each milestone

ATTACHMENT G- BUDGET TEMPLATE

The budget is the financial expression of the program. The following template represents an example of what USAID anticipates to see in a program budget.

Name of Applicant :							
Program Title:							
Period of Performance							
Total Estimated amount of Program:							
No. of line item	Cost Line Item	Unit Type	No. of units	Year X		Total for X years	
1				USAID	Cost Share	USAID	Cost Share
2	I. Personnel						
3	Program Director 80% LOE	month	12				
4	Admin Assistant 30% LOE	month	6				
5	..etc.						
6							
7	II. Fringe Benefits						
8	Program Director 80% LOE	month	12				
9	..etc.						
10	III. Travel						
11							
12	III. Office Expenses						
13	Office Rent						
14	Utilities						
15	..etc.						
16	IV. Communication						
17							
18	V. Local Travel						
19							
20	VI. Sub-Grants/ Sub-Agreements						
21							
22	VII. Partner Contracted Audit						
23							
24	VIII. Program Expenses						
25	Workshops		5				
26	conference						
27							
28	IX. Negotiated Indirect Cost Rate*						
	Grand Total						
	Total Program Cost						

ATTACHMENT H- SAMPLE BUDGET NARRATIVE

D.4.1 Examples of cost breakdown:

- Office rent (\$X): Since the program exhausts about 25%-30% of the applicant's staff, work hours and office space a direct cost of 25% will be charged to the program.
- Workshops (\$360): Nine meetings at a rate of \$1 per participant per meeting for 40 participants.
- Travel (\$2,400): This line item includes the costs associated with local travel for four staff members. The estimate of \$10 per month is based on an estimated travel distance of 2Km per month to be reimbursed at a rate of \$5 per one Km. Total for two years is: \$2,400. (\$10*24).

D.4.2 Applicants should take into consideration the following:

1. All costs should be directly charged to the program unless the applicant has a Negotiated Indirect Cost Rate Agreement (NICRA).
2. Costs should include VAT.
3. The proposed costs are not subject to the dollar fluctuation rate.
4. USAID's estimates for the PCA cost are as follows:
 1. \$12,000 for Standard Assistance Awards per program year.
 2. \$7,000 for FOGs.

ATTACHMENT I-VAT GUIDANCE



U.S. AGENCY FOR
INTERNATIONAL
DEVELOPMENT

APRIL 2, 2003

NOTICE FOR USAID CONTRACTORS AND GRANTEES

SUBJECT: VAT GUIDANCE

As per the guidance provided to all contractors and grantees in our letter of July 30th, 2002, VAT is an extremely sensitive and important issue for our Mission. Careful attention must be paid to avoiding VAT whenever possible and, failing that, obtaining valid VAT receipts so that USAID may seek VAT refunds from tax authorities. Failure to do so could put the Mission's programs in jeopardy and possibly lead to a USAID determination that VAT costs are unallowable.

USAID will reimburse contractors and grantees for Israeli and Palestinian VAT if and only if the following procedures are followed:

1. For Grantees, reasonable efforts must be made to avoid Israeli and Palestinian VAT at the point of sale whenever possible. This includes taking all reasonable steps to obtain a 0% VAT exemption from the Palestinian Authority before making any further purchases. Grantees that already have exemption mechanisms in place with Israel and/or the PA should continue to follow those procedures.
2. For grantees that recently received a 0% VAT exemption from the Palestinian VAT department, they are required to pass these exemptions to their partners (i.e. suppliers, vendors, and contractors), by sending a letter to the VAT Department notifying it about the partner, description of the transaction and the amount of the transaction before the purchase is completed.
3. For both Contractors and Grantees, in cases where Israeli or Palestinian VAT cannot be avoided at the point of sale, original VAT receipts must be obtained from all vendors that are legally authorized to issue such receipts. To be considered valid and acceptable, receipts must conform to the requirements stated in the checklist attached to this notice. Receipts shall be submitted to USAID's Financial Management Office on a monthly basis, no later than the fifteenth day after the end of the month. This will enable USAID to process refund claims with VAT authorities on a timely basis.

Financial Management Office
Att. VAT Coordinator , USAID
c/o American Embassy
71 Hayarkon Street,
Tel Aviv 63903

c/o American Embassy
71 Hayarkon Street,
Tel Aviv 63903

Failure to comply with both of these requirements may result in a determination that the VAT costs in question are unallowable under your contract or grant, in which case those costs would be financed from your organization's own funds.

Given that USAID will be reimbursing VAT expenses in contractor and grantee billings that are charged as disbursement to the contracts/grants, the refunds, once received, will be recorded as off-sets to the applicable contract or grant by USAID.

Please note that separate procedures will be provided for processing refunds for contractors and grantees under Letter of Credit (LOC) method of payment.

Please submit the original VAT receipts and one copy to USAID. In addition, contractors and grantees must retain on file copies of receipts and related documentation reflecting their VAT submissions to USAID. This is needed to avoid the risk that VAT costs may be questioned during an audit and possibly disallowed.

In addition, we have attached for your use 2 matrixes, one for the Israeli and one for Palestinian VAT submissions. Please keep the following guidance in mind when submitting this document to USAID:

1. Report the VAT invoices in the correct chronological order. i.e. start from the first of the month through to the 30th.
2. Provide a hard and electronic copy of the form with the respective receipts attached to each one in order to avoid confusion.
3. The electronic copy has to be sent to ilpavat@usaid.gov.
4. Attach all related supporting documents to each receipt with that invoice.
5. Submit this form, receipts and supporting documents no later than the 15th of the following month.
6. You will notice that we have entered some figures already on the matrix. This is just to provide you with an example and to activate the formulas. Kindly replace those with your own figures.
7. For any specific issues with regards to the VAT, please contact Ms. Abeer Odeh, our Supervisor Financial Analyst, at 03-511-4806, 050 259407, and 059 246777 or at e-mail aodeh@usaid.gov.

The requirements discussed in this notice apply to not just prime contracts and grants, but also subcontracts and sub-grants with non-local entities – that is, entities that are present in the West Bank or Gaza solely for the purpose of performing work financed by USAID or other tax-exempt donors.

USAID provided some guidance with regards to this issue in July 2002. However, some partners have failed to report their VAT in a timely manner. Therefore, we hereby request that all Contractors and Grantees report to us by COB noon April 21st, 2003, all pending invoices from January 1st, 2002 until the present.

We thank you for your cooperation in this matter.

Attachments:

1. VAT Invoices Required Attributes
2. VAT Refund Sheet – Includes 2 documents for the Israeli and the Palestinian VAT respectively.

Palestinian VAT Refund Sheet
Organization Name:
Contract / Agreement Number:
Period Covered:

53

Israeli VAT Refund Sheet
Organization Name:
Contract / Agreement Number:
Period Covered:

54

ATTACHMENT J - MISSION ORDER NO. 21



USAID | WEST BANK/GAZA

FROM THE AMERICAN PEOPLE

AMENDED AND RESTATED MISSION ORDER NO. 21

Subject: Anti-Terrorism Procedures

References: Executive Order 13224 (September 24, 2001)
Section 559 of the FY 06 Foreign Operations Appropriations Act
Section 3 of P.L. 109-446
18 U.S.C. §§ 2339A and 2339B
AAPD 04-14 (September 24, 2004)
AAPD 02-04 (March 20, 2002)

Effective Date: October 3, 2007

I. PURPOSE

The purpose of this Mission Order is to describe and update procedures to ensure that the Mission's assistance program does not inadvertently provide support to entities or individuals associated with terrorism.

II. LEGAL AUTHORITIES

On September 24, 2001, shortly after the terrorist attacks of September 11th, President Bush issued Executive Order 13224, which blocks property and interests in property of individuals and entities that are designated as committing or posing a significant risk of committing terrorist acts. The Order prohibits all transactions and dealings in blocked property or interests in the U.S. or by U.S. persons. It also prohibits transactions with, and provision of support for, individuals or entities designated in or subject to the Order.

Initially, 28 individuals and entities were designated under E.O. 13224. The Order authorized the Secretary of State to make additional designations. It also authorized the Secretary of Treasury to designate additional individuals and entities that provide support or services to, are owned or controlled by, act for or on behalf of, or are "otherwise associated with," an individual or entity that has been designated in or under the Order.

E.O. 13224 is just one of several statutes, regulations and Executive Orders pertaining to terrorism. Others include Sections 2339A and 2339B of Title 18 of the U.S. Code, which prohibit the provision of material support or resources for terrorist acts or to designated foreign terrorist organizations, and Executive Orders 12947 (January 23, 1995) and 13099 (August 20, 1998), which prohibit transactions with terrorists who threaten to disrupt the Middle East peace process.

Hundreds of individuals and entities have been designated under these and other statutes, regulations and Executive Orders. A complete list of designated parties can be found online at <http://www.treas.gov/offices/eotffc/ofac/sdn/t11sdn.pdf>. The list includes several Palestinian

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Tel Aviv, Israel 63903
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organizations that have been designated as terrorist entities, including Hamas, the Popular Front for the Liberation of Palestine (PFLP), Palestinian Islamic Jihad (PIJ), and the Democratic Front for the Liberation of Palestine (DFLP).

A statutory provision of special relevance to USAID/WBG is Section 559 of the FY 06 Foreign Operations Appropriations Act, which is entitled "West Bank and Gaza Program". Paragraphs (b) and (c) of Section 559 provide as follows:

(b) VETTING – Prior to the obligation of funds appropriated by this Act under the heading "Economic Support Fund" for assistance for the West Bank and Gaza, the Secretary of State shall take all appropriate steps to ensure that such assistance is not provided to or through any individual, private or government entity, or educational institution that the Secretary knows or has reason to believe advocates, plans, sponsors, engages in, or has engaged in, terrorist activity. The Secretary of State shall, as appropriate, establish procedures specifying the steps to be taken in carrying out this subsection and shall terminate assistance to any individual, entity, or educational institution which he has determined to be involved in or advocating terrorist activity.

(c) PROHIBITION – None of the funds appropriated by this Act for assistance under the West Bank and Gaza program may be made available for the purpose of recognizing or otherwise honoring individuals who commit, or have committed, acts of terrorism.

A provision similar to paragraph (b) has appeared in each Foreign Operations Appropriations Act since FY 2003. Paragraph (c) was added in FY 2005. Provisions similar to paragraphs (b) and (c) were included in the Palestinian Anti-Terrorism Act of 2006 (P.L. 109-446), extending the requirements through fiscal years 2007 and 2008.

III. ADDITIONAL BACKGROUND INFORMATION

The vetting procedures described in Section V are the culmination of an evolutionary process that began in July 2001, following consultations on Capitol Hill, and gathered momentum after the terrorist attacks of September 11, 2001. Draft review procedures were developed in the fall of 2001, based on consultations with the ANE Bureau, USAID's anti-terrorism task force, the Office of the General Counsel, the U.S. Embassy/Tel Aviv, USAID Mission staff, U.S. implementing partners, and Palestinian non-governmental organizations (NGOs). Since then, the review procedures have been further refined to take into account concerns raised by these and other parties. The most recent update occurred after discussions with the Government Accountability Office, USAID's Regional Inspector General, USAID's General Counsel's Office and Office of Security, Mission staff, and after a multi-agency review led by the U.S. Consulate General in Jerusalem as part of an effort to establish standard operating procedures for vetting across all U.S. Government agencies providing assistance for the West Bank and Gaza.

In addition to vetting, the Mission implements three other formal anti-terrorism measures: (1) the anti-terrorism certification (ATC) (see Section VI below), (2) mandatory clauses reminding contractors and grantees of their legal duty to comply with applicable anti-terrorism laws and regulations (see Section VII below), and (3) a clause implementing the restriction imposed by Section 559(c) of the FY 06 Appropriations Act (see Section VIII below).

There are also several less formal means by which support for terrorist organizations is avoided. First, in order to ensure compliance with E.O. 13224 and related requirements, U.S. contractors and grantees are expected to conduct their own review of proposed non-U.S. awardees.

Second, before an award is made to a non-U.S. organization, staff of USAID (in the case of prime awards) or staff of the U.S. prime contractor or grantee (in the case of subawards) scrutinize various aspects of the organization's operations as part of the standard due diligence and pre-award survey. Third, the personal knowledge of USAID staff is taken into account before an award is made or a subaward is approved. Finally, knowing that individuals and organizations will be subject to such scrutiny, organizations that are involved in terrorism are discouraged from applying for USAID-financed assistance in the first place.

IV. DEFINITIONS

As used in this Mission Order –

- A. "Award" means any contract, grant or cooperative agreement awarded by USAID, and any cash or in-kind assistance provided by USAID in any other form, including construction services, equipment, supplies, technical assistance, and training. "Awardee" means any individual or organization that receives an award. Unless the context otherwise requires, "award" includes "subawards," and "awardee" includes "subawardees" as defined below.
- B. "Cognizant Technical Officer" or "CTO" means the USAID officer responsible for day-to-day management of the project or activity in question.
- C. "Key individuals" means the individuals defined in Section V.C below. (The definition of "key individuals" is not the same as "key personnel" under a contract or cooperative agreement.)
- D. "PSU" means the Program Support Unit of the USAID Mission.
- E. "Subaward" means any grant, subgrant or subcontract awarded by a USAID implementing partner, and any cash or in-kind assistance provided by an implementing partner in any other form. "Subawardee" means any individual or organization that receives a "subaward."

V. VETTING PROCEDURES

- A. **Applicability:** Vetting is conducted by USAID in connection with its review and approval of proposed awards and subawards to non-US awardees. Vetting applies to the following organizations and individuals:
 - (1) Contractors and subcontractors: Any non-US organization or individual proposed for award of a contract or subcontract in excess of \$25,000. This includes contracts to be awarded by USAID, subcontracts to be awarded by prime contractors, and contracts to be awarded by grantees and recipients of cooperative agreements. It does not include personal services contracts (PSCs) to be awarded by USAID, which have separate security clearance procedures. A contract includes any instrument that acts as a contract regardless of its form or the name given to it.
 - (2) Recipients of assistance instruments: Any non-US organization or individual (other than a Public International Organization (PIO)) proposed to receive cash or in-kind assistance under a cooperative agreement, grant or subgrant, regardless of the dollar amount. This includes grants and cooperative agreements to be awarded by USAID, grants to be awarded by prime contractors (Grants Under Contracts, or GUCs), and subgrants to be awarded by grantees or recipients of cooperative agreements (Grants Under Grants, or GUGs). An assistance instrument includes any instrument that acts as a grant or cooperative agreement regardless of its form or the name given to it.

- (3) Trainees: Non-US individuals for whom USAID finances (a) training, study tours, or invitational travel in the U.S. or third countries, regardless of the duration; or (b) training in West Bank/Gaza lasting more than five consecutive work days (regardless of the number of hours of training on each day).
- (4) Other direct recipients of cash or in-kind assistance: Except as provided in paragraph (5) below, vetting is required when other forms of cash or in-kind assistance (including technical assistance) are provided directly to one or more specifically identified persons or entities. For example, vetting generally would be required for a hospital that will receive pharmaceuticals, a company whose manufacturing equipment will be repaired or replaced, or an NGO whose recreational facilities will be renovated. Vetting is not required, however, for persons or entities that benefit from assistance indirectly. In the prior examples, no vetting would be required for patients of the hospital, customers of the manufacturer, or users of the recreational facilities. When assistance is to be provided directly to a government entity, the procedures outlined in part IX below, "Cooperation with Government and Government Officials" apply.
- (5) Exceptions: Except as provided in paragraph (6) below, vetting required under paragraph (4) above does not apply in the following cases:
 - (a) Individuals who receive jobs under employment generation activities, including incidental job training.
 - (b) Ultimate beneficiaries of cash or in-kind assistance, such as food, water, medical care, micro-enterprise loans, shelter, etc.; provided that the total value of assistance per occasion does not exceed the following amounts:
 - (i) \$1,000, for assistance to an individual (other than loans),
 - (ii) \$2,500, for assistance to an organization (other than loans), or
 - (iii) \$5,000, for micro-enterprise loans or assistance to a household (e.g., repair of housing units).
 - (c) Vendors of goods or services acquired by USAID contractors and grantees in the ordinary course of business for their own use – for example, utilities (water, electricity, gas, and trash collection); communications (telephone, fax, postal and courier services); office supplies, equipment and furniture; services for moving to new homes and offices; vehicles (purchase or lease) and fuel, spare parts, and repair or maintenance services for vehicles; and books, newspapers and periodicals. This exception also applies to paragraph A(1) above. Vetting is required, however, before leasing housing or office space if the total amount of rent under the lease exceeds the limit stated in A(1) above.
- (6) Even if vetting would not otherwise be required under these rules, vetting will be conducted whenever there is reason to believe that the beneficiary of assistance or the vendor of goods or services commits, attempts to commit, advocates, facilitates, or participates in terrorist acts, or has done so in the past.

B. Further Rules on Applicability:

- (1) The \$25,000 threshold for contracts and subcontracts is cumulative for multiple awards to the same firm or individual within a 12-month period. For example, if a firm receives a subcontract for \$20,000 and later is selected to receive another one for \$10,000, the second award would trigger vetting if fewer than 12 months have passed since the first award. To track this threshold, the Office of Contracts Management will provide the PSU, on a monthly basis, with a list of first tier contracts and second tier subcontracts under \$25,000 awarded to non-U.S. organizations or individuals for a program purpose in the prior month, or not previously reported, including the name of the contractor,

amount and start and end dates of the award. When the same firm or individual exceeds the \$25,000 cumulative amount, the PSU will notify the Cognizant Technical Officer responsible for the awardee that exceeded the threshold that vetting is required. Amendments, however, will be treated differently. If an amendment would increase the amount of a contract or subcontract above \$25,000, vetting would be required no matter how many months have passed since the original award was made.

- (2) With respect to vetting required under Sections V.A(1) and (2) above, vetting applies only to first-tier and second-tier recipients. If, for example, a U.S. prime contractor (first tier) awards a grant to a Palestinian NGO (second tier), which in turn awards a subgrant to another Palestinian NGO (third tier), the second-tier grantee would be vetted, but the third-tier subgrantee would not be.
- (3) Palestinian government officials, including Palestinian Legislative Council members and municipal officials, are subject to vetting to the same extent as other individuals. They must be vetted, for example, before participating in training or invitational travel outside of the West Bank and Gaza. They need not be vetted, however, with respect to USAID-financed public works that benefit broad segments of the general public – for example, the construction of schools, development of parks, or repair of roads. However, screening may be required under the circumstances described in part IX below, “Cooperation with Government and Government Officials.”
- (4) Vetting applies to colleges, universities and other educational institutions to the same extent as other types of organizations.
- (5) Although PIOs are not themselves subject to vetting, organizations and individuals to whom PIOs make awards or otherwise provide assistance are subject to vetting by USAID in accordance with these rules.
- (6) No one under age 16 will be vetted. Where vetting is required for a household (e.g., for housing assistance that exceeds \$5,000), only members of the household who are 16 years of age or older will be vetted.
- (7) If an organization has been previously vetted, whether subsequent vetting will be required for each of its branches that receive assistance will be decided by the Deputy Mission Director on a case by case basis. This decision will depend largely on the extent to which the organization’s headquarters oversees and controls the activities of its branches.
- (8) For contracts and grants under interagency agreements pursuant to Section 632(a) or (b) of the Foreign Assistance Act, it will be incumbent upon the recipient agency to implement appropriate review procedures to ensure compliance with E.O. 13224 and related requirements. A provision to this effect will be included in all interagency agreements pertaining to the West Bank and Gaza.

C. Vetting of “Key Individuals”: Whenever an organization must be vetted, each of the organization’s “key individuals” must also be vetted. “Key individuals” means:

- (1) Principal officers of the organization’s governing body (e.g., chairman, vice chairman, treasurer or secretary of the board of directors or board of trustees);
- (2) The principal officer and deputy principal officer of the organization (e.g., executive director, deputy director; president, vice president);

- (3) The program manager or chief of party for the USAID-financed program; and
- (4) Any other person with significant responsibilities for administration of USAID-financed activities or resources.

Note that the definition of "key individuals" differs from the definition of "key personnel" under a contract or cooperative agreement.

- D. Obtaining Data Needed for Review:** Before USAID awards a contract, grant or cooperative agreement to any organization described in A(1) or (2) above, the proposed awardee must submit to USAID data needed to vet the organization and its "key individuals." Similarly, before an implementing partner makes a subaward of the type described in A(1) or (2) above, or provides assistance of the type described in A(3) or (4) above, the implementing partner must submit to USAID data needed to vet the proposed recipient of the subaward or other assistance.

To vet an individual, USAID needs the person's full name as it appears in a government-issued photo ID. If the individual holds an ID with a full four-part name, that ID must be used before an ID without the full four-part name. To vet an organization, USAID needs the full name and address of the organization and the full name of each "key individual" of the organization, once again, as it appears in a government-issued photo ID. In addition, for each individual or key individual USAID needs (1) the government-issued photo ID number (e.g. passport number), (2) type of such ID and country of issuance, and (3) date and place of birth. Provision of additional information such as citizenship(s), gender, occupation, current employer (if applicable), and address of residence should be submitted when available. Such additional information can expedite and improve the quality of the vetting process. Any vetting requests that do not include all required data will not be processed.

The Cognizant Technical Officer will be responsible for gathering the information described above from prime awardees, using the form shown in Attachment A. This information will be forwarded to USAID's Program Support Unit ("PSU") for submission to USAID/Washington for transfer to the appropriate U.S. vetting center in Washington for review (the "Vetting Center"). Before initiating a vetting request, however, the CTO should consult with PSU to see whether a vetting approval is already in effect for the individual or organization in question. (See "Duration of Approval," below.)

Vetting should be initiated as early as possible during the process of selecting recipients. Selection decisions should not be disclosed to the proposed recipient or any other outside party until the vetting process has been completed and USAID has determined that the recipient is eligible.

- E. Review by the Vetting Center, U.S. Consulate General and USAID:** After submission of the data described above, the Vetting Center will review the data and notify USAID/Washington in writing of the results of its review, including whether any derogatory information has been located – that is, whether any of the vetted organizations or individuals appear to be, or to have affiliations with, problematic organizations or individuals. Notification will be sent to PSU, which in turn will notify the CTO.

In cases where no derogatory information is located from Washington, USAID will submit organizations that require vetting under A(2) or A(4) above to the U.S. Consulate General in Jerusalem for an additional review. The Consulate General will review the data and notify USAID in writing of the results of its review, including whether any derogatory information

has been located. Notification will be sent by the Consulate General to the PSU which will in turn notify the CTO. This procedure will apply only to organizations and not to individuals.

In cases where no derogatory information is located from either the Vetting Center or the Consulate General, USAID will proceed with the proposed award, or notify the contractor, grantee or recipient that it may proceed with the proposed subaward, as the case may be. See Attachment B for suggested notification language.

In cases where derogatory information about a proposed awardee or a key individual is located, the Deputy Mission Director and the CTO will decide whether to request additional information about the organization or individual(s) in question – for example, an individual's occupation or address of residence, if not already provided. This information may enable USAID and the Vetting Center or the U.S. Consulate General to determine that a "false positive" has occurred, or it may confirm that suspected affiliations truly exist. When additional identifying information is needed, the request will be made to more than one person whenever possible – for example, to all "key individuals" of an organization – to avoid disclosing which individual(s) triggered the request.

In cases where additional information does not dispel derogatory information, USAID will either (1) disapprove the award or subaward to the proposed recipient, or (2) submit the matter to the U.S. Consulate General/Jerusalem for further review, in consultation with Washington as appropriate.

F. Notification of Final Decision: Once a final decision has been made, the Cognizant Technical Officer will promptly send written notice of the decision to (1) USAID's Contracting Officer, in the case of a proposed award by USAID; or (2) the proponent of the subaward, in the case of a subaward proposed by a party other than USAID. Notices to outside parties must conform to the language shown in Attachment B. A copy of the final decision will be retained in PSU's files.

G. Duration of Approval: Once an awardee has been approved pursuant to these procedures and received an award, the approval generally will remain in effect for that particular award for three years. However, new vetting will be required if there is any change in the awardee's "key individuals." For an organization, when there is a change in the "key individuals" only the new individual(s) must be vetted, but the approved vetting date for purposes of calculating the three-year period of approval for an award will remain the last date when all key individuals of the organization were vetted simultaneously. Vetting approval may be rescinded if USAID obtains information indicating that the awardee or any of its "key individuals" is or has been involved in terrorist activity. When such information arises, the Cognizant Technical Officer will consult with the Deputy Mission Director, the Regional Legal Advisor, and the Contracting Officer.

For any new awards or extensions of existing awards, the awardee must be vetted if more than 12 months have passed since the awardee was last approved pursuant to these procedures. If fewer than 12 months have passed, vetting is not required for that award or extension. For any award or extension that does not require vetting because fewer than 12 months have passed since the awardee was last approved, the Office of Contracts Management will provide the PSU on a monthly basis with a list of such awards or extensions, including the name of the awardee, amount and start and end date of the award. This will allow the PSU to track when the three-year vetting approval will expire for any given award.

As provided in the mandatory clause shown in Attachment D, awardees are required to keep USAID apprised of changes in the "key individuals" of the awardee and of all subawardees that were vetted by USAID. The clause reserves the right of USAID to rescind its approval of subawards at any time. If vetting approval is rescinded for a subaward, USAID's Contracting Officer will provide written instructions to the prime awardee to terminate the subaward. The clause also reserves the right of USAID to terminate the prime award if USAID determines that the awardee is involved in or advocates terrorist activity or has failed to comply with the requirements of the clause.

- H. Database:** PSU will maintain a database showing all organizations and individuals that have been submitted for review and the status of each case. Due to the sensitivity of information in the database, it will be made available only to those with an official need for access, as determined by PSU and/or the Deputy Mission Director.

VI. ANTI-TERRORISM CERTIFICATION (ATC)

On September 24, 2004, USAID/Washington's Office of Acquisition and Assistance issued AAPD 04-14, "Certification Regarding Terrorist Financing Implementation E.O. 13224 (Revision 2)". The AAPD requires that all U.S. and non-U.S. organizations certify, before being awarded a grant or cooperative agreement by USAID, that the organization does not provide material support or resources for terrorism. The text of the certification is shown as Attachment C. (This version supersedes earlier versions that were issued in AAPD 02-19 on December 31, 2002, and AAPD 04-07 on March 24, 2004.)

The ATC requirement applies to the prime recipients of grants and cooperative agreements and the recipients of Grants Under Contracts (GUCs). The requirement for prime recipients and recipients of GUCs also includes assistance instruments in any form (such as memoranda or letters of understanding, for example) to the extent such instruments are used as obligating documents to provide assistance. In addition, USAID/WBG has extended USAID's policy to apply the requirement to the first level of subgrantees receiving cash assistance under grants and cooperative agreements (Grants Under Grants, or GUGs) or any other assistance instrument regardless of its form. Thus, the ATC applies to all first-tier and GUC assistance recipients and all second-tier assistance recipients of cash assistance, but it does not apply to lower-tier recipients.

The ATC applies only to the non-governmental organizations that receive awards of cash or in-kind assistance. It does not apply to (1) individuals, (2) public international organizations, (3) the host government (including local government units), (4) contractors, or (5) subcontractors. Note that because municipalities are not NGOs, they need not sign the ATC when they receive in-kind assistance (e.g., technical assistance, training, supplies, equipment, or construction services).

The Office of Contracts Management (OCM) is responsible for obtaining ATCs before making awards to prime awardees. USAID's implementing partners are responsible for obtaining ATCs before making subawards to subawardees, in accordance with this section, and providing copies of them to OCM.

VII. MANDATORY CLAUSES

On March 20, 2002, the Office of Procurement issued AAPD 02-04, "Implementation of E.O. 13224 – Executive Order on Terrorist Financing." The AAPD prescribes a mandatory provision for inclusion in all solicitations and awards for contracts, grants and cooperative agreements.

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

The Mission has revised this clause to meet the statutory requirements relating specifically to the West Bank/Gaza program in consultation with USAID's Office of the General Counsel in Washington. The revised clause is shown as Attachment D. Paragraph (a) is identical to language stated in the AAPD. The other paragraphs are unique to the Mission and serve to implement the statutory requirements on the Mission's program.

For grants to the United Nations or UN agencies, the clause shown as Attachment E is used to supplement the standard provision entitled "Terrorist Financing Clause (UN Grants) (May 2003)". (See ADS 308, Mandatory References, Standard Provisions for Grants to Public International Organizations, Required as Applicable Standard Provisions.)

VIII. RESTRICTION ON FACILITY NAMES

Section 559(c) of the FY 06 Foreign Operations Appropriations Act, provides as follows: "None of the funds appropriated by this Act for assistance under the West Bank and Gaza program may be made available for the purpose of recognizing or otherwise honoring individuals who commit, or have committed, acts of terrorism." To implement this restriction, all contracts, subcontracts, grants, cooperative agreements, and subgrants must contain the clause set forth in Attachment F, "Restriction on Facility Names."

When, in accordance with this clause, an implementing partner submits information concerning a facility's name, the CTO will review the information to determine whether it might be problematic. If there is any possibility that the proposed name will be controversial, the CTO will consult with the Deputy Mission Director for guidance. The CTO will document this review in a memorandum to the project file.

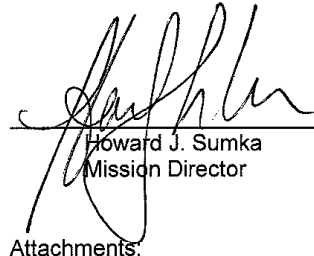
The use of "shuhada" or "shaheed" ("martyr" or "martyrs") in a facility's name may be approved by the Mission Director if he determines (i) that assistance to the facility does not have the purpose of honoring or recognizing any individual who has advocated, sponsored or committed acts of terrorism and (ii) that it is unlikely that a reasonable person aware of the relevant facts and circumstances would perceive the assistance as having the effect of honoring or recognizing such an individual. When making this determination, the Mission Director may consult with the U.S. Ambassador or the U.S. Consul General, as appropriate.

IX. COOPERATION WITH GOVERNMENT AND GOVERNMENT OFFICIALS

Additional vetting may be required in cases where certain government officials – i.e., members of the Palestinian Legislative Council, officials of the Palestinian Authority, or elected municipal officials – will sign a memorandum of understanding, grant agreement or project agreement, or will otherwise be involved in project implementation or publicity for a project. Likewise, prior to providing assistance directly to or that directly benefits a government entity, additional screening may be required. In all such cases, the Deputy Mission Director should be contacted for guidance.

X. APPROVAL

This Mission Order will go into effect on the date signed by the Mission Director below.



Howard J. Sumka
Mission Director

10-03-2007
Date

Attachments:

- A. Vetting Form
- B. Sample Notification Language
- C. Anti-Terrorism Certification
- D. Mandatory Clause
- E. Mandatory Clause (UN Grants)
- F. Restriction on Facility Names

MO #21 Drafted by: RLA, P.Sullivan, 09/14/05, revised 12/28/05, 02/17/06, 03/03/06 & 3/13/06.
Approved by: MD, Jim Bever, 3/13/06;

Amendment No. 1 revisions drafted by: RLA, J.Lifur, 11/06/06, revised 2/7/07; 6/11/07; 8/8/07,
9/30/07.

ATTACHMENT A

PARTNER INFORMATION FORM

Part I: Information About Proposed Activities		
1. Name of the prime contractor, grantee or recipient proposing the award or other assistance:		
2. Type of proposed award or other assistance (check one): _____ contract or subcontract _____ grant or subgrant _____ training _____ equipment _____ other		
3. US\$ amount & estimated start/end date of proposed award or assistance: \$ Start: End:		
4. Purpose of proposed award or assistance:		
5. Organization proposed to receive award or other assistance:		
a. Name:		
b. Address:		
c. Telephone:	d. Fax:	e. Email:
6. Information on each individual to receive training, equipment, or other direct benefits or who is a key individual of the organization named in 5 above. Use continuation sheets as necessary. ** = mandatory information.		
A. Name (As in passport or other government-issued photo ID)**		Government-issued photo ID number, type of ID and country of issuance:**
Place of birth:**	Date of birth:** (mm/dd/yyyy)	Rank or title in organization listed in #5 (if "key individual"):**
Other names used (may include nicknames, pseudonyms not listed under "Name"):		Gender:
Current employer and job title:		Occupation:
Address of residence:		Citizenship(s):
Email:	Is the individual a U.S. citizen or legal permanent resident?** Yes ____ No ____	
Part II: Contractor/Grantee/Recipient Certification: Contractor/Grantee/Recipient certifies in submitting this form that it has taken reasonable steps (in accordance with sound business practices) to verify the information contained in this form. Contractor/Grantee/Recipient understands that the U.S. Government may rely on the accuracy of such information in processing this vetting request.		
Name:		Signature:
Title/Organization:		Date:
Part III: Submission details (to be completed by USG official)		
Request number		
Staff member who initiated request		
Project name		
Date submitted for screening	1.	2.

Partner Information Form Continuation sheet for Part I. section 6, list of individuals (use additional continuation sheets as necessary):

B. Name (As in passport or other government-issued photo ID)**		Government-issued photo ID number, type of ID and country of issuance:**
Place of birth:**	Date of birth:** (mm/dd/yyyy)	Rank or title in organization listed in #5 (if "key individual"):**
Other names used (may include nicknames, pseudonyms not listed under "Name"):		Gender:
Current employer and job title:		Occupation:
Address of residence:		Citizenship(s):
Email:	Is the individual a U.S. citizen or legal permanent resident?** Yes ____ No ____	
C. Name (As in passport or other government-issued photo ID)**		Government-issued photo ID number, type of ID and country of issuance:**
Place of birth:**	Date of birth:** (mm/dd/yyyy)	Rank or title in organization listed in #5 (if "key individual"):**
Other names used (may include nicknames, pseudonyms not listed under "Name"):		Gender:
Current employer and job title:		Occupation:
Address of residence:		Citizenship(s):
Email:	Is the individual a U.S. citizen or legal permanent resident?** Yes ____ No ____	
D. Name (As in passport or other government-issued photo ID)**		Government-issued photo ID number, type of ID and country of issuance:**
Place of birth:**	Date of birth:** (mm/dd/yyyy)	Rank or title in organization listed in #5 (if "key individual"):**
Other names used (may include nicknames, pseudonyms not listed under "Name"):		Gender:
Current employer and job title:		Occupation:
Address of residence:		Citizenship(s):
Email:	Is the individual a U.S. citizen or legal permanent resident?** Yes ____ No ____	
E. Name (As in passport or other government-issued photo ID)**		Government-issued photo ID number, type of ID and country of issuance:**
Place of birth:**	Date of birth:** (mm/dd/yyyy)	Rank or title in organization listed in #5 (if "key individual"):**
Other names used (may include nicknames, pseudonyms not listed under "Name"):		Gender:
Current employer and job title:		Occupation:
Address of residence:		Citizenship(s):
Email:	Is the individual a U.S. citizen or legal permanent resident?** Yes ____ No ____	

PARTNER INFORMATION FORM INSTRUCTIONS AND NOTICES

Instructions

Part I

Question 1 – Self-explanatory

Question 2- Indicate the proposed type of assistance or mechanism to be utilized by placing a check mark on the line in front of the appropriate term

Question 3 – Enter the estimated amount of award of assistance in U.S. dollars and indicate the start and end date of the program using a mm/dd/yyyy format

Question 4 – Indicate the purpose of the award or assistance. Use additional sheets and attach to page one of the vetting form if necessary

Question 5 a-d – Self-explanatory

Question 6 - "Key individual" means (i) principal officers of the organization's governing body (e.g., chairman, vice chairman, treasurer and secretary of the board of directors or board of trustees); (ii) the principal officer and deputy principal officer of the organization (e.g., executive director, deputy director, president, vice president); (iii) the program manager or chief of party for the USG-financed program; and (iv) any other person with significant responsibilities for administration of the USG-financed activities or resources. Note that this definition differs from the definition of "key personnel" under contracts and cooperative agreements. Complete for each of these four categories or indicate "N/A" if a category does not apply.

Part II

An authorized representative of the Contractor/Grantee/Recipient must read the Certification and print his/her name where indicated, sign where indicated, print his/her title and the name of his/her organization where indicated, and print the date where indicated.

Part III

This section should be left blank. It will be completed by a USG official.

Notices

Privacy Act Statement

The following statement is required by the Privacy Act of 1974 (5 U.S.C. 522). Information in this form is used to conduct screening of individuals and entities as required by applicable U.S. laws and implementing procedures to ensure that USAID funds do not inadvertently provide support to entities or individuals associated with terrorism. Public Law 109-446 §3(b)(2), 18 U.S.C. 2339A, 2339B, 2339C, Executive Orders 13224 and 12947, applicable Homeland Security Presidential Directives and other legislative or executive branch prohibitions on providing support or resources to, or engaging in transactions with, individuals or entities associated with terrorism constitute the authority for collecting this information. In addition, the Foreign Assistance Act of 1961 as amended (22 U.S.C. 2151 et seq.) provides USAID with broad discretion in granting foreign assistance and permits USAID to consider a range of foreign policy and national security interests in determining how to provide foreign assistance.

Disclosure of the information provided on this form will be done in accordance with USAID's System of Records Notice concerning the Partner Vetting System (72FR136) which establishes the routine uses and Privacy Act exceptions which apply to this system.

ATTACHMENT B

SUGGESTED NOTICE LANGUAGE

[The language below is suggested for notices to prime award recipients about proposed subawards. Notices to prime awardees about themselves should be modified as appropriate.]

Notice of Eligibility

I am writing with regard to _____, which your organization has proposed to receive an award of USAID assistance. USAID has determined that _____ is eligible to receive such assistance. This determination will remain in effect for three years to _____.¹ However, USAID reserves the right to rescind this approval in the event that USAID becomes aware of information indicating that the award is contrary to U.S. law or policy prohibiting support for terrorism. Furthermore, a new request for approval will be required if your organization wishes to extend this award or make a new award to _____ more than 12 months after [INSERT DATE OF FINAL VETTING RESULT].

This approval does not relieve your organization of its legal obligation to comply with U.S. Executive Orders and U.S. law prohibiting transactions with, and the provision of resources and support to, individuals and organizations associated with terrorism.

As required by the terms of your contract/agreement with USAID, please promptly notify me in the event of any change in the identity of _____'s "key individuals." I request that you also notify me if there is a material change in the program or operations of _____, or any development that might cause USAID to reconsider _____'s eligibility.

Notice of Ineligibility

I am writing with regard to _____, which your organization has proposed to receive USAID assistance. After careful consideration, USAID has determined that _____ is not eligible to receive assistance funded by USAID. We encourage you to identify another candidate to receive the proposed assistance.

¹ This sentence can be removed if notice applies to direct beneficiaries vetted under Section V.A(4) of the Mission Order.

ATTACHMENT C

CERTIFICATION

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

1. The Recipient, to the best of its current knowledge, did not provide, within the previous ten years, and will take all reasonable steps to ensure that it does not and will not knowingly provide, material support or resources to any individual or entity that commits, attempts to commit, advocates, facilitates, or participates in terrorist acts, or has committed, attempted to commit, facilitated, or participated in terrorist acts, as that term is defined in paragraph 3.
2. The following steps may enable the Recipient to comply with its obligations under paragraph 1:
 - (a) Before providing any material support or resources to an individual or entity, the Recipient will verify that the individual or entity does not (i) appear on the master list of Specially Designated Nationals and Blocked Persons, which list is maintained by the U.S. Treasury's Office of Foreign Assets Control (OFAC) and is available online at OFAC's website: <http://www.treas.gov/offices/eotffc/ofac/sdn/t11sdn.pdf>, or (ii) is not included in any supplementary information concerning prohibited individuals or entities that may be provided by USAID to the Recipient.
 - (b) Before providing any material support or resources to an individual or entity, the Recipient also will verify that the individual or entity has not been designated by the United Nations Security Council (UNSC) sanctions committee established under UNSC Resolution 1267 (1999) (the "1267 Committee") [individuals and entities linked to the Taliban, Usama bin Laden, or the Al Qaida Organization]. To determine whether there has been a published designation of an individual or entity by the 1267 Committee, the Recipient should refer to the consolidated list available online at the Committee's website: <http://www.un.org/Docs/sc/committees/1267/1267ListEng.htm>.
 - (c) Before providing any material support or resources to an individual or entity, the Recipient will consider all information about that individual or entity of which it is aware and all public information that is reasonably available to it or of which it should be aware.
 - (d) The Recipient also will implement reasonable monitoring and oversight procedures to safeguard against assistance being diverted to support terrorist activity.
3. For purposes of this Certification –
 - (a) "Material support and resources" means currency or monetary instruments or financial securities, financial services, lodging, training, expert advice or assistance, safehouses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel, transportation, and other physical assets, except medicine or religious materials."
 - (b) "Terrorist act" means –
 - (i) an act prohibited pursuant to one of the 12 United Nations Conventions and Protocols related to terrorism (see UN terrorism conventions Internet site: <http://untreaty.un.org/English/Terrorism.asp>); or

- (ii) an act of premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents; or
- (iii) any other act intended to cause death or serious bodily injury to a civilian, or to any other person not taking an active part in hostilities in a situation of armed conflict, when the purpose of such act, by its nature or context, is to intimidate a population, or to compel a government or an international organization to do or to abstain from doing any act.
- (c) "Entity" means a partnership, association, corporation, or other organization, group or subgroup.
- (d) References in this Certification to the provision of material support and resources shall not be deemed to include the furnishing of USAID funds or USAID-financed commodities to the ultimate beneficiaries of USAID assistance, such as recipients of food, medical care, micro-enterprise loans, shelter, etc., unless the Recipient has reason to believe that one or more of these beneficiaries commits, attempts to commit, advocates, facilitates, or participates in terrorist acts, or has committed, attempted to commit, facilitated or participated in terrorist acts.
- (e) The Recipient's obligations under paragraph 1 are not applicable to the procurement of goods and/or services by the Recipient that are acquired in the ordinary course of business through contract or purchase, e.g., utilities, rents, office supplies, gasoline, etc., unless the Recipient has reason to believe that a vendor or supplier of such goods and services commits, attempts to commit, advocates, facilitates, or participates in terrorist acts, or has committed, attempted to commit, facilitated or participated in terrorist acts.

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

Signed: _____
(Typed Name and Title)
(Name of Organization)

Date

ATTACHMENT D

MANDATORY CLAUSE

Prohibition against Support for Terrorism

- (a) The Contractor/Recipient is reminded that U.S. Executive Orders and U.S. law prohibit transactions with, and the provision of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of the Contractor/Recipient to ensure compliance with these Executive Orders and laws.
- (b) One of the applicable orders is Executive Order 13224, dated September 24, 2001. The website of the Office of Foreign Assets Control (OFAC) of the Department of Treasury contains the text of that order and a list of the individuals and entities designated thereunder. It also contains lists of individuals and entities designated under other anti-terrorism statutes, regulations and Executive Orders. See <http://www.treasury.gov/offices/enforcement/ofac/sdn/>.
- (c) USAID reserves the right to review, and either approve or reject, the following subawards if proposed under this contract/agreement: (i) any contract or subcontract in excess of \$25,000 with a non-U.S. organization or individual; and (ii) any grant or subgrant to a non-U.S. organization or individual, regardless of the dollar value. Furthermore, the written consent of USAID is required before certain other forms of assistance may be provided to a non-U.S. organization or individual. These include in-kind assistance such as renovation of an NGO's facilities, repair or replacement of a company's equipment, and certain training activities. The details of these requirements are described in notices issued by USAID/West Bank & Gaza from time to time. No approval (or failure to disapprove) by USAID shall relieve the Contractor/Recipient of its legal obligation to comply with applicable Executive Orders and laws.
- (d) USAID reserves the right to rescind approval for a subaward in the event that USAID subsequently becomes aware of information indicating that the subaward is contrary to U.S. law or policy prohibiting support for terrorism. In such cases, USAID's Contracting Officer will provide written instructions to the Contractor/Recipient to terminate the subaward.
- (e) USAID reserves the right to terminate this contract/agreement if USAID determines that the Contractor/Recipient is involved in or advocates terrorist activity or has failed to comply with any of the requirements of this provision.
- (f) This provision, including this paragraph (f), shall be included in all contracts, subcontracts, grants and subgrants issued under this contract/agreement. The Contractor/Recipient shall promptly provide to USAID's Contracting/Agreement Officer a copy of the pages from each subaward that contain this provision.

[In addition to the clauses set forth above, the following clause shall appear in each award made directly by USAID and each subaward made by a USAID prime contractor or recipient.]

- (g) The Contractor/Recipient agrees to promptly notify USAID's Cognizant Technical Officer (CTO) in the event of any change in the identity of its "key individuals" or in the identity of "key individuals" of any recipient of a subaward described in paragraph (c). For purposes of this requirement, "key individuals" means (i) principal officers of the organization's governing body (e.g., chairman, vice chairman, treasurer and secretary of the board of

directors or board of trustees); (ii) the principal officer and deputy principal officer of the organization (e.g., executive director, deputy director, president, vice president); (iii) the program manager or chief of party for the USAID-financed program; and (iv) any other person with significant responsibilities for administration of USAID-financed activities or resources. Note that this definition differs from the definition of "key personnel" under contracts and cooperative agreements.

[In addition to the clauses set forth above, the following clause shall be included in any contract, grant or cooperative agreement awarded by USAID (i.e. USAID prime awards only).]

- (h) Before awarding any grant or similar instrument providing [cash or in-kind assistance under this contract][cash assistance under this agreement], the Contractor/Recipient shall (1) obtain from the proposed subawardee the certification required under USAID's Acquisition and Assistance Policy Determination 04-14 (AAPD 04-14), "Certification Regarding Terrorist Financing Implementation E.O. 13224 (Revision 2)," and (2) provide a copy of the certification to USAID's Agreement/Contracting Officer.

ATTACHMENT E

MANDATORY CLAUSE (UN GRANTS)

[This provision is applicable to grants to the United Nations or UN agencies. It supplements the standard provision entitled "Terrorist Financing Clause (UN Grants) (May 2003)".]

Prohibition against Support for Terrorism (UN Grants)

- (a) USAID reserves the right to review, and either approve or reject, the following subawards if proposed under this agreement: (i) any contract or subcontract in excess of \$25,000 with a non-U.S. organization or individual; and (ii) any grant or subgrant to a non-U.S. organization or individual, regardless of the dollar value. Furthermore, the written consent of USAID is required before certain other forms of assistance may be provided to a non-U.S. organization or individual. These include in-kind assistance such as renovation of an NGO's facilities, repair or replacement of a company's equipment, and certain training activities. The details of these requirements are described in notices issued by USAID/West Bank & Gaza from time to time. No approval (or failure to disapprove) by USAID shall relieve the Recipient of its legal obligation to comply with applicable laws and regulations.
- (b) USAID reserves the right to rescind approval for a subaward in the event that USAID subsequently becomes aware of information indicating that the subaward is contrary to U.S. law or policy prohibiting support for terrorism. In such cases, USAID's Agreement Officer will provide written instructions to the Recipient to terminate the subaward.
- (c) USAID reserves the right to terminate this agreement if USAID determines that the Recipient has failed to comply with any of the requirements of this provision.
- (d) This provision, including this paragraph (d), shall be included in all contracts, subcontracts and subgrants issued under this agreement. The Recipient shall promptly provide to USAID's Agreement Officer a copy of the pages from each subaward that contain this provision.

[In addition to the clauses set forth above, the following clause shall be included only in the UN grant awarded by USAID, and each subaward directly awarded by the UN recipient.]

- (e) The Grantee agrees to promptly notify USAID's Cognizant Technical Officer (CTO) in the event of any change in the identity of "key individuals" of any recipient of a subaward described in paragraph (a). For purposes of this requirement, "key individuals" means (i) principal officers of the organization's governing body (e.g., chairman, vice chairman, treasurer and secretary of the board of directors or board of trustees); (ii) the principal officer and deputy principal officer of the organization (e.g., executive director, deputy director, president, vice president); (iii) the program manager or chief of party for the USAID-financed program; and (iv) any other person with significant responsibilities for administration of USAID-financed activities or resources. Note that this definition differs from the definition of "key personnel" under contracts and cooperative agreements.

[In addition to the clauses set forth above, the following clause shall be included only in the UN grant awarded by USAID.]

- (f) Before awarding any grant or similar instrument providing cash assistance under this agreement, the Recipient shall (1) obtain from the proposed subawardee the certification

required under USAID's Acquisition and Assistance Policy Determination 04-14 (AAPD 04-14), "Certification Regarding Terrorist Financing Implementation E.O. 13224 (Revision 2)," and (2) provide a copy of the certification to USAID's Agreement Officer.

ATTACHMENT F

RESTRICTION ON FACILITY NAMES

- (a) No assistance shall be provided under this contract/agreement for any school, community center or other facility that is named after any person or group of persons that has advocated, sponsored or committed acts of terrorism. This includes any facility that has "shuhada" or "shaheed" ("martyr" or "martyrs") in its name, unless an exception is approved by the USAID Mission Director. In any case where assistance is proposed for a facility that is named after, or is planned to be named after, a person or group of persons, the Contractor/Recipient shall provide to USAID's cognizant technical officer (CTO) written information about the person(s) or group and shall not proceed with the assistance unless or until the CTO has provided written approval therefor. This restriction applies to all forms of cash or in-kind assistance, including construction services, equipment, supplies, technical assistance, and training.
- (b) In case of any failure to comply with this restriction, USAID may disallow any or all costs incurred by the Contractor/Recipient with respect to the facility and, if necessary, issue a bill for collection for the amount owed. This is in addition to any other remedies that may be available to USAID for such noncompliance.
- (c) This provision, including this paragraph (c), shall be included in all contracts, subcontracts, grants and subgrants issued under this contract/agreement. The Contractor/Recipient shall promptly provide to USAID's Contracting/Agreement Officer a copy of the pages from each subaward that contain this provision.