USAID | WEST BANK/GAZA
FROM THE AMERICAN PEOPLE

Subject: Request for Applications 294-2010-116 - USAID/West Bank and Gaza
Issuance Date: May 7, 2010
Deadline for Questions: Thursday, May 20, 2010, 16:00, Tel Aviv Time
Closing Date: Wednesday June 23, 2010, 16:00, Tel-Aviv Time

Subject: USAID/West Bank and Gaza Request for Applications (RFA) Number 294-2010-116: "Enhancing Palestinian Independent Media" program

Dear Prospective Applicants:

The United States Agency for International Development (USAID) Mission to the West Bank and Gaza is seeking applications from qualified U.S. Non-Governmental Organizations (NGOs), U.S. Private Voluntary Organizations (PVOs) registered with USAID, Public International Organizations (PIOs), or U.S. for profit firms (provided they forgo profit) to implement a program entitled **"Enhancing Palestinian Independent Media" program** in the West Bank and Gaza. The authority for the RFA is found in the Foreign Assistance Act of 1961, as amended.

Note for For-Profit Organizations: Pursuant to 22 CFR § 226.81, it is USAID's policy not to award profit under assistance instruments. However, other reasonable, allocable, and allowable expenses, both direct and indirect, which are related to the agreement program and are in accordance with applicable cost standards (22 CFR 226, OMB Circular A-122 for non-profit organizations, OMB Circular A-21 for universities and the Federal Acquisition Regulation Part 31 for for-profit organizations) may be paid under the anticipated award.

The successful Applicant will be responsible for ensuring achievement of the program objectives. Please refer to the Program Description in Section C of this RFA for a complete statement of goals and expected results.

Subject to the availability of funds, USAID/West Bank and Gaza intends to provide approximately $6 Million in total USAID funding for this activity to be allocated over a three-year period. USAID reserves the right to fund any or none of the applications submitted. Although it is planned to make an award of one Cooperative Agreement under this RFA, USAID/West Bank and Gaza in its discretion may make awards to more than one organization or no award.

In accordance with ADS 304.3.1 (b), the principal purpose of the relationship with the Applicant under the subject program is to transfer funds to accomplish a public purpose of support or stimulation, which is authorized by Federal statute. Substantial involvement is anticipated between USAID and the Applicant during the performance of the "**"Enhancing Palestinian Independent Media" program.** The vital need for creativity and flexibility in the implementation of the "**"Enhancing Palestinian Independent Media" program,** in addition to the fluid nature of the political environment, necessitates substantial involvement between USAID and the Applicant. Therefore, a Cooperative Agreement instrument will ensure adherence to USAID policies and regulations and improve the efficiency of implementation of the program.

For the purposes of this program, this RFA is being issued and consists of this cover letter and the following:

Section A – Instructions to Applicants
Section B – Evaluation Criteria
Section C – Program Description
Section D - Certifications and Assurances
Section E – Mandatory Standard Provisions
Section F – Other relevant award information
Section G – VAT Guidance

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

To be eligible for award, Applicants must provide all required information in their application, including the requirements found in any attachments to this Grants.Gov Opportunity. Applications that are submitted late, incomplete or are non-responsive will not be considered. Award will be made to the responsible Applicant whose application best meet the requirements of this RFA and the evaluation criteria contained herein.

The preferred method of distribution of USAID Requests for Application (RFA) is electronically via Grants.gov. This RFA 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 RFA 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 RFA.

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 applications be submitted both electronically (e-mailed) to WBG-OCM-Media@usaid.gov AND in hard copy as further detailed below no later than Wednesday, June 23, 2010, 16:00, Tel-Aviv Time.**

If you decide to submit an application, it must be received by the closing date and time indicated at the top of this cover letter at the place designated below for receipt of applications. Hard copies of the technical application and the cost application and modifications thereof shall be submitted in separate envelopes with the name and address of the Applicant as well as the RFA number and program title referenced above inscribed thereon, to:

By United States Mail	**OR**	**Delivery by DHL/FEDEX/Hand-carrying**
USAID/West Bank and Gaza c/o American Embassy 9700 Tel Aviv Place Washington DC 20521-9700 Attn: Mr. Roy Plucknett, Agreement Officer Office of Acquisition and Assistance		USAID/West Bank and Gaza c/o American Embassy Attn: Ms. Nevine Zakariya, Acquisition Specialist Office of Acquisition and Assistance 10th floor, 25 Hamered Street Tel Aviv, Israel
		OR
USAID c/o American Embassy Attn: Mr. Roy Plucknett, Agreement Officer Office of Acquisition and Assistance 71 Hayarkon Street, 63903 Tel Aviv, Israel		Applications sent via courier must be received by the due date mentioned above Loss or misdirected courier packages received after the due date will be considered as having been submitted late (See Section VI).

Mailed applications should be sent by certified mail and received no later than the closing date at the time and place specified above. The USPS post mark will determine timeliness. It is the Applicant's responsibility to ensure that all necessary documentation is complete and received on time. If the Applicant elects to hand carry applications for delivery he/she is encouraged to carry the application through to the Office of Acquisition and Assistance and not leave the application at the facility's front door as specified above.

Mailed applications should be sent by certified mail and received no later than the closing date at the time and place specified above. The USPS post mark will determine timeliness

Issuance of this RFA 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 Cooperative Agreement will not be made until funds have been fully appropriated, allocated, and committed through internal USAID procedures. While it is anticipated that these procedures will be successfully completed, potential Applicants are hereby notified of these requirements and conditions for award. Applications are submitted at the risk of the Applicant, and all preparation and submission costs are at the Applicant's own expense.

Applicants should take into account the expected delivery time required by the application transmission method they choose, and are responsible to ensure that applications are received at USAID by the due date and time specified above.

IMPORTANT: USAID requests that all questions regarding this RFA be submitted in writing to Ms. Nevine Zakariya, Acquisition and Assistance Specialist, via internet at WBG-OCM-Media@usaid.gov **no later than Thursday, May 20, 2010, 16:00 Tel Aviv Time**. Answers to all questions will be provided through an amendment to the RFA.

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

Thank you for your interest in USAID Programs.

Sincerely,

Roy Plucknett
Agreement Officer
USAID/West Bank and Gaza

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SECTION A – INSTRUCTIONS TO APPLICANTS

I. PREPARATION GUIDELINES

A. Points of Contact:

Nevine Zakariya, Acquisition and Assistance (A&A) Specialist
USAID/West Bank and Gaza
E-mail: WBG-OCM-Media@usaid.gov

B. Questions and Answers:

Any questions regarding this RFA should be submitted in writing to Ms. Nevine Zakariya, A&A Specialist via e-mail to the address above.

Questions regarding this RFA should be submitted no later than **Thursday, May 20, 2010, 16:00 Tel Aviv Time** to provide sufficient time to address the questions and incorporate the questions and answers as an amendment to this solicitation. Verbal explanations or instructions given before award will not be binding. Any information given to a prospective Applicant concerning this RFA will be furnished promptly to all other prospective Applicants as an amendment to this RFA, if that information is necessary in submitting applications or if the lack of it would be prejudicial to any other prospective Applicant.

C. Preparation of Applications:

a. Applicants are expected to review, understand, and comply with all aspects of this RFA. Failure to do so will be at the Applicant's risk.

b. Each Applicant shall furnish the information required by this RFA. The Applicant must sign the application form (SF-424 and SF-424A) and print or type its name on the Cover Page of the technical and cost applications. Erasures or other changes must be initialed by the person signing the application. Applications signed by an agent shall be accompanied by evidence of that agent's authority, unless that evidence has been previously furnished to the issuing office.

c. Applicants who include data that they do not want disclosed to the public for any purpose or used by the U.S. Government except for evaluation purpose, should:

   i. Mark the title page with the following legend:

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

ii. Mark each sheet of data it wished to restrict with the following legend:

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

d. Applicants should retain for their records one copy of the application and all enclosures which accompany it.

II. TECHNICAL APPLICATION FORMAT

The technical application will be the most important factor for consideration in selection for award of the proposed Cooperative Agreement. The technical application should be specific, complete and presented concisely. The application should demonstrate the Applicant's capabilities and expertise with respect to achieving the goals of this program. The application should take into account the technical evaluation criteria found in Section B.

The technical Application should be in English and not exceed 28 pages in length (Font 12 point/Times New Roman, single-spaced). Shorter applications are encouraged. Longer applications will be considered non-responsive and will not be reviewed. Detailed information should be presented only when required by specific RFA instructions.

The technical application shall include the followings sections:

1. **Cover Page**

   The Cover Page should include proposed program title, RFA number, name of Applicant organization(s) submitting application, contact person, telephone and fax numbers, e-mail, and address.

2. **Table of contents** that follows the technical application format outlined herein.

3. **Executive Summary**

   The Executive Summary should concisely describe how the Applicant proposes to meet the program requirements, what activities are proposed, and how the Applicant intends to achieve the anticipated results. It should also briefly mention personnel and technical/organizational resources, and describe how the program will be managed and monitored.

4. **Technical Approach:**

The technical approach must demonstrate an in-depth understanding of the development challenge in West Bank and Gaza and outline specific activities and explain how the proposed activities would help achieve the "Enhancing Palestinian Independent Media" program objectives.

Applicants should propose a flexible media development program that is able to adapt to the changing political environment. The technical approach should take into account ongoing or planned activities supported by the USG and by other donors and incorporate lessons learned from previous interventions as appropriate.

Applicants are encouraged to propose innovative yet realistic approaches that are most appropriate in the context of West Bank and Gaza. The technical approach must clearly address the factors outlined in the evaluation criteria in Section B of this RFA.

The Technical Approach should include the following:

a) Results Oriented Program Description (PD)

Applicants should follow the format for the "Results Oriented Program Description" as detailed in the following link which provides guidance, format and samples to follow as Applicants prepare the Results Oriented PD:
http://www.usaid.gov/pubs/sourcebook/usgov/write.html.

Applicants should describe how the proposed program components and activities in Section C will be realized and how the selected tasks will complement each other. Applicants should also describe how they propose to integrate the program's components to achieve the objectives of the program stated in this RFA. Applicants are also expected to define what they consider feasible to achieve within a three-year timeframe, with a $6 million total budget, given the current status of the Palestinian media sector and the political and socio-economic situation.

Applicants are recommended to present the following for each component:

- An overview of the proposed program components and their respective activities.
- A detailed outline of the methodology that will be used to implement the proposed interventions.
- An analysis of anticipated implementation challenges.
- A summary of expected outputs with their expected impact, using indicators that will be used to track progress towards the anticipated results.
- A detailed description of the methodology for the administration and management of sub-awards throughout this program, and how this approach will espouse the principles of transparency and competition.

The technical approach should demonstrate (1) analytical depth, clarity, and responsiveness to the RFA, (2) state-of-the-art technical knowledge, innovation and creativity, and (3) feasibility of proposed strategies and proposed impact. Within these general criteria, specific elements of the technical approach should address the following:

- What timing is envisaged for the actual launch of project activities?
- How will procurements be planned and undertaken?
- What quality assurance measures are being proposed?
- What efforts are made to control costs and improve efficiency throughout the program?
- What mechanisms are in place to avoid duplication with inputs/outputs from current and previous USAID-financed independent media support programs or with other donor programs?

b. Key Personnel and Staffing Plan

Applicants are expected to provide a proposed staffing plan that covers both key personnel (requiring USAID's approval) and support staff, documenting the underlying rationale regarding the staffing configuration. Brief position descriptions should be included. The staffing plan needs to be accompanied by an organizational chart demonstrating the lines of authority and staff responsibility (included in the page limit).

USAID/WBG expects that the Recipient of the award will maintain the minimum necessary full-time technical and support staff.

The staffing plan should highlight where the Applicant anticipates the involvement of technical experts on an ad hoc and/or short-term basis. It is recommended that Applicants highlight the mix of relevant skills that key personnel will bring to the program (since no one person will have all the technical skills necessary to implement this program, the key staff should have complementary skills to ensure a balance of technical and management expertise). Both local and international technical assistance will be drawn upon to support the objectives and components of this program. Applicants should emphasize the use of Palestinian expertise whenever possible. The staffing plan should explain how additional expertise and skill mix might be obtained while attending to the necessity of cost-containment and avoiding unnecessary staffing.

Special attention should be paid to the key personnel positions. Key personnel are those considered essential to the work being performed under this Agreement, and must be approved by USAID/WBG prior to their employment. Applicants must propose key personnel and specify the qualifications and abilities of proposed key personnel that are suited to successfully implement the proposed technical approach.

The proposed staffing plan must include the following key personnel positions:

- Chief of Party (COP)
- Deputy Chief of Party/ Senior Media Business Development Advisor
- Media Development Technical Advisor

- Senior Grants Manager
- Senior Financial and Compliance Manager

Applicants may propose and justify different titles and/or configuration for the proposed key personnel which USAID will consider. However, any configuration must include the required qualifications needed and intended job responsibilities of key personnel proposed, if the position is different from one listed above. Please refer to Section B of the RFA "Evaluation Criteria" for the required and desired qualifications and functions for the proposed key personnel.

USAID will entertain one expatriate under this program.

c. <u>Management Plan</u>

The Applicants should propose a management plan and describe how the proposed plan will contribute towards achieving the objectives and results described in the program description. The proposed plan should specifically state and justify the composition and organizational structure of the entire program team. It should also describe how the technical expertise and experience of all staff members is most conducive to achieving expected results of the "Enhancing Palestinian Independent Media" program. The plan should specify the role and estimated amount of time that each staff member will devote to the program and/or specific components within the program. Delineation of roles, responsibilities, authority, and processes for decision making within Applicant's in-country team and between the home office and the field must be spelled out clearly.

The focus is on how to efficiently and effectively use the human, technical, and organizational resources at hand. Among other things, USAID/WBG expects the Applicant to address the following issues:

- How will the Applicant mobilize in terms of personnel, logistics set-up, and establishment of management and financial control systems?

- To what degree will management authority devolve from the home office of the Applicant to the West Bank and Gaza office? USAID/WBG expects the program to be managed locally, with all management decisions, including financial decisions, and administrative responsibilities delegated to the main field office. The Recipient's home office is expected to provide managerial oversight and administrative backstop, and technical assistance as needed.

- Where will program field offices be located? USAID expects the Applicant to establish one office in the West Bank.

- To what degree will the operational and financial management structure, decision-making procedures and staffing pattern allow the program to (1) effectively coordinate implementation between the West Bank and Gaza as well as (2) ensure sufficient flexibility to respond to unpredictable restrictions in project implementation?

- Potential partners in the implementation of the award (if any) and the services to be provided by each partner Institution or organization (if any) as well as the type of contractual relationship shall be described. Applicants shall describe the process of identifying and supporting sub grantees, if any. Applicants must also specify the technical resources and expertise of proposed subcontract/sub Recipient organizations, if any as well as how will the Applicant ensure that each partnering organization, <u>if any</u>, contribute to the overall strategy and implementation and that the technical components and activities of the program will be integrated and coordinated?

- How sub-awards will be administered and monitored to support the work of program partners. These considerations may include, but are not limited to:

  - Different purposes of sub-awards (i.e., institutional support, equipment procurement, production technical assistance, network co-production grants, etc.).
  - Maximum number of sub-awards an individual entity may receive over the course of the program.
  - Whether extensions will be granted, and if so, according to what criteria.
  - Use of competition and transparency in award determination.
  - Whether a review board and selection committee will be utilized, and if so, who the members would be.
  - Whether cost share by sub-awardees would be encouraged, and if so how?
  - How support may or may not be given during the application phase of sub-awards to strengthen program concepts.

- How will the program work with local partners, other USAID programs, and other implementing organizations to achieve results? USAID/WBG places high value on the Applicant's ability to ensure that all program staff create and maintain effective working relationships with counterparts (i.e.: USAID, USAID-funded programs, and other donor organizations) and work in a collaborative and inclusive team oriented manner.

- To what extent will the "Enhancing Palestinian Independent Media" program have its own identity separate from the identity of the Applicant institution(s)?

- What type of strategies or approaches for cost containment will be adopted?

d. <u>Summary of relevant Past Performance</u> for which detailed references are to included in Annex d.

Applicants must provide evidence of pertinent past performance and clearly describe examples of successful development and implementation of programs similar to what is required under this RFA.

5. Annexes should include the following (Annexes do not count in the 28 page limitation):

a. A Mobilization Plan that identifies an implementation schedule which is feasible yet reflects a rapid mobilization and start-up. The mobilization plan must outline how the Applicant will get the activity underway and include a clear timeline.

b. A draft Implementation Plan for the first year of the program along with an outline for a three-year implementation plan covering the life of the program.

c. An illustrative Performance Monitoring and Evaluation Plan (PMP):

The PMP should identify appropriate milestones, gender sensitive indicators and targets (including sex disaggregated targets), as well as plans to gather and utilize baseline data. In addition, the PMP is expected to reflect concern for results and include proper impact indicators.

d. Relevant Past Performance Information (Recipient and Key Partner Organizations):

Applicants must provide evidence of their technical and managerial resources and expertise (or their ability to obtain such) in program management and their experience in addressing similar relevant programs and issues in the past.

The focus is on demonstrated technical capabilities and relevant past performance. Applicants should be demonstrated leaders in media development programs in developing countries. Applicants are expected to describe the blend of technical expertise that might be needed to achieve the objective of this program, and then provide specific examples of successful relevant activities that the Applicant has successfully implemented over the past three years.

Applicants should include a list of contracts, grants, and Cooperative Agreements that the Applicant has implemented involving similar and/or related programs over the past five years with governmental and/or other organizations (i.e.: commercial, governmental, and/or philanthropic).

If an organization is proposing to use partners (sub-grantees), it should provide the same information for partnering organizations that will be directly involved in program implementation. Special attention should be made to establish the relevance of past experience to this program and the basis for reliance upon that experience as an indicator of success for this program.

Applicants must demonstrate technical and managerial expertise that would directly benefit the "Enhancing Palestinian Independent Media" program implementation and

reflect comparative advantages in implementing the proposed activities.

Information in this section should include (but is not limited to) the following:

- Brief description of organizational history/expertise.
- Pertinent past experience and examples of accomplishments in implementing similar programs.
- Relevant experience with proposed approaches.
- Evidence of a successful record of implementing projects overseas, preferably in the Middle East.
- Institutional strength as represented by breadth and depth of experienced personnel in project-relevant disciplines/areas.
- Sub-Recipient or sub-contractor capabilities and expertise (if any).
- Proposed field management structure and financial controls.
- Home office backstopping and its purpose.
- Name and address of awarding organization or agency.
- Telephone number and email address of responsible representative from each organization or agency listed above.
- Contract/grant name and number (if any) for each project listed.
- Annual amount received for each of the five years for each award listed above.
- Term of each award listed above.
- Brief description of the each project/assistance activity listed above.
- Location of performance of services or program.
- Sub-Recipients/Partners (if any): Organizations may not possess all the skills required to achieve all the results identified in this RFA. Organizations are encouraged to enter into partnerships with other non-profit and/or for-profit organizations as sub-Recipients or contractors to supplement skills. Applicants that propose to utilize other implementing partners shall indicate the extent intended, the method of identifying them and the tasks/functions they will be performing. Applicants shall state whether or not they have existing relationships with proposed partner organizations and the nature of the relationship (i.e.: sub-grantee, subcontractor, partnership etc). Applicants must specify the technical resources and expertise of proposed partner organizations.

USAID will contact past performance references. USAID/WBG reserves the right to obtain information for use in the evaluation of past performance from any and all sources inside or outside the Government.

e. Resumes for Key Personnel

This section should include resumes for all key personnel candidates and any other personnel proposed for significant positions. Resumes may not exceed three pages in length and shall be in chronological order starting with most recent experience. Each resume for the proposed key personnel positions shall be accompanied by a signed Letter of Commitment from each candidate indicating his/her: (a) availability to serve in the stated position, in terms of days after award; (b) intention to serve for a stated term of the service; and (c) agreement to the compensation levels which correspond to the levels set forth in the cost application.

Resumes for key personnel should include at least three references for each proposed key position, including up-to-date telephone numbers and e-mail contact information.

Please note that documentation that reflects an "exclusive" relationship between an individual and an Applicant is **not requested and should not be submitted.**

6. Marking Plan and Branding Strategy under Assistance Instruments

USAID's mandatory branding/marking requirements became effective on January 2, 2006. The Applicant may review and download the regulations, guidance, and graphics at www.usaid.gov/branding. Applicants selected for award will be required to provide a "Branding Strategy" and a "Marking Plan" for review and inclusion in the final award by the Agreement· Officer pursuant to ADS 320 and 22 CFR 226.91. See Section E for the full text of the Branding and Marking provisions under Assistance Instruments.

III. COST APPLICATION FORMAT

The Cost or Business Application is to be submitted under separate cover from the technical application. The cost/business application is also to be submitted on CD in Microsoft Excel 2000 or Excel 2003. The Applicant is requested to submit a budget for each program year with an accompanying detailed budget narrative (in Word 2000 or Word 2003 text accessible) which provides in detail the total costs for implementation of the program as further detailed below.

Certain documents are required to be submitted by an Applicant in order for the Agreement Officer to make a determination of responsibility. However, it is USAID policy not to burden Applicants with undue reporting requirements if that information is readily available through other sources. There is no page limitation on the Cost Application. However, unnecessarily elaborate brochures or other presentations beyond those sufficient to present a complete and effective application in response to this RFA are not desired and may be construed as an indication of the prospective Applicant's lack of cost consciousness. Elaborate art work, expensive paper and bindings, and expensive visual and other presentation aids are neither necessary nor wanted.

If the Applicant has established a consortium or another legal relationship among its partners, the Cost/Business application must include a copy of the legal relationship between the parties. The agreement should include a full discussion of the relationship between the Applicant and Sub-Applicant(s) including identification of the Applicant with which USAID will treat for purposes of Agreement administration, identity of the Applicant which will have accounting responsibility, how Agreement effort will be allocated and the express agreement of the principals thereto to be held jointly and severely liable for the acts or omissions of the other.

The following sections describe the documentation that Applicants for an assistance award must submit to USAID/West Bank and Gaza prior to award. While there is no page limit for this portion, Applicants are encouraged to be as concise as possible, but still provide the necessary detail to address the following:

1. The budget must have an accompanying detailed budget narrative and justification that provides in detail the total program amount for implementation of the program your organization is proposing. The budget narrative should provide information regarding the basis of estimate for each line item, including reference to sources used to substantiate the cost estimate (e.g. organization's policy, payroll document, vendor quotes, etc.).

2. A budget for each program year with an accompanying detailed budget narrative which provides in detail the total costs for implementation of the program. The budget must be submitted using Standard Form 424 and 424A which can be downloaded from the following web site at:

   http://www.grants.gov/agencies/aapproved standard forms.jsp#1

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

4. Cost Sharing**:** Cost sharing is encouraged but not required under this RFA. However, if cost share is proposed, the Applicants should estimate the amount of cost-sharing resources to be mobilized over the life of the agreement and specify the sources of such resources, and the basis of calculation in the budget narrative. Applicants should also provide a breakdown of the cost share (financial and in-kind contributions) of all organizations involved in implementing this Cooperative Agreement.

5. Costs associated with external, expatriate technical assistance and those associated with local in-country technical assistance.

6. The cost application must outline the roles and responsibilities of project staff vis-à-vis budgeting, monitoring, and reporting on the financial status of the project. How the program will track costs incurred, including costs for labor, equipment, supplies, and facilities must also be described. Applicants who intend to utilize sub-contractors or sub-Recipients should indicate the extent intended and a complete cost breakdown. Extensive sub-contracts/agreement financial plans should follow the same cost format as submitted by the primary Applicant. A breakdown of all costs according to each partner organization, sub-contract or sub/grantee involved in the program should be provided as well.

7. Potential contributions of non-USAID or private donors to this Cooperative Agreement.

8. Procurement plan for commodities.

9. The cost/business application should contain the following budget categories:

a. Direct Labor: Direct salaries, wages and annual increases for all personnel proposed under the application shall be in accordance with the Applicant's established personnel policies. To be considered adequate, the policies must be in writing, applicable to all employees of the organization, is subject to review and approval at a high enough organizational level to assure its uniform enforcement, and result in costs which are reasonable and allowable in accordance with applicable cost principles. The narrative should include a level of effort analysis specifying personnel, rate of compensation, and amount of time proposed. Anticipated salary increases during the period of the agreement should be included.

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

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

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

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

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

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

<u>h.</u> <u>Organizational Information</u>: Applicants are also required to provide the following organizational information:

- Type of Organization.
- The name and title of individuals authorized to sign the Cooperative Agreement.
- Taxpayer Identification Number (TIN).
- Data Universal Numbering System (DUNS) Number.
- Letter of Credit (LOC) Number, if applicable.
- Estimated costs of communications products that are anticipated under the Cooperative Agreement.

10. A current Negotiated Indirect Cost Rate Agreement (NICRA) if your organization has such an agreement with an agency or department of the U.S. Government.

11. Required assurances, certifications and representations in Section D.

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

a. Has adequate financial resources or the ability to obtain such resources as required during the performance of the award.

b. Has the ability to comply with the award conditions, taking into account all existing and currently prospective commitments of the Applicant, nongovernmental and governmental.

c. 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.

d. Has a satisfactory record of integrity and business ethics.

e. Is otherwise qualified and eligible to receive a Cooperative Agreement under applicable laws and regulations (e.g., EEO).

13. Applicants that have never received a grant, cooperative agreement or contract from the U.S. Government are required to submit a copy of their accounting manual.

14. Certificate of Compliance: Please submit a copy of your Certificate of Compliance if your organization's systems have been certified by USAID/Washington's Office of Acquisition and Assistance (M/OAA, formerly known as M/OP).

IV. 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.

V. 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 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:

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

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.

VI. APPLICATION SUBMISSION PROCEDURES

Applicants may upload applications to http://www.grants.gov. Additionally, a separate electronic (e-mail) **AND** a hard copy submission are still required by USAID/West Bank and Gaza. All applications received by the submission deadline will be reviewed for responsiveness to the specifications outlined in these guidelines and the application format. No addition or modifications will be accepted after the submission date.

1. Submission of Hard Copy Applications

Hard copies of applications and modifications thereof shall be submitted in **sealed envelopes or packages** (1) addressed to the office specified in the cover letter above, and (2) showing the date and time specified for receipt (i.e., the due date and time), the RFA number, and the name and address of the Applicant.

Applications submitted via courier service or mail, shall be submitted in two separate parts and delivered in two separate envelopes: (a) technical and (b) cost or business application. The hard copy technical application shall consist of one original and four copies. The cost or business application shall consist of one original and two copies. Applications shall be submitted with the name and address of the Applicant and RFA number (referenced *above)* inscribed thereon.

Faxed applications are not acceptable.

Please be advised that in the past, some firms have experienced delays with international air courier services. Applications received after the closing date and time will be processed as late. Also, if you utilize the services of an independent agent in Israel or the West Bank and Gaza to deliver your application, please be certain that he/she understands that additional time may be needed to allow for security review of any packages, and the closing date and time are firm.

Note: Delivery to the air courier representative does not constitute meeting the statutory requirement that applications are received on time at the designated office. For purposes of recording the official receipt of applications, the date/time stamp of the Office of the Acquisition and Assistance at USAID/West Bank and Gaza will govern.

2. Submission of Electronic Applications:

Applications may be uploaded to http://www.grants.gov; however, separately submitted applications, by e-mail AND in hard copy, are still required by USAID/West Bank and Gaza. USAID/West Bank and Gaza bears no responsibility for data errors resulting from transmission or conversion processes associated with electronic submissions.

Applications shall be submitted with the name and address of the Applicant and the RFA number (referenced above) inscribed thereon, to Ms. Nevine Zakariya, A&A Specialist, via email to WBG-OCM-Media@usaid.gov. For electronic submissions, your organization must ensure that the applications are received at USAID/West Bank and Gaza in their entirety. No addition or modifications will be accepted after the submission date. E-mail attachments should be formatted in Microsoft Word and/or Microsoft Excel format with **3 MB limit** per e-mail. Please convert your documents to one of these formats before sending them to USAID/West Bank and Gaza, or provide scanned copies of pages if they include signatures or forms. USAlD/West Bank and Gaza cannot accept .zip files, as they will be blocked by USAID's firewall.

In addition to the aforementioned guidelines, the Applicant is requested to take note of the following:

i. Applications submitted electronically must be in either Microsoft Word (for narrative text) or Excel (for tables and budgets – formulas should not be locked), unless you are providing scanned copies of pages that include signatures or forms.

ii. After you have sent your applications electronically, please immediately check your own email to confirm that the attachments you intended to send were indeed sent. If you discover an error in your transmission, please send the material again and note in the subject line of the email or indicate in the file name if submitted via grants.gov that it is a "corrected" submission.

iii. Please do not send the same email more than once unless there has been a change, and if so, please note that it is a "corrected" email.

iv. If you send your application by multiple emails, please indicate in the subject line of the email whether the email relates to the technical or cost application, and the desired sequence of multiple emails (if more than one is sent) and of attachments (e.g. "no. 1 of 4", etc.). For example, if your cost application is being sent in two emails, the first email should have a subject line which says: "[organization name], Cost Application, Part 1 of 2".

Our preference is that the technical application and the cost application be submitted as single email attachments, e.g. that you consolidate the various parts of a technical application into a single document before sending them. If this is not possible, please provide instructions on how to collate the attachments. USAID/West Bank and Gaza will not be responsible for errors in compiling electronic applications if no instructions are provided or are unclear.

3. Receipt of Applications:

Applications must be received at the place designated and by the date and time specified in the cover letter of this RFA. Applications which are submitted late or are incomplete run the risk of not being considered in the review process. Late applications will be considered for award if, in the sole discretion of the Agreement Officer, it is determined that it is in the U.S. Government's interest and if the evaluation process has not yet commenced.

The Applicant must ensure that applications sent electronically are received at USAID/West Bank and Gaza in their entirety. Applicants shall confirm with Ms. Nevine Zakariya that their electronic submissions (either via grants.gov or via email) were successfully received at USAID/West Bank and Gaza by the required due date.

VII. SPECIAL AWARD CONSIDERATIONS

1. Approval of a Grants Manual to be submitted within 90 days from the award date.

2. Any activity (ies) anticipated in Gaza requires USAID’s prior written approval.

3. Approval of Procurements for Gaza Interventions**.** Given the political and security environment in Gaza, the Recipient must receive USAID’s prior approval on all procurements in Gaza as indicated in USAID West Bank and Gaza mission contractor and grantee notice 2010-WBG-08. This approval is required for all sub-awards as well.

4. Dissemination of any press releases or success stories are subject to the AOTR’s prior clearance and written approval.

VIII. SPECIAL MANDATORY PROVISIONS

1. PROHIBITION AGAINST SUPPORT FOR TERRORISM

(a) The 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 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 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 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 Agreement Officer will provide written instructions to the Recipient to terminate the subaward.

(e) USAID reserves the right to terminate this agreement if USAID determines that the 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 agreement. Upon request, 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 appear in each award made directly by USAID and each subaward made by a USAID prime contractor or Recipient.]

(g) The Recipient agrees to promptly notify USAID's Agreement Officer Technical Representative (AOTR) 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 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.

2. 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. Upon request, the Recipient shall promptly provide to USAID's Agreement Officer a copy of the pages from each subaward that contains this provision.

3. RESTRICTION ON FACILITY NAMES

(a) No assistance shall be provided under this 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 Recipient shall provide to USAID's Agreement Officer Technical Representative (AOTR) written information about the person(s) or group and shall not proceed with the assistance unless or until the AOTR 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 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 agreement. Upon request, the Recipient shall promptly provide to USAID's Agreement Officer a copy of the pages from each subaward that contain this provision.

4. GEOGRAPHIC MANAGEMENT INFORMATION SYSTEM (GEO-MIS)

In support of USAID/WBG's Geo-MIS initiative, the Recipient will report and provide Geo-MIS related information on all USAID-funded activities.

a. An initial Geo-MIS report shall be submitted within 30 days from approval of the Implementation Plan with follow-on reports following every thirty (30) days (monthly) thereafter. Those monthly reports shall be submitted via e-mail to the AOTR and Geo-MIS manager; and include a summary of actions taken by the Recipient in regard to data entry and updates in the Geo-MIS system over the internet, and a list of Geo-MIS activities added, updated or closed.

b. Recipient regular quarterly reports/annual reports shall include a section on Geo-MIS actions taken in that period as well as a list of activities added, updated or closed.

c. The Final Report will reflect that all activities have been fully Geo-MIS reported. Close out actions will not be concluded until such reporting has been completed. Geo-MIS reporting shall be submitted through the internet application available at your office via accessing the Mission Geo-MIS domain URL: www.usaidgiswbg.com

d. The Recipient is required to report activity related fields of data and list of output indicators on monthly basis, and program related fields/narratives, PMP indicators and OP indicators on quarterly basis.[1];

e. Details as to the reporting form and format are published at URL: www.usaidgiswbg.com. Registration for access to and questions regarding the use of the Geo-MIS web site and reporting are to be directed to USAID/WBG/PPDO and the AOTR. The AOTR will arrange for Geo-MIS training, lead the PMP development efforts and data quality assessments/verifications of Geo-MIS data.

1 PMP: Performance Management Plan; OP: Operational Plan.

f. The Recipient staff will be provided Geo-MIS training by USAID/WBG/PPDO, This training will be directed toward basic functions of the Geo-MIS and enabling the Recipient to report its work through the system and to use it as a Management Information System (MIS tool) including how to add/update and verify activities and program related info on a monthly and quarterly basis. The Recipient will appoint a member of its staff for training, as responsible for executing the Geo-MIS reports, to serve as liaison with USAID, and participate in GIS working groups."

5. 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.

6. 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 Grantee 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 Grantee when and if all AID regulations for proceeding with capital assistance have been met.

7. 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.

8. 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 Grantee and by non-local sub grantees 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 directly.

The Grantee 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 Grantee to obtain zero percent (0%) VAT status from the PA. The Grantee 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 Grantee 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 Grantee is responsible for ensuring that sub grantees or subcontractors comply with this requirement. All VAT claims for the sub grantees and subcontractors shall be submitted to USAID through Grantee. *(Please refer to VAT Guidance dated April 2, 2003 issued to USAID WBG Contractors and Grantees - see Section G*). Receipts for sub grantees and subcontractors must be addressed to the project name /Grantee to enable USAID to claim refunds.

Grantees 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 Grantees which were allowed as award costs, should be credited either as a cost reduction or cash refund, as appropriate, to USAID.

"Non-local sub grantees and subcontractors" means sub grantees 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."

9. 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 Section G and contain:

(i) Grantee 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 Grantee 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 Grantee did not pay any taxes during the report period.

(viii) Cumulative reports may be provided if the Grantee 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:
email attachment (preferred): 579vat@usaid.gov or fax to 972-3-511-4888, attention Mr. 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 .

[END OF SECTION A]

SECTION B - EVALUATION CRITERIA

The criteria presented below have been tailored to the requirements of the "Enhancing the Role of Independent Media Program in the Future State of Palestine" solicitation. 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 are requested to organize the narrative sections of technical applications according to the technical application format (Section A) in the Instructions to Applicant and the evaluation criteria set forth below.

The technical applications will be evaluated in accordance with the Technical Evaluation Criteria set forth below. Cost applications will be evaluated for general reasonableness, cost realism, allowability, and allocability.

Upon completion of its review of applications, USAID may, as it deems necessary and appropriate, conduct written and/or oral discussions with those Applicants whose applications remain in the competitive range. To the extent necessary, USAID may also request clarification and supplemental materials from Applicants whose applications have a reasonable chance of being selected for award. The decision to conduct such discussions should not be considered a reflection of a final decision about which organizations will receive an award, but rather would be part of the evaluation process. Award will be made to responsible Applicant whose application offer the greatest value, cost and other factors considered.

The criteria listed below are presented by major category, so that Applicants will know which areas require emphasis in the preparation of the technical application. The selection will be based upon the following factors. To be selected for the award, the application must contain, at a minimum, these elements. The maximum point value that can be awarded in evaluating each element is provided below.

I. TECHNICAL EVALUATION

Technical evaluation of applications will in accordance with the following criteria:

1. Technical Approach (maximum points = 35)

The application reflects excellent understanding of the overall program description, including the objectives, activities and tools involved, and it demonstrates an ability to apply evidence-based best practices and techniques to reach clearly defined and feasible results. Evaluations and scoring will specifically weigh and recognize those applications which demonstrate innovativeness, cohesion and synergy.

The technical application should clearly demonstrate the following essential elements:

- Soundness of strategies to be adopted and clear articulation of technical tools.
- Innovative approach, ideas and strategies to achieve the results of the program.

- Clear articulation of results to be achieved - both in terms of performance (i.e.: outputs) and impact - that are feasible within a given timeframe.

- Clear articulation of the relationship between proposed budget allocation and the achievement of overall program results.

- Clear articulation and effective integration of a flexible management approach to allow the program to adjust and respond to, as needed, unforeseen circumstances and/or developments.

- Clear articulation and effective integration of monitoring & evaluation (M&E) activities into project implementation and use of M&E information to inform and guide future implementation decisions.

- Demonstrates the ability to coordinate with USAID implementation partners to meet program objectives.

2. <u>Management Capacity (Maximum points = 25)</u>:

The Management Capacity Plan shall present the following:

- An efficient and logical management structure for overall implementation of the program, including (a) a clear delegation of authority of overall management from headquarters to the field, (b) a logical and efficient management structure as well as (c) a physical set up that will facilitate implementation both in West Bank and in Gaza.

- Demonstrated understanding of the necessity of local partnerships and coordination with other projects and stakeholders. The Applicant should describe how the program will coordinate with other projects and stakeholders to ensure complementarily of activities and avoidance of duplications.

- Clear articulation of how the Applicant will divide labor, responsibilities and funding, while demonstrating unity with any sub-awardees to manage and implement the project activities. Preference will be given to Applicants with the technical and managerial capabilities to perform a greater part of the work as described in the Program Description (Section C) on their own without having to rely on several, if any, sub-awardee(s).

- Organization: The extent to which the proposed management structure and approach will ensure program effectiveness and efficiency in achieving maximum benefits and results. The Management Plan must consist of a clear and concise description of how internal management plans, organizational structures, lines of communication and authority, and partnerships are conducive to effective project implementation.

- Aptitudes and Effort: the composition and organizational structure of the entire program team must be justified. The roles and estimated Level of Effort (LOE) for each staff member must also be clearly explained. Applicants should also explain how the sum of technical expertise and experiences of all staff members is compatible with the technical and operational strategies of the "Enhancing Palestinian Independent Media" program.

- Operational Capacity: As indicated by 1) appropriate systems to manage and integrate activities of the various objectives of the program; 2) capacity for rapid deployments; and 3) level of in-country and field presence proportionate to the activities proposed and consistent with the Program objectives.

3. Key Personnel (Maximum points=20)

The application demonstrates that proposed key personnel (individually and as a whole) have the breadth and depth of background (education and experience), expertise and skills in management and implementation of similar development programs in comparable environments, and exemplary diplomatic and interpersonal skills.

Proposed qualifications and functions for key personnel must include the following:

a. Chief of Party

The Chief of Party (COP) is responsible for overall program management and will be expected to interact regularly with program staff, USAID Mission staff, media outlet partners, PA officials, other donors, and all program stakeholders.

<u>Required qualifications include</u>:

- ➢ Master's degree in media studies, communications, business, international development, and/or other related field is required.

- ➢ An ability to work constructively with a diverse range of actors and to accommodate divergent interests and agendas is required. Candidates must be able to establish and maintain excellent contacts with local media, civil society organizations, media institutes, Palestinian government officials at the national and local level, other donors and diplomatic missions.

- ➢ Relevant professional experience managing and implementing successful, multi-year development projects in the area of media development is required.

- ➢ Previous work experience in WBG or the Middle East region is required.

- ➢ English proficiency is required.

- ➢ References for the last three years of work experience are required and will be verified.

Desired qualifications include:

- Minimum of 12 years work experience in the above-mentioned or related fields (including solid experience in media development including legal framework and enabling environment issues, media networks, financial management and organizational sustainability for media outlets) is strongly desired.
- At least seven years experience in managing a professional and administrative staff adeptly and coordinating with partner and donor organizations is strongly desired.
- Familiarity with international donors' procedures and regulations is desired.
- Knowledge of Arabic language ability is desired.

b. Deputy Chief of Party/Senior Media Business Development Advisor

The Deputy Chief of Party (DCOP) will work closely with the COP in overseeing program operations. The DCOP will also be responsible for the technical direction and oversight of the business development component for the partner media outlets and networks. S/he will be expected to interact regularly with program and Mission staff, as well as with media outlet partners and all stakeholders to the program.

Required qualifications include:

- A Master's degree in media studies, business administration, finance and/or related fields is required.
- English and Arabic language proficiency are both required.
- References for the last three years of work experience are required and will be verified.

Desired qualifications include:

- At least ten years of experience in the above-mentioned or related fields including experience in business development in the television and radio broadcast sector and program monitoring and evaluation of business development programs is strongly desired.
- Knowledge of the Middle East region, particularly of the West Bank and Gaza is strongly desired.

c. Media Development Technical Advisor

The Media Development Technical Advisor will be responsible for the provision and oversight of technical direction and assistance in support of improved performance and professionalism of independent media, particularly private broadcast media.

Required qualifications include:

- A university degree in media development, journalism, or related fields is required.
- English and Arabic language proficiency are both required.
- References for the last three years of work experience are required and will be verified.

Desired Qualifications include:

- At least seven years of experience in media development, such as training and capacity building for journalists and broadcast production skills is strongly desired.
- Knowledge of democracy and governance issues in Palestine is strongly desired.

d. Grants Manager

The Grants Manager will be responsible for the management and oversight of the all grants under the different components of the media development program.

Required qualifications include:

- A university degree in international development, finance, business administration or related fields is required.
- English and Arabic language proficiency are both required.
- References for the last three years of work experience are required and will be verified.

Desired qualifications include:

- At least seven years of experience in administering grants in an international development program, including experience in grants design, negotiation, and administration of media related grants is desired.
- Knowledge of the Middle East region and particularly of the West Bank and Gaza is strongly desired.

- A thorough knowledge and experience in grants administration, contracting and procurement regulations is strongly desired.

e. Financial and Compliance Manager

The Financial and Compliance Manager will be responsible for all financial and compliance issues related to the program.

Required qualifications include:

- A university degree in finance, business administration, or another related field is required.
- References for the last three years of work experience are required and will be verified.
- Demonstrated organizational ability is required.
- English and Arabic language proficiency are both required.

Desired qualifications include:

- At least five years of work experience in financial management is strongly desired.
- Sound experience and knowledge of donors' regulations, policies and procedures are strongly desired.

4. Past Performance and Institutional Capability (Maximum points = 20):

Past performance will take into consideration the information provided by the Applicants under "Annex d - Relevant Past Performance Information (Recipient and Key Partner Organizations)" the Technical Application as specified above.

- Past performance must demonstrate experience and performance of the primary Applicant (as well as any partners substantially involved in implementation) in managing and implementing similar or related donor funded programs.
- Past Performance must demonstrate the Applicant's capability to plan, implement, monitor, and report on similar media development programs as well as performance in methodological and technical capacity to achieve the results described in this RFA.
- The Applicant's past performance must demonstrate clear organizational relationships with a record of partnership-building, managerial adaptability, team-building, and communications skills.
- Demonstrated familiarity with the situation in the region is highly desired.

USAID reserves the right to obtain past performance information from other sources including those not named in the application.

II. COST EVALUATION:

Cost has not been assigned a weight but will be evaluated for realism, reasonableness, allowability, allocability, and cost effectiveness. Applications that have more efficient operational systems that reduce operation costs will be more favorably considered. As technical scores converge, applications that maximize direct activity costs -- including cost sharing -- and that minimize administrative costs will be more favorably considered. Other considerations are the completeness of the application adequacy of budget detail and consistency with elements of the technical application. In addition, the organization must demonstrate adequate financial management capability, to be measured by a responsibility determination. While cost may be a determining factor in the final decision of an awardee, especially between closely ranked Applicants, the technical merit of applications is significantly more important under this RFA.

III. COST SHARING:

Although there is no requirement that Applicants propose a specific cost share, USAID policy is that cost sharing is an important element of the USAID-Recipient relationship. USAID/West Bank and Gaza encourages Applicants to demonstrate their commitment to program success by addressing the issue of cost-sharing. The amount of cost sharing, i.e. cash and/or in-kind contributions, will be evaluated in accordance with 22 CFR 226.23.

IV. AWARD AND ADMINISTRATION INFORMATION

1. Award: The Government anticipate awarding one Cooperative Agreement resulting from this RFA to the responsible Applicant whose application conforms to the requirements of this RFA (see also Section B of this RFA for evaluation criteria) and offers the greatest value to the Government. The Government may (a) reject any or all applications, (b) accept other than the lowest cost application, (c) accept more than one application, (d) accept alternate applications, and (e) waive informalities and minor irregularities in applications received.

2. The Government may make an award on the basis of initial applications received, without discussions. Therefore, each initial application should contain the Applicant's best terms from a technical and cost standpoint.

Award will be made to the Applicant whose application offers the greatest value to the Government. Greatest value is defined as the expected outcome of a procurement that, in the Government's estimation, provides the greatest overall benefit in response to the requirement.

For this RFA, technical application merits are considered significantly more important than cost relative to deciding which Applicant best might perform the work. Cost realism and reasonableness will however be important criteria and may be the determining factor in the event

that the applications receiving the highest ratings are closely ranked. Therefore, after the final evaluation of the applications, the Agreement Officer will make the award to the Applicant whose application offers the greatest value to the Government considering both technical and cost factors.

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

4. Award Administration: For U.S. organizations, the prospective award will be administered in accordance with 22 CFR 226, OMB Circulars and the Standard Provisions for U.S. Non-governmental Recipients.

5. Program Income: Program income is not expected to be generated by the Recipient implementing the Cooperative Agreement. However, any program income that is generated under the resulting award shall be in accordance with 22 CFR 226.24 and shall account for Program Income earned under this award shall be added to the project as follows:

In accordance with 22 CFR 226.24 (b) "Except as provided in paragraph (h) of this section, program income earned during the project period shall be retained by the recipient and, in accordance with USAID regulations, other implementing guidance, or the terms and conditions of the award, shall be used in the following way:

(1) Added to funds committed by USAID and the recipient to the project or program, and used to further eligible project or program objectives."

V. Rating Methodology

A Technical Evaluation Committee (TEC) will review all applications received in response to the subject RFA. The TEC will score applications and rank them in accordance with a pre-determined set of criteria and a scoring system.

Applications for the activity will be evaluated based on numerical ranking for overall application and each section of the application, respectively. The following criteria and scoring system be used by the TEC in assessing the criteria set forth:

<u>91-100 points</u>: The application fully meets the RFA's requirements and the expectations of USAID. The Applicant has convincingly demonstrated that the requirements have been

analyzed, evaluated, and should result in an outstanding, effective, efficient, and economical performance.

81-90 points**:** The application demonstrates a level of effort that substantially meets the RFA's requirements and the expectations of USAID. The application specified performance or capability requirements necessary for acceptable performance and could produce results which should prove to be substantially beneficial.

71-80 points**:** The application does not meet some specified performance or capability requirements necessary for acceptable performance, but inadequacies are correctable. The application demonstrates good understanding and ability to fulfill the requirements and weaknesses should not seriously affect the Applicant's performance if measures are taken to correct them.

0-70 points**:** The application fails to meet specified minimum performance and capability requirements and contains major deficiencies. It is incomplete and vague and deficiencies are uncorrectable without a major revision of the application. Applications scoring within this range will not be considered for award.

The following technical evaluation criteria are listed in descending order of importance:

1. Technical Approach	35 points
2. Management Capacity	25 points
3. Key Personnel	20 points
4. Past Performance and Institutional Capability	20 points
Total Technical Evaluation	100 points

VI. Branding Strategy and Marking Plan

In accordance with ADS 303.3.6.3.f and 22 CFR 226.91, the apparent successful Applicant must submit a Branding Strategy and a Marking Plan for evaluation and approval by the Agreement Officer before an award under this solicitation will be made.

[End of Section B]

SECTION C - PROGRAM DESCRIPTION

"ENHANCING PALESTINIAN INDEPENDENT MEDIA" PROGRAM

I. PURPOSE AND OBJECTIVES

The overarching goal of the media program entitled "Enhancing Palestinian Independent Media" program" is to promote informed dialogue between the Palestinian Authority and the Palestinian public by enhancing the role of independent media in a future democratic state.

The two major program objectives are:

1. To foster sound business management practices and to improve the financial viability of targeted independent media networks and outlets.

2. To increase the number of viewers and listeners to targeted programs coming from independent media networks and outlets.

This activity will support the USAID/WBG's Mission's Assistance Strategic Objective 11: "To reinforce Palestinian efforts to strengthen the performance and democratic practices of selected public sector institutions and non-state actors" as outlined in the Mission's new democracy and governance strategy. The program will be managed by USAID/WBG's Democracy and Governance Office.

II. BACKGROUND

A. Overview

Today, most Palestinians in the West Bank and Gaza get their news from sources that are either foreign or are affiliated with Palestinian political movements. Perhaps the best known television channels are those of Al Jazeera and Al Arabiya, which are based outside of the Palestinian Territories. In addition, the primary local channels are dominated by the main political parties (Al-Aqsa and Al-Quds are satellite channels funded by Hamas, and the Palestinian Broadcasting Corporation is strongly affiliated with Fateh). Although many Palestinians also listen to the news broadcast by local radio stations, these stations' overall access to quality news programming is insufficient to allow them to provide a viable alternative to the politically biased and polarized perspectives conveyed by their larger media competitors.

USAID's most recent program, the Independent Media Development Program, known locally as "Aswatona" ("Our Voices" in Arabic), began in 2006 and will end in summer 2010. Overall, Aswatona has made progress towards improving the local independent broadcast media throughout the West Bank and Gaza. The objectives of the program have been: 1) to improve citizen awareness and involvement in community-level democracy and governance issues and 2) to increase and improve the coverage of local news, including local examples of accountable and transparent justice at work, good governance, and anti-corruption efforts. Aswatona has worked in close coordination with approximately 20 local independent radio and television stations, as well as non-governmental organizations striving towards improving local broadcast media throughout the West Bank and Gaza. The program has provided workshops and in-house training on strategic planning and audience research. Aswatona has also worked directly with journalists on specific topics such as covering legal, legislative and municipal issues (including court cases); maintaining objectivity; and reporting on elections. Through small production and capacity building grants, Aswatona has also demonstrated an increase in the quantity and quality of local news and programming as measured by viewer perception surveys.

In addition to the support provided by Aswatona, the State Department’s Middle East Partnership Initiative (MEPI) has given small scale, targeted technical capacity development and commodity assistance to local media outlets and networks

B. Internal Round Table Discussions

In 2009 USAID conducted internal round table discussions about the media sector, including a review of achievements attained with U.S. Government (USG) support. Although leaders of media outlets and other implementing partners complimented the assistance provided by USAID to local radio and television stations, the discussions also provided some findings, which suggest the need for a revised approach. The Recipient is encouraged to take into account the findings and recommendations outlined below in its response to this RFA.

1. Perceptions of Donor Assistance

- The short-term nature of production grant and training initiatives – while giving birth to higher-quality programming at radio and television stations – was in many cases not a sustainable intervention after the three or four month production grant ended. Television stations, and to a lesser extent radio stations, could often not afford to continue production of higher quality programs due to cost constraints. Station managers described themselves as moving back and forth between periods of producing interesting programs and periods of fighting for financial survival.
- Across the board, Palestinian media outlet representatives expressed that they were not adequately involved in decisions made about donor support within the media sector. The local perception that donors impose their own needs about both training and program production on local partner stations leads to feelings that Palestinian media professionals are perceived to be unable and un-empowered to determine the types of programs (including content) that would resonate best among their respective radio or television audiences.

2. Media Sector Challenges

- The over-saturation of the radio and television markets places the local outlets which seek to be independent from government and/or political party influence, in a difficult struggle to move toward financial sustainability, competing in a market against larger stations supported by the government or political actors who do not face similar commercial pressures.
- While individual examples of quality radio and television programming were highlighted by international and local actors, the perception of low-quality locally-produced journalism continues to exist.
- Despite the existence of a Palestinian Journalists' Syndicate and a nascent Coalition for Independent Audio-Visual Media, there is no organization (association or union) that effectively advocates on behalf of either journalists as a professional group or on behalf of the electronic media sector.
- The terrestrial radio and television sectors are over-saturated – supported by the politically biased distribution of frequency licenses. There is pervasive artificial support to existing stations by actors that wish to use outlets for political gain. This over-saturation is reflective of a chaotic enabling environment where government frequency allocation and broadcast licensing procedures are often perceived as unclear by current and prospective media managers.
- The combination of sustained international media outlet presence in the region (a result of the years-long conflict and periodic violence) and a significant number of international journalism training efforts has produced a cadre of qualified journalists. However, the majority of these journalists have found employment with either international media organizations or positions outside of the media sector altogether. This ongoing drain of media expertise from the local media sector creates added obstacles to the production of quality news and current affairs programming on Palestinian radio and television stations.
- As is common in developing media markets, the number of trained and experienced media managers lags behind the population of experienced journalists. When paired with the relative lack of management resources – such as quality media audience research and electronic media business plans – managers are hard-pressed to make informed decisions on programming, sales and marketing that can assist in an outlet's quest for financial sustainability.

3. Opportunities for Future Interventions

- According to recent research and on-going programmatic observations, there have been tangible achievements in quantity and quality of local programming, including:

  - Audiences: The local media audiences have grown from 18% in 2006 to 53% in 2009 for TV stations and from 46 % in 2006 to 84% in 2009 for local radio stations.

- Local Productions: There has been an increase in the amount of local productions covering local issues. Currently almost 40% of air time is occupied by 45 programs that address local issues of interest to the public.
- Programming: Local partners have improved the quality of their programming.
- Networking: Since the launch of *Aswatona*, two new networks have been formed: one for TV (SADA Network) and one for radio (Network of United Radio/NUR).

- The current PA government has acknowledged a need for increased engagement of civil society in government reform efforts. As stated in Prime Minister Fayyad's Program for the Thirteenth Government, dated August 2009:

  "We have called upon Palestinian civil society and the private sector to join us in this mission in the belief that, working together, we can build even better institutions to accelerate the development of a free and sovereign State of Palestine."

- Over the next three to five years, the PA is planning to shift broadcasting from analogue to digital operations. This may result in ultimately lower operating costs, thus increasing the chances for financial sustainability among independent media players.
- There is an existing cadre of USAID project partners working with PA institutions with the aim of helping them develop outreach components for civil society actors. These programs and their respective objectives include:

  - Palestinian Authority Capacity Enhancement (PACE): This program's main aim is to strengthen the institutional capacity of targeted Palestinian Authority ministries and institutions responsible for the delivery of key services to their constituents.

  - Rule of Law (*Netham*): *Netham* mainly works with the Ministry of Justice and High Judicial Council to strengthen the Palestinian Authority to promote and provide for the rule of law, thereby increasing public confidence in the justice sector.

  - Local Democratic Reform (LDR): The objectives of the LDR Program are to strengthen the capacity of the Ministry of Local Government, to improve the efficiency and transparency of partner municipalities in service provision, and to enhance democracy and participation in government at the local level.

  - Civic Engagement Program (CEP): Through dozens of community-focused grants made under CEP, the program aims to improve the quality of life for Palestinians and increase confidence in the peace process.

  - Flagship Health Program: The Flagship program's objective is to support the Ministry of Health, non-governmental organizations, and educational and professional institutions in strengthening their capacities and performance to support a functional, democratic Palestinian health sector able to meet public health needs.

- Youth Support (*Ruwwad):* The goals of the *Ruwwad* program are to provide young Palestinians with leadership opportunities that serve their communities, help them to be socially connected, and enhance their employment potential.

- Several additional USG-supported media-related activities funded through the Office of Conflict Management and Mitigation (CMM) within USAID's Bureau for Democracy, Conflict and Humanitarian Assistance are implemented in WBG. Currently USAID/WBG supports three media-related CMM projects, and several additional awards with significant media components are anticipated in the coming months. Activities under these projects include media training for youth and women, production of short clips, establishment of online forums, radio broadcasts and promotion of objective reporting on the Israeli-Palestinian conflict. Fact sheets describing current CMM activities in Israel, the West Bank and Gaza are available on the USAID/WBG website: www.usaid.gov/wbg.

- Other existing donor programs focused on media include:

  - UNESCO's media legislation reform program works with different stakeholders such as the Ministry of Interior, the Ministry of Information and Ministry of Telecommunications, particularly in regard to the Broadcast Law and Press Law.
  - The European Commission (EC) and European Commission Technical Assistance Office (ECTAO)'s program aims to increase the level of networking and dialogue between media professionals in the West Bank and Gaza Strip.
  - The Institute for Further Education of Journalists (FOJO) program provides training for journalists in cooperation with Birzeit University's Media Development Centre (BZUMDC).

III. PROGRAM DESCRIPTION

A. Program Components, Intended Results and Illustrative Activities

The program should contain three interrelated program components, each with its own set of intended results, as illustrated by their respective illustrative performance indicators below. For each component USAID provides illustrative activities that the Applicant may wish to consider. USAID believes that these activities will directly and measurably contribute to the intended results. However, USAID strongly encourages the Applicant to be creative and innovative in crafting approaches that support the intended results of each program component, as well as the overall program objectives.

A.1 Strengthen Targeted Local Independent Television and Radio Networks (Approximately 30% of budget resources should be allocated to this component)

This component is a key element of ensuring not simply the survival of independent media, but also its health and vitality. Unless media networks and stations can improve their financial viability, the options for most will be either to eventually close their doors or to be donor-dependent. Under this project, support to selected media networks and outlets should be designed to improve their business practices as well as enable them to effectively increase their revenue.

In order to achieve this, USAID will support the continuing development of one of the existing independent radio networks, as well as one of the existing non-state television networks, currently operating out of the West Bank. USAID assistance will focus on building the management capacity at the network level, supported by on-site training in business planning, network-wide sales and marketing, use of audience research, editorial management, program management, and incorporation of new media platforms into existing program schemes. Network models will be introduced that build affiliates' capacity to contribute programs to the network schedule while also improving their skills in program production.

At least three potential radio networks to be considered as the local partner include the Palestinian News Network (PNN), the Network of United Radio (NUR) and the Ma'an Radio Network. Candidate television networks include the Sada Network and the Ma'an Network.

The Applicant should describe in the application how it intends to select an appropriate television and radio network partner, the criteria it aims to apply in its analysis, and the approach it will undertake in establishing a partnership with the targeted networks.

Intended results under this component are:

- Revenue generation increased
- Business management practices improved
- Effective distribution plans utilized
- Improved coordination and shared resources amongst network affiliates
- Opportunities for cost savings identified
- Network management capacity increased

Suggested performance indicators:

- Advertising revenue as a percentage of total revenue
- Use of targeted business practices including business plans and marketing research
- Broadcast hours of content produced and shared by network members as a percentage of total broadcast hours
- Cost savings identified as a percentage of production costs prior to program intervention
- Number of network member outlets that effectively coordinate program schedules
- Number of network member outlets using a branding strategy that reinforces the identity of the network
- Effectiveness of the network managing entity as measured by a perception survey of its members

Illustrative activities:

The Applicant should propose activities to strengthen targeted, local, independent radio and television networks. Illustrative activities include, but are not limited to:

- Assist in the establishment of a sustainable network management entity;
- Assist partner outlets in the development of business plans;
- Develop co-production projects to support training for regional media personnel and promote shared media content;
- Establish common ethical, editorial and technical operating norms for network member stations, including a system for internal regulation and enforcement of agreed upon norms; and
- Build journalists' capacity through multi-station team reporting projects.
- Train individual outlets managers and network managers on organizational structuring, operations, management and business development (including how to attract investors/sponsors/advertisers);
- Conduct audience research and use the findings to inform programming content and identify potential advertisers;
- Define parameters for joint advertising through common organizational, financial management and revenue sharing systems;
- Provide training to financial managers and other staff from partner media outlets in business skills, including how to write business plans and identify investors;
- Train appropriate staff from partner media outlets in program design and production, advertising and sales and promotion campaigns to help increase revenues; and
- Help identify means through which partner media outlets can access capital.
- Work with partner entities to conduct a cost savings assessment.

A.2 Improve the Professionalism of Partner Independent Media Networks and Outlets (Approximately 40% of budget resources should be allocated to this component)

Palestinians need professional, objective, reliable, pluralistic and editorially independent news. Such information will enable the public to make better decisions. Under this component USAID will support the production of high quality and objective news and talk show programs with the goal of increasing public expectations and demand for such information. This activity should expand the consumer base of partner media outlets and contribute to financial viability by attracting advertisers. High quality and objective news also sets a standard that raises the overall level of professionalism in the sector and is more likely to enable an informed dialogue between relevant PA institutions and the community.

The prime Recipient will ensure selected organizations have the capacity to successfully meet responsibility determination requirements and to successfully manage and account for USG funds. This may include assisting the organizations by providing training and developing policies, procedures and internal controls.

Intended results under this component are:

- Quality of targeted programming increased
- Professionalism of journalists increased
- Number of viewers and listeners of partner outlets and targeted programs increased

Suggested performance indicators:

- Public perception survey of the quality of local news and talk show productions by targeted outlets, according to notions of fairness, objectivity, reliability, and responsiveness to regional concerns.
- Percentage of targeted outlets that regularly meet specific technical production standards.
- Number of viewers and listeners of partner outlets and targeted programs.

Illustrative activities:

The Applicant should propose activities to support partner media networks and outlets in meeting professional standards of journalism. Illustrative activities include, but are not limited to:

- Provide on-site technical assistance to partner media networks and outlets in the areas of production, journalism and newsroom management.
- Create an internship program for student and junior journalists that provide them with experience and exposure to unbiased independent media outlets.
- Train media partners on how to gather reliable and corroborated information on the internet.
- Assess equipment needs at individual outlets and provide supplementary equipment through in-kind grants (the ceiling for Grants under this activity is $100,000 per Grant).
- Use small institutional support grants for capacity building and/or production support as an incentive by awarding partner outlets in recognition of excellent performance (the ceiling for Grants under this activity is $50,000 and the duration of the grant should not go beyond 18 months).
- Train media partners on how to access media research and use findings to improve their reporting.
- Specialized training for journalists in the areas of business, economics, social and gender issues, rule of law, local governance, and labor.

A.3 Development of a local Palestinian Service Delivery and Research Institution (Approximately 25% of budget resources should be allocated to this component)

Under this component, USAID will support the continued development of an existing Palestinian media institution that can provide assistance to local outlets through specialized training in investigative journalism, sector-specific journalism, media management, program production, use of media research and integration of new media innovations into program planning. This institution will serve as a focal point for media policy dialogue between the government and media outlets, and provide a venue for donor coordination and mapping of the media sector.

There are a number of organizations in the West Bank that conduct social research and opinion polling, however, none at the current time produce media audience research of a quality and at a frequency that can be used by radio and television outlet managers to inform decisions regarding programming or sales/marking strategy. USAID support would build the capacity of a local institution to conduct internationally accepted quality media audience research including audience ratings as well as analysis of audience attitudes and behaviors.

Potential institutions that currently exist might be appropriate as local partners for service delivery and/or research institution including (but not limited to) Media Institutes at Hebron, Al Najah, Al Quds and/or Birzeit Universities.

The Applicant should explain in the application how it intends to select and support a Palestinian institution to provide production and technical assistance to local non-state media outlets, as well as a local institution that can conduct media audience research that meets international standards. Note that these entities may be one and the same. The Applicant should define the criteria it aims to apply in its selection, and the approach it will undertake in establishing a partnership with the targeted institution(s).

USAID anticipates that the partner institution(s) selected through this program component will take on a greater role as service provider (s) to partner media outlets over the life of the program, thus playing an increasingly significant role in contributing to intended results under program component A.1, and especially program component A.2 above. It is important to help ensure the longer term viability of the legacy institution(s).

The prime Recipient will ensure selected organizations have the capacity to successfully meet responsibility determination requirements and to successfully manage and account for USG funds. This may include assisting the organizations by providing training and developing policies, procedures and internal controls.

Intended results under this component are:

- New media curricula developed and implemented.
- Training provider capacity enhanced.
- Use of research for business decisions increased.
- Media services provision to local media outlets increased.

Suggested performance indicators:

- Number of partner media outlets having received services from target institutions under this program component.

- Effectiveness of the partner media institution that provides professional technical assistance to independent media outlets as perceived by users of the institution's services.
- Use of research in developing programming schedules and business decisions.
- Number of participants having completed coursework under targeted curricula or trainings provided by partner institutions under this program component.

Illustrative activities:

The Applicant should propose activities to develop a local Palestinian media training and research organization which can serve the independent media sector. Illustrative activities include, but are not limited to:

- Establish and facilitate a partnership between the Palestinian institution and a leading international media institution.
- Build the capacity of the local institution to conduct high quality training in selected areas.
- Provide needed equipment for training partner media outlets
- Establish a sustainable working relationship between the local institution and partner media outlets.
- Build the capacity of the local institution to develop new media curricula.
- Build the capacity of the local institution to conduct media audience research that meets international quality standards.

B. PROGRAM IMPLEMENTATION AND OTHER CONSIDERATIONS

B.1 Sub-Awards to Program Partners

As an essential means to achieve many of the intended results under various program components, it is expected that the Recipient will provide numerous small grants to program partners under Components A.2 and A.3. In doing so, the Recipient will need to develop a grants manual consistent with USAID regulations governing assistance awards. All sub-grants awarded must be awarded through an approach that espouses the principles of competition and transparency so as to allow the natural market dynamics to prevail, rather than have them compromised by donor interference in the "appointing" of sub-grantees. Sub-grantees cost sharing should also be encouraged by the prime Recipient. USAID will approve both the grants manual and all sub-awards made throughout the life of this program. The total amount of sub-awards should not exceed 20% of the overall program budget.

The prime Recipient will ensure selected organizations have the capacity to successfully meet responsibility determination requirements and to successfully manage and account for USG funds. This may include assisting the organizations by providing training and developing policies, procedures and internal controls.

B.2 Monitoring and Evaluation (M&E):

(Approximately 5% of budget resources should be allocated to this activity)

The Applicant will be obligated to measure partner outlets’ individual progress towards the intended results as stated above. Applicants should also indicate in their application how they will incorporate participants’ input and local feedback mechanisms into their program so they can assess not only the progress of the sub-grants, but the progress of the broader program.

Applicants are strongly encouraged to consider engaging a third party to conduct a mid-term evaluation and should propose in their application how information gathered from such an evaluation would further inform programmatic direction.

The detailed approach for monitoring and evaluation must be outlined in the Performance Monitoring and Evaluation Plan (See Section G – Substantial Involvement), which should include indicators that measure progress towards the intended results of the program components, baseline data against these indicators, targets, actual performance data, and plans for any evaluations.

B.3 Market Distortions

Special attention should be made to ensure that USAID financing for media products not create distortions in the media market that unintentionally crowd out high quality, locally-produced, non-donor supported programming. Therefore, should media outlets increasingly produce news and information of the standard that this project seeks to support, the direct production component of this activity would be reduced and resources invested in other ways of support for these emerging leaders in Palestinian media. Applicants should consider proposing a means to monitor this issue.

B.4 Operating Environment

As with any activity within the USAID Mission’s portfolio, progress in achieving all of this project’s goals and objectives may be hampered by forces over which the Recipient and the Mission have little or no control. These include, but are not limited to, restricted travel of program staff and counterparts due to security concerns, outbreaks of violence, government of Israel (GOI) or PA refusal to issue necessary permits, and lockdowns or lockouts of particular areas. Given the fluid and highly politicized operational environment in the West Bank and Gaza, the Recipient should design a management structure that enables senior field staff to collaborate closely with USAID on program direction and respond decisively to new opportunities or political developments, as they arise.

B.5 Media Incitement

A primary challenge for the USAID media program in the West Bank and Gaza is how to encourage the development of independent media without supporting inflammatory programming or incitement. USAID encourages the Recipient to consider how best to manage the potential issue of inflammatory press and media incitement as it relates to the proposed program.

B.6 Gaza

All work proposed for Gaza should take into consideration the current security situation and political sensitivities. However, USAID believes that there is a real and critical need to support independent media in Gaza. The Recipient is encouraged to seek ways to work with local outlets and networks members in Gaza, while adhering to all of USAID's rules and regulations governing USAID-funded activities in Gaza (in particular Mission Notice No. 2010-WBG-08 that can be accessed at http://www.usaid.gov/wbg/notices.html).

B.7 Coordination

i. Coordination with Other USAID Programs

The "Enhancing Palestinian Independent Media" program will complement other current USAID efforts to foster dialogue between PA institutions and their constituents. The Recipient must be mindful of the ongoing USAID investment in the PA and seek opportunities to leverage other program activities in creating an informed dialogue between the PA and the public. The application should explicitly describe how coordination with other USAID programs will be carried out.

Through several USAID projects, the USG has already devoted significant resources to strengthen the capacity of the PA to address the needs of the public and to build the public's confidence in their government.

Relevant components in the current USAID/WBG portfolio include:

- Small-scale grants to non-governmental organizations/civil society organization – through the Palestinian Authority Capacity Enhancement (PACE) program, the Local Democratic Reform (LDR) program, the Rule of Law (Netham) program, and the Health Flagship program, USAID has funded grants that support small-scale projects to connect PA institutions with citizens and to promote citizens' ability to hold their government accountable for required services.

- PA communications to the public – through the PACE, Netham and the Flagship programs targeted PA ministries have received assistance to develop effective public outreach capabilities.

"Enhancing Palestinian Independent Media" program, focusing on local media institutions, will strengthen the channel through which PA institutions and citizens can effectively interact. A strong independent media program should strive to increase the speed and quality of information exchange between public institutions and constituents, and will help citizens perform the "watchdog" function by publicizing government commitments and reporting on government's performance.

Furthermore, while it is not currently known precisely when Palestinian national elections will take place, it is critical to the success of any electoral process to have a functioning media sector that provides balanced, accurate and equitable coverage of political parties and candidates and their respective platforms before, during and after the elections. The independent Palestinian local media could well be the single most important source of unbiased political reporting during an election campaign. The proposed program could promote a platform for debate and dialogue to help voters make informed decisions.

ii. Coordination with Other USG Programs and Actors

Several other USG actors are involved in media programming in WBG and neighboring countries. In concert with USAID/WBG, the Recipient is encouraged to coordinate its media programming with other USG actors, and Applicants should describe in their applications how they intend to do so.

USAID/Jordan and USAID/Egypt support media development programs with business and law components. A potential exists for coordinated programming on issues including improved audience research and media rating services, which would strengthen the media advertising and help to end the practice of directed advertising that hinders the development of a regional media market.

The Department of State's MEPI plans to continue limited support of the independent media initiatives in the West Bank and Gaza (for example, support to the Ma'an Network provided by Search for Common Ground, a MEPI grantee). Through close coordination with MEPI, it may be possible to leverage USAID program resources against other USG funding. Potential also exists for coordinated media programming with USG public diplomacy programs. State Department-sponsored international visitor programs offer a variety of opportunities. Many journalists who have participated in short- and long-term study programs in the U.S. have returned inspired to put into practice what they have seen. In some cases, however, they remain disempowered by top management, so opportunities for international visits for top management should also be explored. Should media decision-makers be exposed to inspiring experiences, such exposure could promote change in the overall structure of media institutions, allowing rank-and-file journalists to better practice the skills acquired in various training programs.

iii. Coordination with Non-USG Donors

In addition to USG media collaboration, the Recipient should coordinate its activities with other non-USG donors to reduce duplication of efforts and to deepen overall impact of media programming. Other donors operating in the media sector are UNESCO, the EC and ECTAO, FOJO, the United Kingdom Department for International Development (DFID), and the Swedish International Development Agency (SIDA). The Recipient should remain aware of media development initiatives supported by other donors realizing that new initiatives may be implemented by donors in addition to those listed above.

C. FUNDING LEVEL

The anticipated estimated maximum life-of-project funding for this requirement is $6 Million subject to the availability of funds. The resultant award is expected to be initially funded at a level of $2 Million. Additional funds over the $2 Million may be made available contingent upon the availability of funding and successful achievement of results.

Specifically, no award or obligation will be made until funds are available and have been fully allocated and committed through USAID internal procedures for this specific activity. Accordingly, this request does not constitute a commitment on the part of the Government nor USAID to make an award or to obligate funds, and bid and application costs (to include all preparation and submission costs) are assumed by the Applicant/Recipient at its own risk.

D. REPORTING REQUIREMENTS

The Recipient shall be responsible for submitting for USAID approval the following reports:

1. Financial Reporting

Financial reporting shall be in accordance with the requirements of 22 CFR 226.52.

2. Program Reporting

a. Performance Monitoring and Evaluation Plan (PMP)

The submission of the PMP is required to accompany all applications.

Within 30 days from approval of the first-year implementation plan, the Recipient will also provide the AOTR with a Performance Monitoring and Evaluation Plan that establishes clear indicators for systematically monitoring the impact of program activities over the three-year performance period.

The Recipient is expected to demonstrate how its program will contribute toward the program outcomes through developing a Performance Monitoring and Evaluation Plan (PMP) that will show how the Recipient will manage performance including developing appropriate base lines and targets for the life of the program as per ADS 203.

The Performance Monitoring and Evaluation Plan for all program activities should specify indicators and baseline data, targets and requisite monitoring arrangements in order to measure and report progress toward meeting the program objectives.

USAID encourages Recipients to consider including several monitoring and evaluation approaches to assess outcomes as follows:

- Qualitative data gathering such as periodic focus groups to understand issues and impacts of the program.

- The development of the PMP should be concurrent with the submission of the initial GEO-MIS report.

- The PMP should include selected management indicators (with baseline data where appropriate) and annual targets that directly measure progress toward achieving the program's objectives and the intended results of the program description.

- The PMP should also include USAID standard performance measures that meet the reporting requirements for relevant program areas in the West Bank Gaza Mission's annual Operational Plan (the AOTR will work with the Recipient to choose the appropriate standard indicators).

- The Recipient will report against performance targets quarterly.

- Most of the data used in the PMP should be germane to the development of the sub-award performance database as mentioned above. The Recipient should ensure that both the sub-award performance database and the PMP are consistent, where reporting on like data is required, and complementary, where reporting on performance data gaps are identified.

- The PMP shall also include a narrative section and a Results Framework.

A complete PMP should be finalized in close coordination with USAID, incorporated into USAID's Geographic Management Information System (Geo-MIS) and updated by the Recipient on a regular basis.

b. Quarterly Performance Reports

The Recipient shall submit Quarterly Performance Reports to the designated AOTR. The Recipient shall comply with the performance reporting requirements in accordance with 22 CFR 226.51. Quarterly Performance Reports should be submitted to the AOTR no later than 30 days after the end of each quarter.

These reports must summarize the outcomes of the Recipient's activities during the particular reporting period, document any program accomplishments or progress towards results during the reporting period, compare those results to the planned tasks in the Annual Implementation Plan and PMP, and discuss any potential constraints that might prevent the Recipient from meeting agreed upon targets and benchmarks.

Quarterly reports shall include a budget report and a report on project activities, achievements, challenges, and plans including sub-awards. These reports shall identify progress, problems, remedial action and resources/costs associated with specific sub-activities.

c. Annual Progress Reports

Within 30 days after the end of the first year of program implementation, the Recipient shall submit an annual report in lieu of the quarterly report. The Annual Progress Report will explain in detail the progress during the past year in achieving the results and performance benchmarks identified following the guidelines mentioned above for Quarterly Performance Reports.

The Annual Report shall be similar in format to the Quarterly Reports, but include an additional section summarizing achievements and expenditures for the entire year.

In addition, one copy of the Annual Progress Report shall be submitted to USAID Development Experience Clearinghouse to one of the following: (a) via U.S. Postal Service, ATTN: 8403 Colesville Road, Suite 210, Silver Spring, MD 20910; (b) via e-mail:

docsubmit@dec.cdie.org; (c) via fax: (301) 588-7787; or (d) online: http://www.dec.org/index.cfm?fuseaction=docSubmit.home.

d. Final Report

At the conclusion of the program, the Recipient shall provide a Final Report to the Mission containing the information specified in 22 CFR 226.51. A draft final report is due to USAID 45 days after the completion of the program. USAID will review and comment within 30 days of receipt. The Final Report incorporating USAID's comments will be delivered to the USAID/West Bank and Gaza AOTR electronically no later than 90 days after the completion of the award.

In addition, one copy shall be submitted to USAID Development Experience Clearinghouse to one of the following: (a) via U.S. Postal Service, ATTN: 8403 Colesville Road, Suite 210, Silver Spring, MD 20910; (b) via e-mail:

docsubmit@dec.cdie.org; (c) via fax: (301) 588-7787; or (d) online: http://www.dec.org/index.cfm?fuseaction=docSubmit.home.

The final report shall include an executive summary of the Recipient's accomplishments in achieving the results and a detailed description of the program's successes and measurable impact, including lessons learned.

In addition the Final Report shall include the following information:

- A detailed description of the activities that were implemented under the program during the period of the award.
- A description of the methods of assistance used and the pros and cons of these methods.

- Program results and a discussion of program achievements including the performance indicators, as well as an analysis of how the indicators illustrate the program's impact on the independent media in Palestine.

- Discussion of the issues and challenges that emerged during program implementation.
- Lessons learned during the implementation of the activities within the life of the award.
- Recommendations regarding any unfinished work and/or program continuation and direction, as well as recommendations the Mission on ways in which it can maximize and improve its engagement with the media sector/outlets through other USAID-funded projects, as well as recommendations for what issues no longer require donor assistance.
- The Final Report must attest that all relevant activities have been fully reported in the Geo-MIS.

e. <u>TraiNet Reporting:</u>

The Recipient shall meet all **TraiNet** reporting requirements for reporting to TraiNet of the Agency's participant training data system for any in-country training programs or sub-programs of more than three consecutive class days in duration, or 15 contact hours scheduled intermittently, in accordance with **ADS 253.3.3.** In addition, the Recipient shall report on training expenditures under the three cost categories captured by TraiNet: Instruction, Participant, and Travel in accordance with ADS 253.3.6.

Additional informal reports or requests for information may be required by the AOTR when necessary. The Grantee will consult the AOTR on the format and the expected content of the requested information prior to submission.

All the above reports should be submitted to USAID electronically and in hard copies.

E. GENDER

In accordance with USAID's recognition that gender issues are important considerations in development, all activities should have an integrated gender-sensitive approach that aims to benefit both men and women. Due to the relatively small number of women journalists in the Palestinian media sector and local media in particular, creative ideas on how to engage women are to be addressed in the application. Specific interventions to engage women must be integrated throughout all components of the program.

The Recipient will prepare as part of its Performance Monitoring and Evaluation Plan (PMP) a Gender Strategy that lays out objectives concerning gender and addresses how interventions that address gender concerns will be integrated throughout the components and activities. The Gender Strategy will focus on creating enhanced opportunities for women journalists, producers, managers, and trainers in the media sector. The PMP should include specific indicators that track progress on gender issues, track the participation of women in the various activities, and report on progress on addressing gender concerns in quarterly and annual reports. All of the gender objectives and interventions that are integrated throughout program activities will be laid out in the PMP.

USAID will monitor the Recipient to ensure that gender quality concerns are met in all aspects of the program.

F. PEOPLE WITH DISABILITIES

The West Bank and Gaza Mission follows USAID's Standards for Accessibility for the Disabled in Cooperative Agreements (http://pdf.usaid.gov/pdf_docs/PDACG011.pdf). These standards promote a universal design over an accessible design. Accessible design means products and buildings that are accessible and usable by people with disabilities. Universal design means products and buildings that are accessible and usable by everyone, including people with disabilities. Furthermore, in order to stimulate sustainable, developmentally sound attention to the needs of people with disabilities, the first preference is to use local or regional standards for universal access in construction, if they exist. These standards must result in at least substantially equivalent accessibility and usability as the standard provided in the Americans Disabilities Act of 1990 (ADA) and Architectural Barriers Act (ABA) Accessibility Guidelines. In the absence of a local or regional standard that meets the ADA/ABA threshold, the standard prescribed in the ADA and ABA Accessibility Guidelines must be used. The Recipient of this program must also coordinate with the General Union of Palestinian Disabled Persons to ensure accessibility to sites, facilities, buildings, and elements for people with disabilities.

G. SUBSTANTIAL INVOLVEMENT

USAID/WGB anticipates a close working partnership with the implementing partner. USAID's substantial involvement in this program will extend to those items identified below. The Agreement Officer herein delegates the following approvals list to the Agreement Officer's Technical Representative (AOTR) in accordance with the ADS Chapter 303.3.11:

a. Review and Approval of the Recipient's implementation plans:

The Recipient will submit an initial first year implementation plan for USAID's review and approval within 45 days from the award date of the Agreement. An outline for a three-year implementation plan will be submitted within four months of the signing of the award.

The Implementation Plan will include a general timeframe and description of activities that are intended to address and achieve the specific objectives of the program as follows:

- A description of the type and magnitude of planned activities during the year, where and when the activities will be conducted, expected outputs and results for each activity, and an overall timeline for activities.

- Plans for publications, reports, workshops, seminars, trainings and other information dissemination activities.

The AOTR will review the plan and provide comments and recommendations for changes no later than 15 days after receipt of the draft plan. The recipient shall incorporate AOTR comments and recommendations into the final version of Implementation Plan and submit electronically for AOTR approval within seven (7) working days. In addition, all substantial changes in the Annual Implementation Plan require prior written approval of the AOTR.

Subsequent Annual Implementation Plans are due to the AOTR within 30 days of the anniversary date of the award.

These plans will use the format of the initial Implementation Plan. In addition, the subsequent annual Implementation Plans shall review the activities of the year that is ending, the activities that were implemented, the results achieved, problems that existed and how these problems were resolved. These subsequent annual plans shall propose program adjustments to reflect any lessons learned.

Plans are required no more than annually. Annual review of implementation plans will provide USAID an opportunity to update information and provide collaborative input as appropriate on specific activities, sites of operation, expected results and milestones for each 12-month period. This information is an essential element of effective USAID project and program management. These plans will form the basis for an annual management review by USAID and program staff to review program directions, achievements and the prior year implementation plan objectives and major management and implementation issues, and to make recommendations for any changes as appropriate. Approval of the implementation plan will also provide USAID an opportunity to ensure that proposed activities are in conformance with statutory requirements. The implementation plan will include the list of activities to be implemented during that year. Any changes to the list of approved activities will require additional approval.

b. <u>Review and approval of the Performance Monitoring and Evaluation Plan</u>:

   The Recipient should work closely with the AOTR in order to develop relevant indicators for measuring and reporting on outputs and impacts of the activities described in the Cooperative Agreement. The Performance Monitoring and Evaluation Plan will specify indicators and baseline data and target -- and requisite monitoring arrangements -- to measure and report progress toward meeting the program objectives. This plan will be submitted to USAID/WBG within thirty (30) days from approval of the first-year implementation plan.

   The initial and all updated PMPs should include realistic and appropriate performance indicators and plans for periodic evaluation of activities.

c. Approval of specified Key Personnel. USAID may designate as Key Personnel only those positions that are essential to the successful implementation of the award. USAID's policy limits this to a reasonable number of positions, generally no more than five positions or five percent of Recipient employees working under the award, whichever is greater.

d. Agency and Recipient collaboration or joint participation in the following areas:

   i. Collaborative involvement in selection of advisory committee members. USAID may also choose to become member of this type of committee. Advisory committees shall only concern themselves with technical or programmatic issues.

   ii. Concurrence on the selection of sub-award Recipients and subcontractors, and/or concurrence on the substantive provisions of the sub-awards and subcontracts, including vetting of sub-awardees in accordance with the West Bank/Gaza Mission order 21 and/or any amendment(s) to it thereafter. USAID's approval of sub-award Recipients is required in accordance with 22 CFR 226.25.

   iii. Monitoring to permit specified kinds of direction or redirection because of interrelationships with other projects.

   iv. Due to the extremely fluid nature of the operational environment in the West Bank/Gaza, it is expected that the Recipient will remain in close contact and collaboration with the AOTR and other appropriate USAID Officers. This collaborative involvement will address informational needs such as analyses, evaluations, assessments, and responses to public information requests in order to maintain flexibility for program success.

H. AWARD ADMINISTRATION

The resulting Cooperative Agreement shall be subject to 22 CFR 226, OMB Circulars, and the Standard Provisions for U.S. Non-Governmental Recipients. These documents may be accessed through the world-wide website at: http://www.usaid.gov/business/regulations/

I. AUTHORIZED GEOGRAPHIC CODE

The authorized geographic code for procurement of goods and services under this award is 000 (U.S.).

J. AUTHORIZING LEGISLATION

This award is authorized in accordance with the Foreign Assistance Act of 1961, as amended.

K. START DATE AND PERIOD OF PERFORMANCE

The period of performance anticipated herein is three (3) years. The anticipated start date is on or about September 29, 2010.

L. TYPE OF AWARD

USAID plans to award one Cooperative Agreement to the successful Applicant who offers the greatest value to the Government.

[END OF SECTION C]

SECTION D – CERTIFICATIONS & REPRESENTTAIONS

CERTIFICATIONS, ASSURANCES AND OTHER STATEMENTS OF THE RECIPIENT (MAY 2006)

NOTE: [1] When these Certifications, Assurances, and Other Statements of Recipient are used for Cooperative Agreements, the term "Grant" means "Cooperative Agreement". [2] The Recipient must obtain from each identified sub-grantee and (sub) contractor, and submit with its application/proposal, the Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Transactions, set forth in Attachment A hereto. The Recipient should reproduce additional copies as necessary.

PART I

CERTIFICATIONS AND ASSURANCES

1. ASSURANCE OF COMPLIANCE WITH LAWS AND REGULATIONS GOVERNING NON-DISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS

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

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

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

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

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

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

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

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

2. <u>CERTIFICATION REGARDING LOBBYING</u>

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

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

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

(3) The undersigned shall require that the language of this certification be included in the award documents for all sub awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and Cooperative Agreements) and that all sub-Recipients shall certify and disclose accordingly.

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

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that: If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report

Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

3. CERTIFICATION REGARDING TERRORIST FINANCING IMPLEMENTING EXECUTIVE ORDER 13224

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

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

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

   a. Before providing any material support or resources to an individual or entity, the Recipient will verify that the individual or entity does not (i) appear on the master list of Specially Designated Nationals and Blocked Persons, which 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 (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.

4. CERTIFICATION OF RECIPIENT

By signing below the Recipient provides certifications and assurances for (1) the Assurance of Compliance with Laws and Regulations Governing Non-Discrimination in Federally Assisted Programs, (2) the
Certification Regarding Lobbying, (3) the Prohibition on Assistance to Drug Traffickers for Covered

Countries and Individuals (ADS 206) and (4) the Certification Regarding Terrorist Financing Implementing Executive Order 13224 above):

As applicable:

RFA/APS No.: ______________________________

Application: ______________________________

Date of Application: ______________________________

Name of Recipient: ______________________________

Typed Name and Title: ______________________________

Signature: ______________________________

Date: ______________________________

PART II

OTHER STATEMENTS OF RECIPIENT

1. AUTHORIZED INDIVIDUALS

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

Name	Title	Telephone Number	Facsimile Number

2. TAXPAYER IDENTIFICATION NUMBER (TIN)

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

TIN: ______________________________

3. CONTRACTOR IDENTIFICATION NUMBER -DATA UNIVERSAL NUMBERING SYSTEM (DUNS) NUMBER

(a) In the space provided at the end of this provision, the Recipient should supply the Data Universal Numbering System (DUNS) number applicable to that name and address. Recipients should take care to report the number that identifies the Recipient's name and address exactly as stated in the proposal.

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

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

(c) Recipients located outside the United States may obtain the location and phone number of the local Dun and Bradstreet Information Services office from the Internet Horne Page at http://www.dbisna.com/dbis/customer/custlist.htm. If an offeror is unable to locate a local service center, it may send an e-mail to Dun and Bradstreet at globalinfo@dbisma.com.

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

DUNS: ____

4. LETTER OF CREDIT (LOC) NUMBER

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

LOC: ____

5. TYPE OF ORGANIZATION

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

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

(b) If the Recipient is a U.S. entity, it [ ] is, [ ] is not a Gray Amendment entity, as defined below.

(c) If the Recipient is a Gray Amendment Entity, it is [ ] a business concerns (as defined in 48 CFR 19.001) owned and controlled by socially and economically disadvantaged individuals (as defined in 48 CFR 726.101), [ ] an institution designated by the Secretary of Education, pursuant to 34 CFR 608.2, as a historically black college or university (HBCU) , [ ] a college or university having a student body in which more than 40% of the students are Hispanic American, or [ ] a private voluntary organization which is controlled by individuals who are socially and economically disadvantaged (as defined in 48 CFR 726.101).

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

6. PAST PERFORMANCE REFERENCES

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

7. ESTIMATED COSTS OF COMMUNICATIONS PRODUCTS

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

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8. PROCUREMENT INFORMATION

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

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

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

Type/Description (Generic)	Quantity	Estimated Unit Cost

(d) Source, Origin, and Component of Goods. If the Recipient plans to purchase any goods/commodities which are not of U.S. source and/or U.S. origin, and/or does not contain at least 50% component entry which are not at least 50% U.S. source and origin, please indicate below (using a continuation page, as necessary) the types and quantities of each, estimated unit costs of each, and probable source and/or origin, to include the probable source and/or origin of the components if less than 50% U.S. components will be contained in the commodity. "Source" means the country from which a commodity is shipped to the cooperating country or the cooperating country itself if the commodity is located therein at the time of purchase. However, where a commodity is shipped from a free port or bonded warehouse in the form in which received therein, "source" means the country from which the commodity was shipped to the free port or bonded warehouse. Any commodity whose source is a non-Free World country is

ineligible for USAID financing. The "origin" of a commodity is the country or area in which a commodity is mined, grown, or produced. A commodity is produced when, through manufacturing, processing, or substantial and major assembling of components, a commercially recognized new commodity results, which is substantially different in basic characteristics or in purpose or utility from its components. Merely packaging various items together for a particular procurement or relabeling items does not constitute production of a commodity. Any commodity whose origin is a non-Free World country is ineligible for USAID financing. "Components" are the goods which go directly into the production of a produced commodity. Any component from a non-Free World country makes the commodity ineligible for USAID financing.

Type/Description (Generic) Components	Estimated Quantity	Probable Unit Cost	Source of Goods	Probable Components	Origin of Goods

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

Type/Description (Generic)	Estimated Quantity	Probable Unit Cost	Probable Intended Use	Source	Origin

(f) Supplier Nationality. If the Recipient plans to purchase any goods or services from suppliers of goods and services whose nationality is not in the U.S., please indicate below (using a continuation page, as necessary) the types and quantities of each good or service, estimated costs of each, probable nationality of each non-U.S. supplier of each good or service, and the rationale for purchasing from a non-U.S. supplier. Any supplier whose nationality is a non-Free World country is ineligible for USAID financing.

Type/Description (Generic)	Estimated Quantity	Probable Unit Cost	Supplier Nationality (Non-U.S. Only)	Rationale for Non-U.S.

(g) Proposed Disposition. If the Recipient plans to purchase any nonexpendable equipment with a unit acquisition cost of $5,000 or more, please indicate below (using a continuation page, as necessary) the proposed disposition of each such item. Generally, the Recipient may either retain the property for other uses and make compensation to USAID (computed by applying the percentage of federal participation in the cost of the original program to the current fair market value of the property), or sell the property and reimburse USAID an amount computed by applying to the sales proceeds the percentage of federal participation in the cost of the original program (except that the Recipient may deduct from the federal share $500 or 10% of the proceeds, whichever is greater, for selling and handling expenses), or donate the property to a host country institution, or otherwise dispose of the property as instructed by USAID.

Type/Description (Generic)	Quantity	Estimated Unit Cost	Proposed Disposition

END OF CERTIFICATIONS, ASSURANCES AND OTHER STATEMENTS OF RECIPIENT

Name and Title: ______________________________

Name of Organization: ________________________

Date: _______________________________________

The cost/business application must be submitted using the Standard Form (SF) 424 series in excel format, which includes the following:

- **SF-424, Application for Federal Assistance**
- **SF-424A, Budget Information – Non-construction Programs**, and
- **SF-424B, Assurances – Non-construction Programs**

These Standard Forms be accessed electronically at the following URL:

http://www.grants.gov/agencies/aapproved_standard_forms.jsp

SECTION E – STANDARD PROVISIONS

I. All applicable standard provisions shall be incorporated into the resultant award. The standard provisions for U.S. Nongovernmental and Public International Organizations may be accessed at the following location:

1. Standard Provisions for U.S. Nongovernmental Recipients can be accessed through following URL:

   http://www.usaid.gov/policy/ads/300/303maa.pdf

2. Standard Provisions for PIO Recipients can be accessed through the following URL:

   http://www.usaid.govlpolicy/adsI300/308mab.pdf

II. The following Standard Provisions which are indicated below in full text should be specially noted by the prospective Applicants.

1. MARKING UNDER ASSISTANCE INSTRUMENTS:

I. BRANDING STRATEGY -ASSISTANCE (December 2005)

(a) Definitions

Branding Strategy means a strategy that is submitted at the specific request of a USAID Agreement Officer by an Apparently Successful Applicant after evaluation of an application for USAID funding, describing how the program, project, or activity is named and positioned, and how it is promoted and communicated to beneficiaries and host country citizens. It identifies all donors and explains how they will be acknowledged.

Apparently Successful Applicant(s) means the Applicant(s) for USAID funding recommended for an award after evaluation, but who has not yet been awarded a grant, cooperative agreement or other assistance award by the Agreement Officer. The Agreement Officer will request that the Apparently Successful Applicants submit a Branding Strategy and Marking Plan. Apparently Successful Applicant status confers no right and constitutes no USAID commitment to an award.

USAID Identity (Identity) means the official marking for the Agency, comprised of the USAID logo and new brandmark, which clearly communicates that our assistance is from the American people. The USAID Identity is available on the USAID website and is provided without royalty, license, or other fee to Recipients of USAID-funded grants or cooperative agreements or other assistance awards or subawards.

(b) **Submission**

The Apparently Successful Applicant, upon request of the Agreement Officer, will submit and negotiate a Branding Strategy. The Branding Strategy will be included in and made a part of the resulting grant or cooperative agreement. The Branding Strategy will be negotiated within the time that the Agreement Officer specifies. Failure to submit and negotiate a Branding Strategy will make the Applicant ineligible for award of a grant or cooperative agreement. The Apparently Successful Applicant must include all estimated costs associated with branding and marking USAID programs, such as plaques, stickers, banners, press events and materials, and the like.

(c) **Submission Requirements**

At a minimum, the Apparently Successful Applicant's Branding Strategy will address the following:

(1) Positioning

What is the intended name of this program, project, or activity?

Guidelines: USAID prefers to have the U SAID Identity included as part of the program or project name, such as a "title sponsor," if possible and appropriate. It is acceptable to "co-brand" the title with USAID's and the Apparently Successful Applicant's identities. For example: "The USAID and [Apparently Successful Applicant] Health Center."

If it would be inappropriate or is not possible to "brand" the project this way, such as when rehabilitating a structure that already exists or if there are multiple donors, please explain and indicate how you intend to show case USAID's involvement in publicizing the program or project.
For example: School #123, rehabilitated by USAID and [Apparently Successful Applicant]/ [other donors]. Note: the Agency prefers "made possible by (or with) the generous support of the American People" next to the USAID Identity in acknowledging our contribution, instead of the phrase "funded by." USAID prefers local language translations.

Will a *program logo be developed and used consistently to identify this program? If yes, please attach* a *copy* of *the proposed program logo.*

Note: USAID prefers to fund projects that do NOT have a separate logo or identity that competes with the USAID Identity.

(2) Program Communications and Publicity

Who are the primary and secondary audiences for this project or program?

Guidelines: Please include direct beneficiaries and any special target segments or influencers.
For Example: Primary audience: schoolgirls age 8-12, Secondary audience: teachers and parents-specifically mothers. What communications or program materials will be used to explain or market the program to beneficiaries?

Guidelines: These include training materials, posters, pamphlets, Public Service Announcements, billboards, websites, and so forth.

What is the main program message(s)?

Guidelines: *For example: "Be tested for HIV-AIDS" or "Have your child inoculated."* Please indicate if you also plan to incorporate USAID's primary message -this aid is "from the American people" -into the narrative of program materials. This is optional; however, marking with the USAID Identity is required.

Will the Recipient announce and promote publicly this program or project to host country citizens? If yes, what press and promotional activities are planned?

Guidelines: These may include media releases, press conferences, public events, and so forth. Note: incorporating the message, "USAID from the American People", and the USAID Identity is required.

Please provide any additional ideas about how to increase awareness that the American people support this project or program.

Guidelines: One of our goals is to ensure that both beneficiaries and host-country citizens know that the aid the Agency is providing is "from the American people." Please provide any initial ideas on how to further this goal.

(3) Acknowledgements

Will there be any direct involvement from a *host-country government ministry? If yes, please indicate which one or ones. Will the Recipient acknowledge the ministry* as *an additional* co*sponsor?*

Note: it is perfectly acceptable and often encouraged for USAID to "co-brand" programs with government ministries.
Please indicate if there are any other groups whose logo or identity the Recipient will use on program materials and related communications.

Guidelines: Please indicate if they a re also a donor or why they will be visibly acknowledged, and if they will receive the same prominence as USAID.

(d) **Award Criteria.** The Agreement Officer will review the Branding Strategy for adequacy, ensuring that it contains the required information on naming and positioning the USAID-funded program, project, or activity, and promoting and communicating it to cooperating country beneficiaries and citizens. The Agreement Officer also will evaluate this information to ensure that it is consistent with the stated objectives of the award; with the Apparently Successful Applicant's cost data submissions; with the Apparently Successful Applicant's project, activity, or program performance plan; and with the regulatory requirements set out in 22 CF R 226.91. The Agreement Officer may obtain advice and from technical experts while performing the evaluation.

II. MARKING PLAN – ASSISTANCE (December 2005)

(a)**Definitions**

Marking Plan means a plan that the Apparently Successful Applicant submits at the specific request of a USAID Agreement Officer after evaluation of an application for USAID funding, detailing the public communications, commodities, and program materials and other items that will visibly bear the USAID Identity. Recipients may request approval of Presumptive Exceptions to marking requirements in the Marking Plan.

Apparently Successful Applicant(s) means the Applicant(s) for USAID funding recommended for an award after evaluation, but who has not yet been awarded a grant, Cooperative Agreement or other assistance award by the Agreement Officer. The Agreement Officer will request that Apparently Successful Applicants submit a Branding Strategy and Marking Plan. Apparently Successful Applicant status confers no right and constitutes no USAID commitment to an award, which the Agreement
Officer must still obligate.

USAID Identity (Identity) means the official marking for the Agency, comprised of the USAID logo and new brandmark, which clearly communicates that our assistance is from the American people. The USAID Identity is available on the USAID website and USAID provides it without royalty, license, or other fee to Recipients of USAIDfunded grants, Cooperative Agreements, or other assistance awards or subawards.

A ***Presumptive Exception*** exempts the Applicant from the general marking requirements for a *particular* USAID-funded public communication, commodity, program material or other deliverable, or a *category* of USAID-funded public communications, commodities, program materials or other deliverables that would otherwise be required to visibly bear the USAID Identity. The Presumptive Exceptions are: Presumptive Exception (i). USAID marking requirements may not apply if they would
compromise the intrinsic independence or neutrality of a program or materials where independence or neutrality is an inherent aspect of the program and materials, such as election monitoring or ballots, and voter information literature; political party support or public policy advocacy or reform; independent media, such as television and radio broadcasts, newspaper articles and editorials; and public service announcements or public opinion polls and surveys (22 C.F.R. 226.91(h)(1)).

<u>Presumptive Exception (ii)</u>. USAID marking requirements may not apply if they would diminish the credibility of audits, reports, analyses, studies, or policy recommendations whose data or findings must be seen as independent (22 C.F.R. 226.91(h)(2)).

<u>Presumptive Exception (iii)</u>. USAID marking requirements may not apply if they would undercut host-country government “ownership” of constitutions, laws, regulations, policies, studies, assessments, reports, publications, surveys or audits, public service announcements, or

other communications better positioned as "by" or "from" a cooperating country ministry or government official (22 C.F.R. 226.91(h)(3)).

Presumptive Exception (iv). USAID marking requirements may not apply if they would impair the functionality of an item, such as sterilized equipment or spare parts (22 C.F.R. 226.91(h)(4)).

Presumptive Exception (v). USAID marking requirements may not apply if they would incur substantial costs or be impractical, such as items too small or otherwise unsuited for individual marking, such as food in bulk (22 C.F.R. 226.91(h)(5)).

Presumptive Exception (vi). USAID marking requirements may not apply if they would local cultural or social norms, or be considered inappropriate on such items as condoms, toilets, bed pans, or similar commodities (22 C.F.R. 226.91(h)(6)).

Presumptive Exception (vii). USAID marking requirements may not apply if they would conflict with international law (22 C.F.R. 226.91(h)(7)).

(b) **Submission.** The Apparently Successful Applicant, upon the request of the Agreement Officer, will submit and negotiate a Marking Plan that addresses the details of the public communications, commodities, program materials that will visibly bear the USAID Identity. The marking plan will be customized for the particular program, project, or activity under the resultant grant or Cooperative Agreement. The plan will be included in and made a part of the resulting grant or Cooperative Agreement. USAID and the Apparently Successful Applicant will negotiate the Marking Plan within the time specified by the Agreement Officer. Failure to submit and negotiate a Marking Plan will make the Applicant ineligible for award of a grant or Cooperative Agreement. The Applicant must include an estimate of all costs associated with branding and marking USAID programs, such as plaques, labels, banners, press events, promotional materials, and so forth in the budget portion of its application. These costs are subject to revision and negotiation with the Agreement Officer upon submission of the Marking Plan and will be incorporated into the Total Estimated Amount of the grant, Cooperative Agreement or other assistance instrument.

(c) **Submission Requirements**.

The Marking Plan will include the following:

(1) A description of the public communications, commodities, and program materials that the Recipient will be produced as a part of the grant or Cooperative Agreement and which will visibly bear the USAID Identity. These include:

(i) program, project, or activity sites funded by USAID, including visible infrastructure projects or other programs, projects, or activities that are physical in nature;

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

(iii) events financed by USAID, such as training courses, conferences, seminars, exhibitions, fairs, workshops, press conferences, and other public activities; and (iv) all commodities financed by USAID, including commodities or equipment provided under humanitarian assistance or disaster relief programs, and all other equipment, supplies and other materials funded by USAID, and their export packaging.

(2) A table specifying:

(i) the program deliverables that the Recipient will mark with the USAID Identity,

(ii) the type of marking and what materials the Applicant will be used to mark the program deliverables with the USAID Identity, and

(iii) when in the performance period the Applicant will mark the program deliverables, and where the Applicant will place the marking.

(3) A table specifying:

(i) what program deliverables will not be marked with the USAID Identity, and (ii) the rationale for not marking these program deliverables.

(d) **Presumptive Exceptions.**

(1) The Apparently Successful Applicant may request a Presumptive Exception as part of the overall Marking Plan submission. To request a Presumptive Exception, the Apparently Successful Applicant must identify which Presumptive Exception applies, and state why, in light of the Apparently Successful Applicant's technical proposal and in the context of the program description or program statement in the USAID Request For Application or Annual Program Statement, marking requirements should not be required.

(2) Specific guidelines for addressing each Presumptive Exception are:

(i) For Presumptive Exception (i), identify the USAID Strategic Objective, Interim Result, or program goal furthered by an appearance of neutrality, or state why the program, project, activity, commodity, or communication is 'intrinsically neutral.' Identify, by category or deliverable item, examples of program materials funded under the award for which you are seeking exception 1.

(ii) For Presumptive Exception (ii), state what data, studies, or other deliverables will be produced under the USAID funded award, and explain why the data, studies, or deliverables must be seen as credible.

(iii) For Presumptive Exception (iii), identify the item or media product produced under the USAID funded award, and explain why each item or product, or category of item and product, is better positioned as an item or product produced by the cooperating country government.

(iv) For Presumptive Exception (iv), identify the item or commodity to be marked, or categories of items or commodities, and explain how marking would impair the item's or commodity's functionality.

(v) For Presumptive Exception (v), explain why marking would not be cost-beneficial or practical.

(vi) For Presumptive Exception (vi), identify the relevant cultural or social norm, and explain why marking would violate that norm or otherwise be inappropriate.

(vii) For Presumptive Exception (vii), identify the applicable international law violated by marking.

(3) The Agreement Officer will review the request for adequacy and reasonableness.

In consultation with the Cognizant Technical Officer and other agency personnel as necessary, the Agreement Officer will approve or disapprove the requested Presumptive Exception. Approved exceptions will be made part of the approved Marking Plan, and will apply for the term of the award, unless provided otherwise.

(e) **Award Criteria**: The Agreement Officer will review the Marking Plan for adequacy and reasonableness, ensuring that it contains sufficient detail and information concerning public communications, commodities, and program materials that will visibly bear the USAID Identity. The Agreement Officer will evaluate the plan to ensure that it is consistent with the stated objectives of the award; with the Applicant's cost data submissions; with the Applicant's actual project, activity, or program performance plan; and with the regulatory requirements of 22 C.F.R.226.91. The Agreement Officer will approve or disapprove any requested Presumptive Exceptions (see paragraph (d)) on the basis of adequacy and reasonableness. The Agreement Officer may obtain advice and recommendations from technical experts while performing the evaluation.

III. MARKING UNDER USAID-FUNDED ASSISTANCE INSTRUMENTS (December 2005)

(a) Definitions

Commodities mean any material, article, supply, goods or equipment, excluding Recipient offices, vehicles, and non-deliverable items for Recipient's internal use, in administration of the USAID funded grant, Cooperative Agreement, or other agreement or subagreement.

Principal Officer means the most senior officer in a USAID Operating Unit in the field, e.g., USAID Mission Director or USAID Representative. For global programs managed from Washington but executed across many countries, such as disaster relief and assistance to internally displaced persons, humanitarian emergencies or immediate post conflict and political crisis response, the Cognizant Principal Officer may be an Office Director, for example, the Directors of USAID/W/Office of Foreign Disaster Assistance and Office of Transition Initiatives. For non-presence countries, the Cognizant Principal Officer is the Senior USAID officer in a regional USAID Operating Unit responsible for the non-presence country, or in the absence of such a responsible operating unit, the Principal U.S Diplomatic Officer in the non-presence country exercising delegated authority from USAID.

Programs mean an organized set of activities and allocation of resources directed toward a common purpose, objective, or goal undertaken or proposed by an organization to carry out the responsibilities assigned to it.

Projects include all the marginal costs of inputs (including the proposed investment) technically required to produce a discrete marketable output or a desired result (for example, services from a fully functional water/sewage treatment facility).

Public communications are documents and messages intended for distribution to audiences external to the Recipient's organization. They include, but are not limited to, correspondence, publications, studies, reports, audio visual productions, and other informational products;

applications, forms, press and promotional materials used in connection with USAID funded programs, projects or activities, including signage and plaques; Web sites/Internet activities; and events such as training courses, conferences, seminars, press conferences and so forth.

SubRecipient means any person or government (including cooperating country government) department, agency, establishment, or for profit or nonprofit organization that receives a USAID subaward, as defined in 22 C.F.R. 226.2.

Technical Assistance means the provision of funds, goods, services, or other foreign assistance, such as loan guarantees or food for work, to developing countries and other USAID Recipients, and through such Recipients to subRecipients, in direct support of a development objective – as opposed to the internal management of the foreign assistance program.

USAID Identity (Identity) means the official marking for the United States Agency for International Development (USAID), comprised of the USAID logo or seal and new brandmark, with the tagline that clearly communicates that our assistance is "from the American people." The USAID Identity is available on the USAID website at www.usaid.gov/branding and USAID provides it without royalty, license, or other fee to Recipients of USAID-funded grants, or Cooperative Agreements, or other assistance awards.

(b) Marking of Program Deliverables

(1) All Recipients must mark appropriately all overseas programs, projects, activities, public communications, and commodities partially or fully funded by a USAID grant or

Cooperative Agreement or other assistance award or subaward with the USAID Identity, of a size and prominence equivalent to or greater than the Recipient's, other donor's, or any other third party's identity or logo.

(2) The Recipient will mark all program, project, or activity sites funded by USAID, including visible infrastructure projects (for example, roads, bridges, buildings) or other programs, projects, or activities that are physical in nature (for example, agriculture, forestry, water management) with the USAID Identity. The Recipient should erect temporary signs or plaques early in the construction or implementation phase. When construction or implementation is complete, the Recipient must install a permanent, durable sign, plaque or other marking.

(3) The Recipient will mark technical assistance, studies, reports, papers, publications, audio-visual productions, public service announcements, Web sites/Internet activities and other promotional, informational, media, or communications products funded by USAID with the USAID Identity.

(4) The Recipient will appropriately mark events financed by USAID, such as training courses, conferences, seminars, exhibitions, fairs, workshops, press conferences and other public activities, with the USAID Identity. Unless directly prohibited and as appropriate to the surroundings, Recipients should display additional materials, such as signs and banners, with the USAID Identity. In circumstances in which the USAID Identity cannot be displayed visually, the Recipient is encouraged otherwise to acknowledge USAID and the American people's support.

(5) The Recipient will mark all commodities financed by USAID, including commodities or equipment provided under humanitarian assistance or disaster relief programs, and all other equipment, supplies, and other materials funded by USAID, and their export packaging with the USAID Identity.

(6) The Agreement Officer may require the USAID Identity to be larger and more prominent if it is the majority donor, or to require that a cooperating country government's identity be larger and more prominent if circumstances warrant, and as appropriate depending on the audience, program goals, and materials produced.

(7) The Agreement Officer may require marking with the USAID Identity in the event that the Recipient does not choose to mark with its own identity or logo.

(8) The Agreement Officer may require a pre-production review of USAID-funded public communications and program materials for compliance with the approved Marking Plan.

(9) SubRecipients. To ensure that the marking requirements "flow down" to subRecipients of subawards, Recipients of USAID funded grants and Cooperative Agreements or other assistance awards will include the USAID-approved marking provision in any USAID funded subaward, as follows: "*As a condition of receipt of this subaward, marking with the USAID Identity of a size and prominence equivalent to or greater than the Recipient's,*

subRecipient's, other donor's or third party's is required. In the event the Recipient chooses not to require marking with its own identity or logo by the subRecipient, USAID may, at its discretion, require marking by the subRecipient with the USAID Identity."

(10) Any 'public communications', as defined in 22 C.F.R. 226.2, funded by USAID, in which the content has not been approved by USAID, must contain the following disclaimer: *"This study/report/audio/visual/other information/media product (specify) is made possible by the generous support of the American people through the United States Agency for International Development (USAID). The contents are the responsibility of [insert Recipient name] and do not necessarily reflect the views of USAID or the United States Government."*

(11) The Recipient will provide the Cognizant Technical Officer (CTO) or other USAID personnel designated in the grant or Cooperative Agreement with two copies of all program and communications materials produced under the award. In addition, the Recipient will submit one electronic or one hard copy of all final documents to USAID's Development Experience Clearinghouse.

(c) Implementation of marking requirements.

(1) When the grant or Cooperative Agreement contains an approved Marking Plan, the Recipient will implement the requirements of this provision following the approved Marking Plan.

(2) When the grant or Cooperative Agreement does not contain an approved Marking Plan, the Recipient will propose and submit a plan for implementing the requirements of this provision within **N/A** after the effective date of this provision. The plan will include:

(i) A description of the program deliverables specified in paragraph (b) of this provision that the Recipient will produce as a part of the grant or Cooperative Agreement and which will visibly bear the USAID Identity.

(ii) the type of marking and what materials the Applicant uses to mark the program deliverables with the USAID Identity,

(iii) when in the performance period the Applicant will mark the program deliverables, and where the Applicant will place the marking,

(3) The Recipient may request program deliverables not be marked with the USAID Identity by identifying the program deliverables and providing a rationale for not marking these program deliverables. Program deliverables may be exempted from USAID marking requirements when:

(i) USAID marking requirements would compromise the intrinsic independence or neutrality of a program or materials where independence or neutrality is an inherent aspect of the program and materials;

(ii) USAID marking requirements would diminish the credibility of audits, reports, analyses, studies, or policy recommendations whose data or findings must be seen as independent;

(iii) USAID marking requirements would undercut host-country government "ownership" of constitutions, laws, regulations, policies, studies, assessments, reports, publications, surveys or audits, public service announcements, or other communications better positioned as "by" or "from" a cooperating country ministry or government official;

(iv) USAID marking requirements would impair the functionality of an item;

(v) USAID marking requirements would incur substantial costs or be impractical;

(vi) USAID marking requirements would offend local cultural or social norms, or be considered inappropriate;

(vii) USAID marking requirements would conflict with international law.

(4) The proposed plan for implementing the requirements of this provision, including any proposed exemptions, will be negotiated within the time specified by the Agreement Officer after receipt of the proposed plan. Failure to negotiate an approved plan with the time specified by the Agreement Officer may be considered as noncompliance with the requirements is provision.

(d) Waivers.

(1) The Recipient may request a waiver of the Marking Plan or of the marking requirements of this provision, in whole or in part, for each program, project, activity, public communication or commodity, or, in exceptional circumstances, for a region or country, when USAID required marking would pose compelling political, safety, or security concerns, or when marking would have an adverse impact in the cooperating country. The Recipient will submit the request through the Cognizant Technical Officer. The Principal Officer is responsible for approvals or disapprovals of waiver requests.

(2) The request will describe the compelling political, safety, security concerns, or adverse impact that require a waiver, detail the circumstances and rationale for the waiver, detail the specific requirements to be waived, the specific portion of the Marking Plan to be waived, or specific marking to be waived, and include a description of how program materials will be marked (if at all) if the USAID Identity is removed. The request should also provide a rationale for any use of Recipient's own identity/logo or that of a third party on materials that will be subject to the waiver.

(3) Approved waivers are not limited in duration but are subject to Principal Officer review at any time, due to changed circumstances.

(4) Approved waivers "flow down" to Recipients of subawards unless specified otherwise. The waiver may also include the removal of USAID markings already affixed, if circumstances warrant.

(5) Determinations regarding waiver requests are subject to appeal to the Principal Officer's Cognizant Assistant Administrator. The Recipient may appeal by submitting a written request to reconsider the Principal Officer's waiver determination to the Cognizant Assistant Administrator.

(e) Non-retroactivity.

The requirements of this provision do apply to any materials, events, or commodities produced prior to January 2, 2006. The requirements of this provision do not apply to program, project, or activity sites funded by USAID, including visible infrastructure projects

(For example, roads, bridges, buildings) or other programs, projects, or activities that are physical in nature (for example, agriculture, forestry, water management) where the construction and implementation of these are complete prior to January 2, 2006 and the period of the grant does not extend past January 2, 2006.

[END OF PROVISION]

2. EQUAL PROTECTION OF THE LAWS FOR FAITH-BASED AND COMMUNITY ORGANIZATIONS (December 2009)

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

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

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

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

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

(f) When the Recipient is a religious organization, the Recipient

> (1) retains its independence and may continue to carry out its mission, including the definition, practice, and expression of its religious beliefs, provided that it does not use direct financial assistance from USAID to support any inherently religious activities, such as worship, religious instruction, or proselytization.

(2) retains its authority over its internal governance and may retain religious terms in its organization's name, select its board members on a religious basis, and include religious references in its organization's mission statements and other governing documents.

(3) retains its exemption from the Federal prohibition on employment discrimination on the basis of religion, setforth in Sec. 702(a) of the Civil Rights Act of 1964,42 U.S.C.2000e-1.
(4) may use space in its facilities, without removing religious art, icons, scriptures, or other religious symbols.

(h) The Secretary of State may waive the requirements of this provision in whole or in part, on a case-by-case basis, where the Secretary determines that such waiver is necessary to further the national security or foreign policy interests of the United States.

[END OF PROVISION]

[END OF SECTION E]

SECTION F – OTHER RELEVANT INFORMATION

A. USAID/WEST BANK AND GAZA MISSION NOTICES

For your reference, please note the link to all USAID West Bank and Gaza notices to Contractors and Grantees. In particular, Applicants should take note of the following notices that are posted on the USAID/West Bank Gaza website under Partners resources http://www.usaid.gov/wbg/business.htm .

II. 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.

III. APPLICABLE REGULATIONS AND REFERENCES

- ADS Series 300 Acquisition and Assistance
  http://www.usaid.gov/pubs/ads/

- Mandatory Standard Provisions for U.S., Nongovernmental Recipients
  http://www.usaid.gov/pubs/ads/300/303maa.pdf

- Mandatory Standard Provisions for Non-U.S. Nongovernmental Recipients:
  http://www.usaid.gov/policy/ads/300/303mab.pdf

- 22 CFR 226
  http://www.access.gpo.gov/nara/cfr/waisidx_02/22cfr226_02.html

- OMB Circular A-122
  http://www.whitehouse.gov/omb/circulars/a122/a122.html

- OMB Circular A-110
  http://www.whitehouse.gov/omb/circulars/a110/a110.html

- SF-424 Downloads
  http://www.grants.gov/agencies/aapproved_standard_forms.jsp

- Reference to USAID West Bank and Gaza Mission Notices to Contractors and Grantees
  http://www.usaid.gov/wbg/business.htm (Applicants should take note of the notices that are posted on the USAID/West Bank Gaza website under Partners Resources)

SECTION G - VAT GUIDANCE