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**The USAID Broad Agency Announcement for
“Sustainable Peri-urban Water and Sanitation services”**

USAID/DRC Office of Health

BAA Number: BAA-DRC-WASH-2018

I. Overview

The United States Agency for International Development (USAID) is issuing this Broad Agency Announcement (BAA) to seek participants to co-create, co-design, co-invest, and collaborate on research and development ¹(R&D) interventions to address the binding constraints and bottleneck to sustainable and resilient WASH service delivery pathways in peri urban areas. USAID invites organizations and companies to submit an Expression of Interest, as provided in Section III below. USAID and stakeholders, through the co-creation process, will strive to design an activity that will use innovative, scalable local and market compatible approaches, promote iterative learning to support sustainable delivery of WASH services, enable the environment, increase collective capacity of local governments, communities, civil society and other organizations to leverage private investments and test solutions from a menu designed to address key constraints to peri-urban water and sanitation service provision.

The intent of the BAA is to allow co-creation and co-design to the maximum extent to create high-quality, effective partnerships with great efficiency in time and resources. USAID will invite selected public, private, for-profit, and nonprofit organizations, as well as institutions of higher education, public international organizations, non-governmental organizations, U.S. and non-U.S. governmental organizations, multilateral and international donor organizations, as detailed below, to co-create R&D solutions to the Problem and Challenge Statements stated in this BAA in Section II below.

Co-Investing: The purpose of this BAA is to align USAID goals with a range of partners to facilitate shared responsibility, shared risk, and shared resourcing. Shared resourcing requires that cash and other resources, both tangible and intangible, such as in-kind contributions, expertise, intellectual property, brand value, high-value coordination, and access to key people, places, and information, are directed towards reaching the solution to the

¹ Research is defined in the Federal Acquisition Regulations (FAR) 2.101 as: **“Basic research”** means that research directed toward increasing knowledge in science. The primary aim of basic research is a fuller knowledge or understanding of the subject under study, rather than any practical application of that knowledge. And in FAR 35.001: **“Applied research”** means that effort which (1) normally follows basic research, but may not be severable from the related basic research, (2) attempts to determine and exploit the potential of scientific discoveries or improvements in technology, materials, processes, methods, devices, or techniques, and (3) attempts to advance the state of the art. Applied research does not include efforts whose principal aim is design, development, or test of specific items or services to be considered for sale; these efforts are within the definition of the term “development,” defined in this subsection. FAR 35.001: **“Development”** as used in this part, means the systematic use of scientific and technical knowledge in the design, development, testing, or evaluation of a potential new product or service (or of an improvement in an existing product or service) to meet specific performance requirements or objectives. It includes the functions of design engineering, prototyping, and engineering testing; it excludes subcontracted technical effort that is for the sole purpose of developing an additional source for an existing product.

Problem/Challenge. Co-investing does not require equal shared resources (such as 1:1 leverage), but rather resource contributions that are appropriate to the specific project's objectives, considering the comparative advantages brought by the participation of each party.

B. **Federal Agency Name:** The United States Agency for International Development (USAID)

C. **Opportunity Title:** Creating Sustainable Peri-urban Water and Sanitation services.

D. **Opportunity Number:** BAA-DRC-WASH-2018

E. **Authority:** This BAA is issued under Federal Acquisition Regulations (FAR) Part 35.016 (c). This is not a FAR Part 15 Procurement.

F. **Catalog of Federal Domestic Assistance (CFDA) Number:** 98.001 USAID Foreign Assistance Programs for Overseas

II. Problem and Challenge Statements

PROBLEM: Although the DRC is one of the most freshwater-rich countries in Africa, the water and sanitation sector is defined by very low access rates and strong disparities between urban and rural areas, major cities and peri-urban areas. Over the last decade government funding for the DRC's water, sanitation, and hygiene (WASH) sector has generally declined over the MDG period from 5 percent in 1990 to 1.2 percent in 2015,² and the sector relies heavily on external partners to receive both funding and technical assistance. The limited financing available to the sector has been focused in two institutional channels: (1) the urban water utility "Régie de Distribution d'Eau (REGIDESO)" for urban areas, and (2) the "Ecole et Village Assainis (EVA)" program led by UNICEF and the Ministry of Public Health for rural areas. Peri-urban areas receive scant attention because they straddle the rural-urban divide. They often leverage a patchwork system of basic services that draws from informal systems and supplies³. It is challenging to define the peri-urban interface because of the shifting nature of these areas which embodies a transition from rural to urban. The shift also includes rural to urban norms.

The DRC failed to meet the Millennium Development Goal⁴ (MDG) 7. 74.8 percent of the country's urban population live in slums also considered peri-urban areas⁵, which is above the sub-Saharan regional average of 60%.⁶ Basic water facilities are available to only 52% of DRC's population, and less than 29% have access to basic

² World Bank. 2017. WASH Poor in a Water-Rich Country: A Diagnostic of Water, Sanitation, Hygiene, and Poverty in the Democratic Republic of Congo, hyperlink: <https://openknowledge.worldbank.org/bitstream/handle/10986/27320/116679.pdf?sequence=4&isAllowed=y>

³ Peloso, M. and Morinville, C., 2014. 'Chasing for Water': Everyday Practices of Water Access in Peri-Urban Ashaiman, Ghana. Water Alternatives, 7(1).

⁴ (MDG) 7: 7C (Halve, by 2015, the proportion of the population without sustainable access to safe drinking water# and basic sanitation) and 7D (Achieve, by 2020, a significant improvement in the lives of at least 100 million slum dwellers)

⁵ The United Nations defines slums as heavily populated urban areas with substandard housing and squalor. A slum also includes, to varying degrees, the following five characteristics: inadequate access to safe water; inadequate access to sanitation and other infrastructure; poor structural quality of housing; overcrowding; and insecure residential status.

⁶ UN Statistic Division, 2018, hyperlink: <http://mdgs.un.org/unsd/mdg/seriesdetail.aspx?srid=710>

sanitation⁷ which is below sub-Saharan regional averages of 68% access to clean drinking water and 30% access to sanitation.⁸ Access to better services is higher in the West region (Kinshasa and Bas-Congo), followed by the East (the Kivus) and the South (Katanga) with the Congo Basin (Equateur, Bandundu, and Orientale provinces) and Central region (Kasais) lagging behind⁹. Access to sanitation is generally low in both urban and rural areas.

This combination of factors has led to a “low level equilibrium,”¹⁰ characterized by low tariffs, low consumer expectations regarding service quality, and low consumer willingness to pay - which in turn creates a disincentive for increased government funding for the sector. Compounding the problem, the unprecedented increase of urban population has undercut the impact of new investments and triggered the challenge of maintaining current levels of infrastructure. The country’s average urban growth rate in the last decade was 4.1 percent, equaling an increase of 1 million urban dwellers in Congolese cities every year¹¹. As a result of recurrent (and protracted) crises and aggregate shocks (lack of basic services in rural areas) these places—known as peri-urban areas—expand quickly, due to a “push of rural instead of the pull of urban areas” making subsequent delivery of services expensive. Making matters worse, the country still confronts the recurrence of epidemic-prone diseases such as cholera, and the current combination of public, private and donor resources is insufficient to maintain the existing and new water and sanitation infrastructure. Peri-urban areas present unique and complex challenges for appropriate WASH interventions based on the diverse characteristics of the areas which are totally different from rural and urban experiences. Lack of or limited experiences on appropriate WASH interventions in peri-urban areas is a contributing factor for their neglect, as most WASH practitioners have experience with interventions in rural and urban areas. Hence the need for a better understanding of the context in peri-urban areas, in order to design sustainable, technologically appropriate, socially and culturally acceptable WASH interventions.

CHALLENGE: USAID recognizes that the gaps in service delivery cannot be closed by simply leveraging more financing; instead, what is also needed is the adaptation of innovative business practices and technology, governance and institutional arrangements in order to improve and sustain quality and coverage of water and sanitation service provision. Innovative, non-traditional approaches are needed to cope with the challenges resulting from rapid urbanization and population growth in the water and sanitation sector. As far as the WASH sector is concerned, much of the technology already exists. Therefore, innovation in the sector can include “renewing, advancing or changing the way things are done”¹¹; focusing on how to improve critical aspects of the system to achieve sustainable quality service delivery rather than creating new technologies.

USAID is seeking to address the lack of sustainable peri-urban water and sanitation service delivery by leveraging the latest scientific and technical knowledge to design, develop, test, implement, and evaluate new management

⁷ WHO/UNICEF. 2015. hyperlink: [Progress on sanitation and drinking water – 2015 update and MDG assessment: https://data.unicef.org/wp-content/uploads/2015/12/Progress-on-Sanitation-and-Drinking-Water_234.pdf](https://data.unicef.org/wp-content/uploads/2015/12/Progress-on-Sanitation-and-Drinking-Water_234.pdf)

⁸ Please see: <https://www.one.org/international/issues/water-and-sanitation/>

⁹ World Bank. 2018. Democratic Republic of Congo Urbanization Review: Productive and Inclusive Cities for an Emerging Democratic Republic of Congo, hyperlink: <https://openknowledge.worldbank.org/bitstream/handle/10986/28931/9781464812033.pdf?sequence=2>

¹⁰ Savedoff and Spiller (1999) Spilled Water: Institutional Commitment in the Provision of Water Services - see hyperlink: <https://publications.iadb.org/handle/11319/331#sthash.QIBO4G2Z.dpuf>

¹¹ World Bank. 2018. Democratic Republic of Congo Urbanization Review: Productive and Inclusive Cities for an Emerging Democratic Republic of Congo, hyperlink: <https://openknowledge.worldbank.org/bitstream/handle/10986/28931/9781464812033.pdf?sequence=2>

models, products or methods of service delivery (or to improve existing products or services), leading to systemic improvements in water and sanitation services. More specifically, we are seeking a holistic and strategic approach that would:

- Address issues related to WASH system analysis, specifically, quality and coverage of water and sanitation services;
- Emphasize the capacity strengthening, including the introduction of innovative business practices, of capacity of formal and informal institutions that are the most active in the sector; and
- Engage the private sector with the goal of increasing sustainable models of service delivery.

Such approaches should consider incorporating the following factors, which are illustrative and not exhaustive:

- Leveraging existing USAID tools for engaging with the private sector, such as Global Development Alliance (GDA)¹² and Development Credit Authority (DCA).¹³
- Partnerships and synergies with other private sector stakeholders, including investors, companies: Approaches should prioritize alignment with private sector core business functions and not corporate social responsibility goals, and consider how to incentivize private sector entities to enter the market and leverage additional funds and expertise needed for infrastructure; consider models like PPPs for “Build-Operate-Transfer” to rebuild infrastructure in high-density zones while at the same time ensuring professional management of the infrastructure. This approach would increase the likelihood of sustainability after USAID’s investment in this activity ends.
- Partnerships and synergies with other relevant USAID and donor (nutrition, economic growth, environment, agriculture, etc) activities.¹⁴
- Leveraging innovative technological tools that can provide break-through solutions to water and sanitation services in peri-urban areas, promote iterative learning and can be scaled-up through integration into a wider program.
- Sustainability: Proposed approach should address main bottleneck to sustainability of peri-urban areas, consider separately idiosyncratic patterns of peri-urban areas and include climate resilient Water Safety Plans as a governance and technical tool for identifying and addressing threats to water quantity and quality.
- Conflict sensitivity: The drivers of conflict should be considered, and proposed approaches should address the positive and negative impact of the interventions on conflict; how USAID can successfully disengage in vulnerable contexts and incorporate do-no-harm principles. Also consider the fact that, as populations grow and settlements increase in size, they will begin to compete with neighboring settlements.
- Approaches should contemplate how a differentiated investment approach using local entities (or communities), such as the *Entitees Territoriales Decentralisees* (ETDs) as the unit of intervention for water and sanitation service delivery can help create a critical mass of standardized hardware, viable business opportunities, and support new social norms around payment for services.

¹² To learn more about USAID GDAs, see: <https://www.usaid.gov/gda/>

¹³ For further information on DCAs, see: <https://www.usaid.gov/what-we-do/economic-growth-and-trade/development-credit-authority-putting-local-wealth-work>

¹⁴ For further information on USAID/DRC’s development and assistance portfolio, see: <https://www.usaid.gov/democratic-republic-congo>

- Geography: Approaches should encompass provinces of North and South Kivu, parts of Kasai Orientale, Kasai Central and Lomami. Proposed activities should be within this area in order to facilitate greater synergies amongst interventions, economies of scale, and impact.
- Environmental compliance: USAID promotes environmentally sound design by requiring that all USAID funded activities undergo an environmental impact assessment and comply with Title 22 of the Code of Federal Regulations Part 216, commonly known as 22 CFR 216 or "Reg 216."

Areas of Interest

USAID will bring together stakeholders from industry, civil society, research entities, government, implementing partners and donors in a co-creation process. The Expression(s) of Interest must include a proposed R&D intervention to address one, two, or all three areas listed below with the ultimate goal of shifting peri-urban water and sanitation service delivery onto sustainable and resilient pathways.

- 1) **Locally compatible sanitation technologies:** Access to improved, non-shared sanitation facilities is low and nearly equivalent in both urban and rural areas and gains at the national level have come from increases in rural access. The lack of a functional service chain for the safe disposal of fecal matter hampers the sustainability of sanitation services, current services are composed predominantly of on-site sanitation to safely contain fecal matter. The contextual sanitation challenges peri-urban areas present are unique and low-cost technologies currently used in rural areas are woefully inadequate to improve sanitation services in peri-urban areas. In order to improve overall sanitation levels in peri-urban areas, the entire sanitation value and service chain has to be taken into consideration. Thus, the objective of Area of Interest 1 is to identify and deliver an approach which ensures that socio-cultural complexities of sanitation planning in peri-urban settlements are addressed to improve the sustainability and long term viability of local sanitation technologies. Additional questions to consider under Area of Interest 1:
 - How can a gradual approach to sanitation safety planning with replicable pilots (which offers potential co-financing of initial capital investment, long-term guarantees, potential for scale and sustainability) improve the sanitation service chain in peri-urban areas and achieve significant local impact? What would be the incremental steps?
 - How can microfinance be used to expand access to sanitation in high-interest rate environments?
 - What sanitation innovations (treatment technologies, waste-to-value business models) etc. Can process human by-products to yield other types of by-products? How can communities consolidate the demand for sanitation in order to have more leverage in an immature market for sanitation slabs and other products? What are the obstacles to scaling up innovative solutions?
- 2) **Water and sanitation system governance:** The new DRC Water Law and Policy (2015–16) lays the foundation for new reforms and sector policies and open the way for a far-reaching transformation of DRC water sector policies and institutions through decentralization, institutional consolidation, and delegation of operational responsibilities. It is expected that the decentralization of institutional arrangements will slowly increase the mandates and to some extent the capacity of local governments to plan for water and sanitation services. Based on capacity, some provinces and ETDs would steadily take up their new responsibilities as prescribed in the water and deconcentration/decentralization laws while others would move at a slower pace.

The long-awaited ministerial decrees defining norms, responsibilities and organization of the sector are yet to be issued, and the current institutional fragmentation of the sector has rendered water and sanitation institutional and service improvement less responsive to the context. To this end, USAID seeks to develop and increase communities, civil society, and local government's collective capacity for strategic leveraging; enabling the environment to support sustainable delivery of WASH services and test solutions from a menu designed to address key constraints to peri-urban water service provision. Additional questions to consider under Area of Interest 2:

- What is the flexibility/what are the risks to a differentiated investment approach based on ETDs capacity in the current unclear regulatory environment and ETDs?
- To what extent can effective decentralization increase collective action capacity and contribute to unlock interlocking constraints of safe sanitation service chain in peri-urban areas?
- How can donor behavior be changed to focus on “de-risking” commercial investments rather than financing entire investment with public finance – whilst still focusing on extending access for poor?
- How can institutions and incentives for key actors in the sector align to improve sustainable water supply and sanitation services?

- 3) **Sustainable Water Supply service:** Although the now recognized Autonomous Water Systems (AWSs) plays an important role in water service provision especially in underserved peri-urban and urban areas, the lack of professional operators with expertise in peri-urban and urban areas persists. AWSs are particularly common in Eastern Congo and in the peri-urban areas of large agglomerations such as Kinshasa. Capital infrastructure investments in peri-urban areas are expensive, sustainable progress in water supply and sanitation service delivery is complex and multi-faceted; therefore, there is a need to extend infrastructure appraisals beyond current economic approaches (focusing on cost benefit analysis) to include a financial framework that supports cost recovery and transparent subsidy policies; contract enforcement and adjudication, accurate forecasting and sound projection of revenue as these decisions will determine the operation and maintenance (O&M) costs for decades after. While in mountainous Eastern Congo, rural gravity schemes providing unmetered water to private connections are predominant, the (peri-) urban schemes of southern, central, and western DRC have different characteristics. Despite donors attempts to fund the sector and reform the main water utility REGIDESO, most peri-urban infrastructure development processes have failed due to institutional failures rather than technological complexity *per se*. USAID seeks to explore models of aggregation of small and medium-size peri-urban settlements for the provision of water supply services using innovative contractual forms (for example, Build, operate, Train, Transfer [BoTT]) for improved efficiency of service delivery through economies of scale and scope. Combined concepts are highly recommended as the topics are interconnected. Additional questions to consider under Area of Interest 3

- What is the form of the aggregated structure and governance arrangements model that may allow AWSs to buy water in bulk from REGIDESO and what are the efficiency parameters?
- Is there a threshold of efficiency and profitability at which a water utility is a decent/safe investment? What would those parameters be?
- How can innovation (in service delivery, business models or contractual arrangements) mobilize commercial finance and minimize the costs of access to water services?

III. The BAA Process

The amount of resources made available under this BAA will depend on the concepts received and the availability of funds from USAID and other resource partners. Some award types may not include any funding. The award process under this BAA has the following steps:

STAGE 1 - SUBMISSION OF EXPRESSIONS OF INTEREST (EOIs)

Please submit an expression of interest addressing the criteria below, in the format required in Section VII. More than one expression of interest can be submitted.

USAID will review the Expressions of Interest to determine the extent to which each Expression of Interest addresses the criteria/eligibility stated below. Not all organizations that submit an Expression of Interest will be invited to proceed to Stage 2. Due to the number of Expressions of Interest received, USAID is unable to provide details on why Expressions of Interest were not selected.

Criteria for Expressions of Interest:

1. Expressions of Interest must indicate the research or development area of interest the applicant seeks to work in and contribute towards discovering potential solutions to the Problem and Challenge Statements, by increasing knowledge and understanding of potential solutions; exploiting scientific discoveries ; developing improvements in technology, materials, processes, methods, devices, or techniques that advance the state of the art; or using scientific and technical knowledge in the design, development, testing, or evaluation of a potential new product or service (or of an improved product or service).

Any awards issued under this solicitation will be for Applied Research or Development, as those terms are defined in 48 USC 35.001, as follows:

“Applied research” means the effort that:

(a) normally follows basic research¹⁵, but may not be severable from the related basic research;

(b) attempts to determine and exploit the potential of scientific discoveries or improvements in technology, materials, processes, methods, devices, or techniques; and

(c) attempts to advance the state of the art. When being used by contractors in cost principle applications, this term does not include efforts whose principal aim is the design, development, or testing of specific

¹⁵ The primary aim of basic research is a fuller knowledge or understanding of the subject under study, rather than any practical application of that knowledge. (FAR 2.101)

items or services to be considered for sale; these efforts are within the definition of “development,” given below.

“Development” means the systematic use of scientific and technical knowledge in the design, development, testing, or evaluation of a potential new product or service (or of an improvement in an existing product or service) to meet specific performance requirements or objectives. It includes the functions of design engineering, prototyping, and engineering testing; it excludes subcontracted technical effort that is for the sole purpose of developing an additional source for an existing product.

2. Expressions of Interest must demonstrate the potential to have a significant impact, and ultimately achieve even greater impact at scale.
3. Expressions of Interest must indicate the background and expertise of the organization, and the managerial and technical staff or team engaged in the endeavor.
4. Expressions of Interest must indicate what co-investment resources are available to contribute to the solution, including those from the submitting organization and those from other third party businesses, donors, foundations, or other organizations. Such resources include cash and other resources, both tangible and intangible, such as in-kind contributions, expertise, intellectual property, brand value, high-value coordination, and access to key people, places, and information.
5. USAID will also consider the reputation of an organization and its past performance in assessing the ability of the organization to contribute to the co-creation.

STAGE 2 - CO-CREATION AND CO-DEVELOPMENT OF THE CONCEPT PAPER

During Stage 2, key stakeholders will Co-Create potential solutions to the Problem/Challenge by brainstorming and innovating solutions and resources, potentially leading to concept papers that USAID or other resource partners will consider for funding.

Stage 2: Part 1: Co-Creation

USAID will review the Expressions of Interest and will select those organizations that USAID determines have addressed the criteria/eligibility stated within the BAA to an extent that the organization will make a significant contribution to the Co-Creation. The Co-Creation will also include USAID and other co-investment organizations that may be able to contribute cash and other resources, both tangible and intangible, such as in-kind contributions, expertise, intellectual property, brand value, high-value coordination, and/or access to key people, places, and information.

Co-Creations may take the form of a workshop, conference, meeting, or other the method at the discretion of the USAID. For this BAA, the Co-Creation is expected to be in the form of a one-week conference comprised of a series of sessions. The sessions will focus on each of the Areas of Interest above, and, additional sessions may be held to include cross-cutting issues, such as security considerations, the regulatory environment, etc. Depending

on the results of the co-creation conference, additional required workshops may be planned at the discretion of USAID. For more information on co-creation and its design approaches, see <https://usaidlearninglab.org/library/co-creation-discussion-note-ads-201>.

Unless provided otherwise, organizations are responsible for all costs incurred by the organization to participate in the Co-Creation.

Stage 2: Part 2: Co-Development of Concept Papers

Working together, USAID and the potential partner(s) will collaborate on Concept Paper(s), taking a holistic approach to addressing the Problem/Challenge based on learnings from the Co-Creation, and identifying creative approaches to resourcing projects. Such Concept Papers will consider and include additional implementing and co-investment partners to complement the project, including reasonable cost sharing, leverage, or other exchange of resource arrangements.

Not all organizations that participate in the Co-Creation may be invited to submit a Concept Paper for review by the Peer and Scientific Review Board (Stage 3).

The Concept Paper, generally 5-10 pages, will further detail and explain the activity.

STAGE 3 - REVIEW BY THE PEER AND SCIENTIFIC REVIEW BOARD

USAID and the organizations connected with each Concept Papers will present the Concept Paper to the Peer and Scientific Review Board, comprised of experts from USAID, NGOs, Universities, the private sector and other outside parties. The Peer and Scientific Review Board will review Concept Papers and recommend which applicants should be considered Apparently Successful Partners. Using its technical expertise, the Peer and Scientific Review Board will recommend whether to move forward with the project, including revisions/additions to the project, and potential partners and resources.

Not all organizations that present a Concept Paper to the Peer and Scientific Review Board will be invited to move to Stage 4.

STAGE 4: AWARD DETERMINATION

USAID will review the Peer and Scientific Review Board's recommendations and consider other information, such as resource availability and Agency priorities, and will make a determination whether to move forward with the Concept Paper. For Concept Papers that demonstrate a valid innovation to address the Problem/Challenge Statement, the Contracting/Agreement Officer will assess the partner's responsibility and identify the anticipated instrument type to facilitate project design.

Request for Additional Information. USAID will work with partners identified by the Peer and Scientific Review Board, and co-design the project and assist the partner to provide additional information with respect to the

proposer's technical approach, capacity, management and organization, past performance, and budget, as well as representations and certifications, as needed.

Final Review and Negotiation. The USAID Contract/ Agreement Officer will engage in final review, negotiation, responsibility, cost reasonableness, etc., and will co-develop/craft an award instrument with the Apparently Successful Partner. If the Apparently Successful Applicant and USAID cannot arrive at a mutually agreeable arrangement, USAID may cancel the project at no cost to the Government.

Award. Awards under this BAA will be made to the Apparently Successful Partners on the basis of their ability to achieve solutions to the Problems/Challenges, as provided herein. The standard clauses or provisions for awards are generally prescribed by law and regulation and will vary considerably by award type. Information regarding clauses and provisions will be offered to the Apparently Successful Applicant when the award type is identified

IV. Additional Considerations

A. Expressions of Interest are not evaluated against other Expressions of Interest, but solely whether USAID believes that the submitter will be a valuable contributor to the co-creation process. USAID may limit the number of initial submissions selected to move forward based on efficiencies.

B. Concept Papers are not evaluated against other Concept Papers, but solely based on USAID's determination that the Concept Paper will successfully address the Problem and Challenges set forth herein. USAID may limit the number of Concept Papers selected to move forward based on efficiencies.

C. Decisions regarding USAID's pursuit of a particular project, technology or relationship are based on all available information, evidence, data, and resulting analysis.

D. Eligibility Information. Public, private, for-profit, and nonprofit organizations, as well as institutions of higher education, public international organizations, non-governmental organizations, U.S. and non-U.S. governmental organizations, multilateral and international donor organizations are eligible under this BAA. All organizations must be determined to be responsive to the BAA and sufficiently responsible to perform or participate in the final award type.

V. Specific Rights Reserved for the Government under this BAA

The Government reserves specific rights, in addition to rights described elsewhere in this document or by law or regulation, including:

1. The right to award multiple awards, a single award, or no awards.
2. The right to make award without discussions, or to conduct discussions and/or negotiations, whichever is determined to be in the Government's interest.

3. The right to accept proposals in their entirety or to select only portions of proposals for award or co-investment.
4. The right to select for award an instrument type that is appropriate to the specific development context, partner relationship, and proposal selected for award. Instruments types include, but are not limited to, contracts, grants, cooperative agreements, public-private partnerships, Inter-Agency Agreements, Government to Government Agreements, Donor to Donor Agreements, and Memorandums of Understanding. In addition, the Government may craft a new instrument type to meet the needs of a specific relationship.
5. The right to co-create projects with one or more proposers under the BAA, when it is in the best interest of the Government.
6. The right to request any additional, necessary documentation upon initial review. Such additional information may include, but is not limited to, a further detailed proposal, budget, and representations and certifications.
7. The right to fund or co-invest in proposals in phases, with options for continued work at the end of one or more of the phases.
9. The right to award instruments under this BAA that do not commit or exchange monetary resources.
10. The right to remove organizations from the BAA process if USAID determines it is no longer in the best interests of the Government to proceed with the organization.

VI. Information Protection:

USAID's goal is to facilitate research and development that will lead to innovative, and potentially commercially viable, solutions. Understanding the sensitive nature of submitters' information, USAID will work with organizations to protect intellectual property.

Expressions of interest should be free of any intellectual property that submitter wishes to protect, as the expressions of interest will be shared with USAID partners as part of the selection process. However, once submitters have been invited to advance beyond co-creation, submitters can work with USAID to identify proprietary information that requires protection.

Therefore, organizations making submissions under this BAA grant to USAID a royalty-free, nonexclusive, and irrevocable right to use, disclose, reproduce, and prepare derivative works, and to have or permit others to do so to any information contained in the Expressions of Interest submitted under the BAA. If USAID further engages with the organization regarding its submission, the parties can negotiate further intellectual property protection for the organization's intellectual property.

Organizations must ensure that any submissions under this BAA are free of any third party proprietary data rights that would impact the license granted to USAID herein.

VII. Expression of Interest Information Formatting

Questions regarding this BAA must:

- A. Be submitted electronically by **September 14, 2018**, 17:00 Kinshasa local time to the attention of:
Andre Guy Soh
Contracting/Agreement Officer
USAID/DRC Office of Acquisition and Assistance
with a copy to kinshasaproposals@usaid.gov and to Andre Nkuluntu at ankuluntu@usaid.gov.

Expression of Interest must:

- B. Be In English, no more than 2 pages in length, and no smaller than 12 point font;
- C. Be submitted electronically by **October 10, 2018, 17:00 Kinshasa local time** to the attention of:
Andre Guy Soh
USAID/DRC Office of Acquisition and Assistance
Contracting/Agreement Officer
with a copy to kinshasaproposals@usaid.gov and to **Andre Nkuluntu** at ankuluntu@usaid.gov.
- D. Include your preferred location for co-creation workshop, should you be selected to participate, from the following list of options: Kinshasa, DRC; Goma, DRC.
- E. Contain a header with the following information (included in the page count):
 - a. Respondent Name/Group and Contact Information;
 - b. Response Title;
 - c. BAA Name/Number;
 - d. Optional graphic that fits on an 8.5"x11" or A4 piece of paper (included in the page limit);
- F. Be in .pdf, .docx, or .odf format