



USAID | MEXICO

FROM THE AMERICAN PEOPLE

SOL-523-15-000005 Human Rights Public Policy Activity

Issuance Date: June 09, 2015
Deadline for Questions/Clarifications: Wednesday, June 17, 2015, 2 pm Mexico City time
Closing Date: Thursday, July 09, 2015
Closing Time: 2:00 pm, Mexico City time

Subject: Notice of Funding Opportunity (NFO) Number: SOL-523-15-000005

Activity Title: Human Rights Public Policy Activity

Ladies and Gentlemen:

The United States Agency for International Development (USAID) Mexico is seeking applications for a Cooperative Agreement from qualified U.S. and Non-U.S. Non-Governmental Organizations (NGOs) to fund an activity entitled "Human Rights Public Policy". Eligibility for this award is not restricted. See Section C of this NFO for eligibility requirements.

Subject to the availability of funds an award will be made to that responsible applicant whose application best meets the objectives of this funding opportunity and the selection criteria contained herein. While one award is anticipated as a result of this NFO, USAID reserves the right to fund any or none of the applications submitted

For the purposes of this NFO the term "Grant" is synonymous with "Cooperative Agreement"; "Grantee" is synonymous with "Recipient"; and "Grant Officer" is synonymous with "Agreement Officer". Eligible organizations interested in submitting an application are encouraged to read this funding opportunity thoroughly to understand the type of program sought, application submission requirements and evaluation process.

To be eligible for award, the applicant must provide all information as required in this NFO and meet eligibility standards in Section C of this NFO. This funding opportunity is posted on www.grants.gov, and may be amended. Potential applicants should regularly check the website to ensure they have the latest information pertaining to this notice of funding opportunity. Applicants will need to have available or download Adobe program to their computers in order to view and save the Adobe forms properly. It is the responsibility of the applicant to ensure that the entire NFO has been received from the internet in its entirety and USAID bears no responsibility for data errors resulting from transmission or conversion process. If you have difficulty registering on www.grants.gov or accessing the NFO, please contact the Grants.gov Helpdesk at 1-800-518-4726 or via email at support@grants.gov for technical assistance.

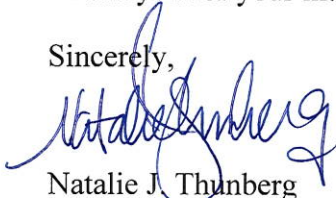
The successful Applicant will be responsible for ensuring the achievement of the program objectives. Please read each section of the NFO.

Please send any questions to the point(s) of contact identified in Section D. The deadline for questions is shown above. Responses to questions received prior to the deadline will be furnished to all potential applicants through an amendment to this notice posted to www.grants.gov.

Issuance of this notice of funding opportunity does not constitute an award commitment on the part of the Government nor does it commit the Government to pay for any costs incurred in preparation or submission of comments/suggestions or an application. Applications are submitted at the risk of the applicant. All preparation and submission costs are at the applicant's expense.

Thank you for your interest in USAID programs.

Sincerely,



Natalie J. Thunberg
Regional Agreement Officer
USAID/El Salvador

Annexes to Section I. Funding Opportunity

1. Program Description Logical Framework
2. Gender Analysis for USAID's Human Rights Development Objective
3. Recent Programs on Human Rights
4. Available relevant resource documents
5. Acronyms List

Attachments:

1. Branding and Marking Plan

SECTION A – PROGRAM DESCRIPTION

USAID/Mexico HUMAN RIGHTS PUBLIC POLICY ACTIVITY (HURPP Activity) USAID/México POLÍTICA PÚBLICA EN DERECHOS HUMANOS

Based on full and open competition, USAID Mexico intends to award one five-year Cooperative Agreement for the Human Rights Public Policy Activity as USAID's principal project to provide direct technical assistance to the GOM to implement its National Human Rights Plan (NHRP). Subject to the availability of funds, USAID intends to provide a maximum amount of \$7,700,000 in total USAID funding to be allocated over the five years. Applicants are encouraged to familiarize themselves with this Request for Applications (NFO) and its components and consider creating partnerships, alliances or a consortium with local organizations to implement the HURPP Activity and obtain the desired results.

The authorizing legislation for this NFO is the Foreign Assistance Act, as amended, and the resulting award will be subject to 2 CFR 700 and 2 CFR 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, and the Automated Directive System (ADS) 303¹.

A.1 Overall Goal

The effective protection of human rights in Mexico will support the U.S.-Mexico bilateral security agenda by boosting the sustainability of crime prevention and criminal justice reform efforts and increasing citizen confidence in the rule of law. As part of this strategy, USAID/Mexico's Third Development Objective (DO 3) seeks to improve Mexico's enabling environment to protect human rights and prevent abuses. An enabling environment that provides the foundation for the protection of human rights is characterized by specific laws and policies consistent with international standards, mechanisms that help safeguard and protect these rights, and an informed citizenry that can advocate for rights and access public protection, when needed.

This activity supports the Government of Mexico's efforts to implement its National Human Rights Plan 2014-2018 (NHRP), with the purpose of addressing structural human rights challenges and priority issues. This activity's purpose is to incorporate human rights-based approaches into Government of Mexico (GOM) initiatives by strengthening GOM federal and state-level legislative frameworks and capacity to implement clear guidelines and procedures in line with international human rights standards. The activity will also strengthen GOM capacity for outreach and dialogue with civil society organizations (CSOs) on human rights policies and support the development of public policies that help prevent abuses and assist victims of human rights violations.

A.1.1 Development challenge

Over the past five years, the United Nations (UN) and the Organization of American States (OAS) have issued a number of international human rights recommendations to Mexico. Serious concerns identified in these recommendations include torture, disappeared persons, aggression against human rights defenders

¹ <http://www.usaid.gov/sites/default/files/documents/1868/303.pdf>

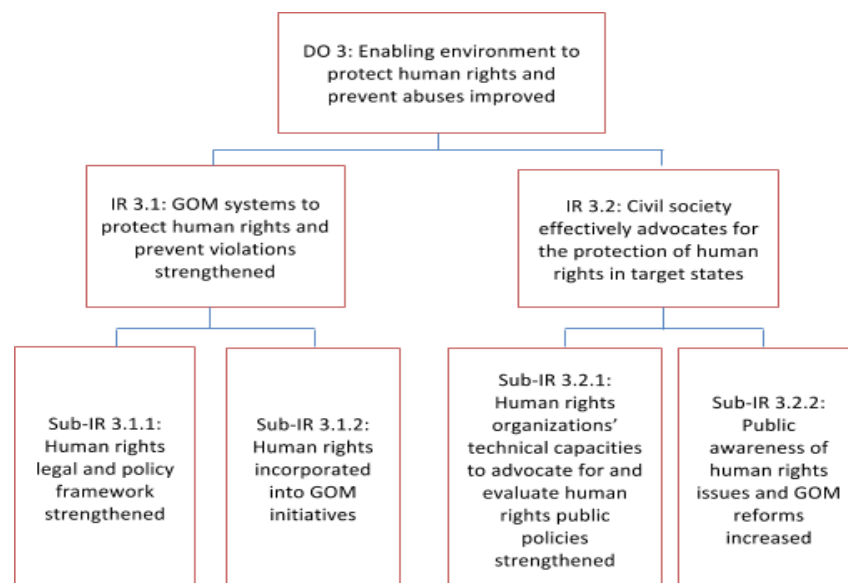
and journalists, and violence against women. The GOM has worked to address these recommendations through various measures. However, according to the GOM-led 2014 assessment that informed its National Human Rights Plan (NHRP), the GOM has publicly supported international human rights agreements, but has yet to incorporate the agreements' principles into its internal policies. While the GOM has taken many positive steps, CSOs in general still believe a need exists for federal institutions to prioritize human rights through programs and policies. In particular, the GOM's 2014 assessment noted the need for an improved legislative framework at both federal and state levels, including clearly defined guidelines and procedures, as well as the implementation of effective policy.

Through this Activity, USAID will support the implementation of the NHRP, which describes six objectives and the respective lines of action to pursue strengthening the GOM human rights policy:

- 1) implement the Constitutional human rights reform;
- 2) prevent human rights violations;
- 3) guarantee basic human rights for all;
- 4) strengthen the protection of human rights;
- 5) institutionalize engagement with GOM entities, state authorities and CSOs; and
- 6) generate information to analyze and evaluate the protection of human rights.

A.1.2 Linkages to USAID Mexico Country Development Cooperation Strategy (CDCS)²

USAID/Mexico's Country Development Cooperation Strategy (CDCS) was approved on April 23, 2014. This activity supports CDCS's DO 3, "Enabling Environment to Protect Human Rights and Prevent Abuses Approved" by supporting its first Intermediate Result, "Government of Mexico (GOM) systems to protect human rights and prevent violations strengthened." Accordingly, this activity will support the implementation of the GOM's National Human Rights Program and outreach with CSOs on human rights issues. The results framework below illustrates USAID's plan for achieving results.



² <http://www.usaid.gov/sites/default/files/documents/1869/Mexico%20CDCS%202014%202018.pdf>

By supporting GOM policy development and implementation, and CSO's participation in the process, the activity will help build institutional capacity to sustain results. Similarly, by providing training through "train-the-trainer" modalities, activities will build GOM and CSO capacity to reach a larger number of beneficiaries than those directly assisted by USAID, and beyond the timeframe of the broader activity.

A.1.3 GOM Coordination

The primary GOM counterpart for this activity is the Secretary of the Interior's (SEGOB) Undersecretary for Human Rights, hereinafter the "Undersecretary." The Undersecretary's mandate includes leading the development of GOM human rights policies and coordinating their implementation with federal and state entities.

Any assistance provided under this activity to other federal or state level entities will be coordinated through the Undersecretary. USAID anticipates this activity may support and engage with the following entities or offices: the Attorney General's Office (PGR), the Foreign Ministry or other GOM offices. USAID anticipates this activity may support the below offices (or units): National Security Commissioner (Federal Police); Executive Commission to Assist Victims; National Human Rights Commission and State-level GOM human rights offices.

Any assistance provided under this activity at the sub-national level will be led by the federal GOM and will strengthen GOM linkages with state-level human rights entities.

A.2 BACKGROUND

A.2.1 Context and Problem Statement

Over the past five years, the United Nations (UN) and the Organization of American States (OAS) have issued a number of international human rights recommendations to Mexico. Serious concerns identified in these recommendations include torture, disappeared persons, aggression against human rights defenders and journalists, and violence against women. The GOM has worked to address these recommendations through various measures. However, according to the GOM-led 2014 assessment that informed its National Human Rights Plan (NHRP),³ the GOM has publicly supported international human rights agreements, but has yet to incorporate the agreements' principles into its internal policies. While the GOM has taken many positive steps, CSOs in general still believe a need exists for federal institutions to prioritize human rights through programs and policies.⁴ In particular, the GOM's 2014 assessment noted the need for an improved legislative framework at both federal and state levels, including clearly defined guidelines and procedures, as well as the implementation of effective policy.

³ Announced in April 2014.

⁴ It is important to keep in mind that this corresponds to the federal level and does not necessarily translate to the state level. In order to understand the regional dynamics one must perform a detailed study of each state and its unique conditions.

A.3 ACTIVITY DESCRIPTION

This section provides a detailed description of this Human Rights Public Policy Activity (HURRP Activity) approach to protect human rights and integrated human rights-based approaches and its geographic focus, project objectives, results, and illustrative activities and indicators.

Any illustrative activities presented below are strictly illustrative and far from comprehensive. Similarly, the final indicators will be established in the Work Plan and Monitoring and Evaluation plan, which will be approved by USAID after award.

A.3.1 Approach and illustrative interventions

This activity is designed to help strengthen the institutional capacity of federal and state GOMs in the areas of public policy development and implementation, with CSOs' participation, to prevent human rights violations and assist victims, incorporate human rights perspectives into policies and programs that touch on human rights issues (such as victim's assistance) and support efforts to systematically allocate GOM funds to address human rights issues. This activity should be comprised of direct technical assistance to the GOM and participating CSOs. *Baseline assessments shall be conducted to identify gaps, opportunities and priority areas of engagement.* In addition, this activity should adhere to USAID's Gender Equality and Female Empowerment principles and social inclusion considerations, such as indigenous, LGBT and disability rights, as appropriate, and shall encourage at least 30% participation by women in any training programs or forums supported through this award.

The activity should be implemented through four different components, each of which contributes to the implementation of the NHRP. (For more detail, see the Activity's Logical Framework in Annex 1 and the NHRP in Annex 2.)

The activity should provide tailored technical assistance to local GOMs in at least five states, and the implementing partner should adapt training methods, tools and technical resources to the specific local context in each one. States should be selected in consultation with the GOM Undersecretary and USAID.

Component 1: Prevention of human rights violations

International and national human rights bodies as well as CSOs have recommended that the GOM strengthen its capacity to design, implement and oversee effective human rights policies that prevent violations and that incorporate holistic approaches across the GOM.

OBJECTIVE 1: Strengthen the existing mechanisms and cross-sector collaboration to prevent human rights violations.

Expected Results: Early-Alert system to prevent human rights violations created; preventive measures designed and institutionalized.

Illustrative Activities

- Support the design of mechanisms to guide the planning and budgeting for the implementation of public policies that prevent human rights violations.
- Facilitate the development and implementation of a strategic plan for an “Early Warning System” to prevent human rights violations and the design of an information system supporting its operation.
- Provide technical assistance to develop GOM guidelines and protocols to implement measures that prevent the violation of human rights.
- Provide technical assistance to design protocols governing the use of force that incorporate human rights considerations. Special attention should be directed to guidelines on the use of force to avoid gender and social exclusion.
- Provide technical assistance to design a model protocol on due diligence and access to justice without discrimination⁵ – together with a training program (train-the-trainers modality).
- Design and implement a certificate course for public officials on conducting risk analyses and managing human rights cases, and develop a train the trainers program that will implement the module.
- Provide technical assistance to build the capacity of GOM officials in offices handling human rights cases on mediation, negotiation and reconciliation processes.

Component 2: Protection to victims of human rights violations

The GOM has adopted diverse measures to guarantee the protection of human rights. Greater institutional capacity and more streamlined measures will help ensure their effective implementation.

OBJECTIVE 2: Support GOM implementation of measures to address national and international recommendations of serious human rights violations⁶.

Expected Results: GOM mechanisms and procedures to address serious human rights violations and assist victims strengthened.

Illustrative Activities

- Technical assistance to the GOM to develop an Action Plan and support the implementation of international recommendations related to serious human rights violations, with priority to recommendations from the UN’s Universal Periodic Review.

⁵ According to international human rights standards, according to rulings of the Inter American Court of Human Rights and the General Recommendation 19 on violence against women from the United Nations Committee on the Elimination of Discrimination against Women.

⁶ According to international human rights standards, serious human rights violations such as torture, extrajudicial, summary or arbitrary execution and forced disappearance, all of them prohibited because they violate non-derogable rights recognized by international human rights law (Inter American Court of Human Rights, Case of Barrios Altos v. Peru, 2001).

- Support the development of rapid responses and rights’ assessment methodologies to assist urgent cases of human rights violations, except for those associated with journalists and human rights defenders⁷.
- Support the development of manuals to protect victims related to specific human rights violations, and which incorporate gender and social inclusion considerations.
- Develop a certificate course to build the capacity of public officials to assist victims of human rights violations, including the development of interview techniques, the identification and implementation of emergency measures, and on mediation, negotiation, conciliation, and case management (including where to refer victims for additional help). Training should include a “train-the-trainers” modality.
- Collect and disseminate international best practices and lessons learned on the design and/or implementation of public policies and programs to protect human rights and government engagement with civil society on human rights issues.

Component 3: Human rights-based approach incorporated in public policies

Guaranteeing the respect of human rights requires a legal framework and certain elements to design and implement public policies. Additionally, the human rights-based approach⁸ entails civil society participation in the design and implementation of public policies and inclusive and strong engagement.

OBJECTIVE 3: Strengthen GOM capacity to design and implement public policies with a human rights-based approach, with special emphasis on civil society participation.

Expected Results: Strengthened engagement between the GOM and CSOs; GOM planning, programming and budgeting programs incorporate a human rights-based approach; implementation of a capacity-building program on human rights and the development of a skills program for the GOM to provide assistance on human rights issues; and, a functioning evaluation system of the above Results.

Illustrative Activities

- Institutional capacity

- Technical assistance to the GOM to incorporate a human rights-based approach into its federal policy planning law (*Ley de Planeación*), as well as laws and programs that assist victims.
- Technical assistance to develop budgeting and expenditure guidelines, including check-lists, for the Executive Branch and Congress in order to support effective implementation of human rights

⁷ USAID’s grant to Freedom House, Inc. supports the GOM’s Federal Protection Mechanism for Human Rights Defenders and Journalists.

⁸ A human rights-based approach entails inclusive and participatory processes for formulating policy, legislation, regulations and budgets. Effective policies must also clearly determine the particular human rights to be addressed—what must be done and to what standard, who is accountable—and ensure the availability of needed financial and human resources. Such an approach further local development by building the capacity of government and civil society and codify social and political consensus through laws, policies and programs that are aligned with international conventions. Further information at United Nations, Frequently Asked Questions on a Human Rights-Based Approach to Development Cooperation, New York and Geneva, 2006, document available at: <http://www.ohchr.org/Documents/Publications/FAQen.pdf>:

policies and programs, and for those requiring a rapid response to allocate resources to address urgent cases.

- Develop a check-list to help policymakers ensure that draft laws and regulations incorporate human rights standards.
- Technical assistance to the GOM to incorporate gender considerations into human rights policies and programs in relevant GOM entities.
- Assess GOM human rights training needs at the federal level and in at least five selected states. This diagnostic should identify areas of opportunity and serve as the basis for the design and implementation of training courses (online and on-site training at the basic and advanced level) and develop an evaluation system to measure the public officials' theoretical and practical human rights knowledge. Training programs should include a "train-the-trainers" modality.

- Engagement with civil society

- Facilitate thematic discussions between GOM and CSOs that lead to concrete proposals and follow-up actions on human rights issues, and oversee follow-up and implementation of specific actions. In conducting this work, the implementer should implement international best practices and lessons learned in participatory decision-making and civil society engagement.
- Support CSOs to build or strengthen mediation, negotiation and reconciliation skills of their staff, and strengthen CSO capacity to monitor governmental budgeting and policy development and implementation through technical assistance and training.
- Promote dialogue between the GOM and CSOs on human rights issues, including NHRP implementation and strengthen institutional mechanisms that support such exchanges through a variety of trust-building processes and dialogue platforms on public policy design, implementation, monitoring and evaluation.

Component 4: Evaluation of human rights public policies and monitoring the protection of human rights

This component supports GOM efforts to monitor and oversee NHRP implementation through the systematic collection and analysis of information on the protection of human rights, the development of indicators, and public dissemination of information. The component also supports the creation of an impact evaluation mechanism to assess the effectiveness of NHRP implementation and provide real-time recommendations for improvement.

OBJECTIVE 4: Support the GOM's design and implementation of evaluation mechanisms to monitor the implementation of human rights public policies and provide recommendations for the GOM to address challenges, and build on successes.

Expected Results: Mechanisms established that support ongoing assessment and evaluation of NHRP implementation to the GOM on gaps, challenges, and successes.

Illustrative Activities

- Support the GOM's design and implementation a National Evaluation System to track key human rights indicators and reports of human rights violations, and of NHRP implementation.

A.3.2 Plans to monitor and evaluate performance

USAID will review and approve the proposed activity's Monitoring and Evaluation Plan, which shall include a mix of quantitative and qualitative indicators, as well as those that assess the activity's impact on addressing gender inequalities. The Plan should also include the below indicators, which USAID/Mexico is using to track progress towards achievement of DO 3:

1. Percent of human rights defenders who perceive improvements in the recognition and protection of human rights (disaggregated by sex);
2. Number of public policies addressing human rights international recommendations (United Nations/Organization of American States) put into effect with technical assistance provided by USAID;
3. Number of human rights public policies co-designed by GOM in collaboration with civil society organizations (CSOs) as a result of USAID assistance; and,
4. Number of GOM officials trained on human rights-based approaches with technical assistance provided by USAID.

[END OF SECTION A]

SECTION B – AWARD INFORMATION

B.1 Estimate of Funds Available and Number of Awards Contemplated

Subject to funding availability, USAID intends to provide a total of USD \$7.7 million in total USAID funding over a five year period. Actual funding amounts are subject to availability of funds.

USAID reserves the right to fund any one or none of the applications submitted.

B.2 Start Date and Period of Performance for Federal Awards

The period of performance anticipated herein is five years. The estimated start date will be upon the signature of the award, on or about September 2015.

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

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

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

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

B.3 Substantial Involvement

USAID plans to negotiate and award an assistance instrument known as a Cooperative Agreement with the successful Applicant for this activity. A Cooperative Agreement implies a level of “substantial involvement” by USAID through the Agreement Officer Representative (AOR).

The intended purpose of the AOR involvement during the award is to assist the recipient in achieving the supported objectives of the agreement. USAID will be substantially involved during the implementation of this Cooperative Agreement in the following areas:

- Review and approval of annual work plans
- Review and approval of a Monitoring and Evaluation Plan

- Approval of the recipient's key personnel by the Agreement Officer
- Technical concurrence of sub-awards
- Review and approval of consultants
- Review and approval of public reach materials produced by the HURPP Activity, per the approved Branding and Marking Plan

B.4 Title to Property

The resulting award does not contemplate the acquisition of property.

B.5 Authorized Geographic Code

Pursuant to ADS 310.3.1, the geographic code for this activity is 937.

B.6 Purpose of the Award

The principal purpose of the relationship with the recipient and under the subject activity is to transfer funds to accomplish a public purpose of support or stimulation of the HURPP Activity, which is authorized by Federal statute.

The successful recipient will be responsible for ensuring the achievement of the program objectives and the efficient and effective administration of the award through the application of sound management practices. The recipient will assume responsibility for administering Federal funds in a manner consistent with underlying agreements, program objectives, and the terms and conditions of the Federal award. The recipient using its own unique combination of staff, facilities, and experience, has the primary responsibility for employing whatever form of sound organization and management techniques may be necessary in order to assure proper and efficient administration of the resulting award.

B.6.1 Transition Awards

The resulting award will contain a Special Provision in which the recipient Organization will comply with USAID's recent policy on Transition Awards, per the exception to restrict eligibility contained in ADS 303.3.6.5b(3). The purpose of the Provision is to authorize USAID to award without competition to a local organization that has been a sub-recipient under a USAID prime award (the "initial award") when certain conditions are met.

Organizational capacity development is an important element, and the recipient may provide assistance in the following key organizational areas: 1) governance, 2) administration, 3) human resources management, 4) financial management, 5) organizational management, 6) project management, 7) project performance management, and 8) leadership and team dynamic.

Further, the recipient will develop the local organization's capacity to become stronger and a more mature entity that will enable them to become eligible to receive a direct award from USAID or other donors in the

future. Therefore, the prime recipient will develop a plan for strengthening key organizational areas, including appropriate training and technical assistance, and recommend the transition of these organizations by the end of this project. Indicators, baseline, and targets for local capacity development are to be included in the monitoring plan to be prepared by the applicant.

B.7 Activity Management

B.7.1 Staffing

Applicants must recruit and establish a team of experts and support staff to develop and implement the project, to manage its substantive and administrative components. Applicants are expected to maximize the use of Mexico and/or US staff with in-depth knowledge of Mexico, given the need for the team to have a profound knowledge of the technical thematic of the project. Key personnel and operational staff will be based in Mexico.

Applicants should describe the staffing roles and responsibilities and appropriate skill sets for personnel proposed and proposed sub-recipients with defined lines of management, supervisory authority, and technical responsibilities. Applicants' staffing plans must also describe the provision of home office support, sustained project support to target municipalities and communities, and any potential field presence.

The application shall specify the organizational structure, personnel functions, and level of effort for carrying out project management functions. A graphic of the organizational structure would be beneficial.

B.7.2 Key Personnel

USAID has identified the Chief of Party, Institutional Coordinator or Institutional Compliance Coordinator, Activity Coordinator (e.g. Human Rights Specialist) and Financial Manager or Administrator as Key Personnel. However, Applicants are requested to propose other senior positions in their team, which could be considered key. The functions of those key personnel positions should be described in the Applicant's staffing and management plan. For Key Personnel not approved in the initial application, the recipient will forward the names and resumes of qualified candidates to the USAID Mexico AOR for review and approval by the Agreements Officer before hiring decisions are finalized.

All Key Personnel are expected to be proficient in Spanish and English. USAID may consider key personnel who do not possess these language skills, if the Applicant provides an explanation of the critical value of the proposed individual and a plan to overcome language deficiencies. Key Personnel are expected to dedicate a minimum of 75 per cent level of effort to the Activity.

(1) Chief of Party

- A Master's degree in human rights, public administration, international relations or other related field and 10 years of senior management experience with progressively increasing responsibilities managing development projects or 12 years of senior management experience to substitute the education requirement.

- Experience working with senior government officials and building consensus among diverse actors.
- Experience managing International donor contracts and agreements preferred.
- Experience in Mexico and other Latin American countries preferred.
- Speaking and writing fluency in English and Spanish.

(2) Institutional Coordinator/Institutional Compliance Coordinator

- Master's Degree in human rights, law, public administration, international relations or other related fields or 5 years of relevant experience to substitute the education requirement.
- Minimum of seven years of experience of progressively increasing responsibilities in development projects.
- Demonstrated experience in effectively working with local government structures, senior government officials, civil society actors, other donors.
- Experience in managing International donor projects preferred.
- Speaking and writing fluency in English and Spanish.

(3) Activity Coordinator (Human Rights Specialist)

- Master's degree in human rights, international relations or other related fields or 5 years of relevant experience to substitute the education requirement.
- Minimum 8 years of experience working human rights in Mexico.
- Demonstrated experience in effectively working with local government structures, senior government officials, civil society actors, other donors.

(4) Financial Manager/Administrator

- University degree in a related field such as Public or Business Administration; a higher degree—Master's, J.D., or Ph.D. is desirable.
- Demonstrated ability in budget formulation and financial reporting according to international donor regulations and Mexican law.
- Demonstrated skills to support the objectives of the program, and excellent written and spoken Spanish and English skills.
- A minimum of 5 years' experience in similar projects is required.

USAID reserves the right to request those Applicants determined to be within the competitive range for award to make their proposed Key Personnel candidates and other representatives available for interviews and oral discussions.

The Applicant may propose other Key Personnel with required qualifications.

In accordance with the Substantial Involvement provision in the resulting agreement, any changes to the approved personnel and positions are also subject to the approval of the Agreement Officer prior to any placement under this project.

B.8 Award and Management of Sub-Grants

The Applicant shall describe its approach to, and how it will manage, the competition and award of grants in line with USAID best practices and the Mexican context. The applicant will design ***an approach to grant-making*** that is cost effective and designed to be responsive to the needs of the HURPP activities; and ***procedures for identifying and approving applications*** that are not onerous and ensure flexibility. The Applicant will establish a cost-effective system for awarding and managing grants. The Applicant will emphasize the application of alliance principles to leverage private investment, and financing, and encourage public-private implementation partnerships.

Funding for the Sub-Grants is not to exceed \$1,650,000 million over the life of the project and should be seen as one tool to achieve the results of the project; therefore, applicants should propose their use as such. USAID Mexico must approve the grants manual and actual selection of grant recipients with Mexican organizations, including any decisions to award grants based on exclusive or predominant capability. All sub-grants must comply with 2 CFR 200.92 Sub-awards.

B.9 Environmental Compliance

Note: A Negative Determination with Conditions indicates that one or more of the project activities has no known impacts, but which can be foreseen that require specific measures to mitigate any potential threat to the environment.

In cases when the original IEE results in a NEGATIVE DETERMINATION WITH CONDITIONS implementers are required to prepare additional environmental compliance documentation. In such cases, the supplemental standard environmental compliance clauses are required as found below in subsection 2 onwards.

- a. Prepare an environmental mitigation plan and report (EMPR) describing how the recipient will, in specific terms, implement all IEE and/or EA conditions that apply to proposed project activities within the scope of the award. The EMPR shall include monitoring the implementation of the conditions and their effectiveness. If the approved Regulation 216⁹ documentation contains a complete EMPR the recipient does not need to complete a new plan. Guidance is available to assist with the EMPR process at Guidelines EMPR Revised June 2012 (1).doc

⁹ http://www.usaid.gov/our_work/environment/compliance/22cfr216

- b. Integrate a completed EMPR into the initial work plan.
- c. Integrate an EMPR into subsequent annual performance reports (which include work plans), making any necessary adjustments to activity implementation in order to minimize adverse impacts to the environment.
 - 1a) The Foreign Assistance Act of 1961, as amended, Section 117 requires that the impact of USAID's activities on the environment be considered and that USAID include environmental sustainability as a central consideration in designing and carrying out its development programs. This mandate is codified in Federal Regulations (22 CFR 216) and in USAID's Automated Directives System (ADS) Parts 201.3.11.2.b and 204 (<http://www.usaid.gov/who-we-are/agency-policy/series-200>) which in part, require that the potential environmental impacts of USAID-financed activities are identified prior to a final decision to proceed and that appropriate environmental safeguards are adopted for all activities. Recipient environmental compliance obligations under these regulations and procedures are specified in the following paragraphs of this agreement.
 - 1b) In addition, the recipient must comply with host country environmental regulations unless otherwise directed in writing by USAID. In case of conflict between host country and USAID regulations, the latter shall govern.
 - 1c) No activity funded under this agreement will be implemented unless an environmental threshold determination, as defined by 22 CFR 216, has been reached for that activity, as documented in an Initial Environmental Examination (IEE), duly signed by the Bureau Environmental Officer (BEO). Hereinafter, such documents are described as "approved Regulation 216 environmental documentation."
 - 2) An Initial Environmental Examination (IEE) [LAC-IEE-12-60] has been approved for the Community Strengthening Activity funding this agreement. The IEE covers activities expected to be implemented under this agreement. USAID has determined that a **NEGATIVE DETERMINATION WITH CONDITIONS** applies to the proposed activities. This indicates that if these activities are implemented subject to the specified conditions, they are expected to have no significant adverse effect on the environment. The recipient shall be responsible for implementing all IEE conditions pertaining to activities to be funded under this award.
 - 3a) As part of its initial work plan, and all annual performance reports (including annual work plans) thereafter, the recipient, in collaboration with the USAID Agreement Officer's Representative and Mission Environmental Officer or Bureau Environmental Officer as appropriate, shall review all ongoing and planned activities under this agreement to determine if they are within the scope of the approved Regulation 216 environmental documentation.
 - 3b) The recipient will be responsible for periodic reporting to the USAID Agreement Officer's Representative, as specified in the Activity Description of this award.
 - 3c) If the recipient plans any new activities outside the scope of the approved Regulation 216 environmental documentation, it shall prepare an amendment to the documentation for USAID review and approval. No such new activities shall be undertaken prior to receiving written USAID approval of environmental documentation amendments.

- 3d) Any ongoing activities found to be outside the scope of the approved Regulation 216 environmental documentation shall be halted until an amendment to the documentation is submitted and written approval is received from USAID.
- 4) Cost and technical applications must reflect environmental documentation preparation costs and approaches where applicable. This may include costs towards the preparation of an Environmental Mitigation Plan and Report (EMPR) during the post award stage (see attached). The recipient will be expected to comply with all conditions specified in the approved IEE.
- 5) USAID anticipates that environmental compliance and achieving optimal development outcomes for the proposed activities will require environmental management expertise. Respondents to the NFO should therefore include as part of their application their approach to achieving **environmental compliance and management**, to include:
 - a) The respondent's approach to developing and implementing an Environmental Mitigation Plan and Report (EMPR)
 - b) The respondent's approach to providing necessary environmental management expertise, including examples of past experience of environmental management of similar activities.
 - c) The respondent's illustrative budget for implementing the environmental compliance activities/EMPR. For the purposes of this solicitation applicants should reflect illustrative costs for environmental compliance implementation and monitoring in their cost proposal.

B.10 Additional Language For Awards Including Sub-Grants With An IEE Negative Determination With Conditions

A provision for sub-grants is included under this solicitation requiring the recipient to use the Table 1 (Environmental Screening Form) of the EMPR to screen grant applications to ensure that the funded applications will result in no adverse environmental impact, to develop necessary mitigation measures and to specify monitoring and reporting. Use of Table 1 is called for when the nature of the grant applications to be funded is not known well enough, to make an informed decision about their potential environmental impacts, yet due to the type and extent of activities to be funded, any adverse impacts are expected to be easily mitigated. Implementation of sub-grant activities cannot go forward until the Table 1 checklist is completed by the recipient and approved by USAID. The recipient is responsible for ensuring that mitigation measures specified by the EMPR checklist process are implemented and addressed in annual reports.

The recipient will be responsible for periodic reporting to the USAID Agreement Officer's Representative, as specified in the Activity Description of this solicitation.

B.11 Alliances and Partnerships

Applicants are encouraged to form alliances and partnerships with traditional and non-traditional partners, private businesses, development organizations, faith-based organizations, other donors, universities, public international organizations (PIOs)¹⁰ and think tanks to address issues and achieve results in the four objectives of this project. Specifically, applicants should describe the roles, responsibilities, expertise, and commitments of their alliance partners; and how the partners will share resources, risks and rewards, leveraging significant resources, apply proven expertise, work jointly with new and existing partners.

USAID encourages science, technology and innovation partnerships.

B.12 Cost Share

No cost share will be required from the recipient for the HURRP Activity. As stated in the Activity Description, this Activity will provide financial assistance for the implementation of Mexico's Government National Human Rights Plan. However, support should be contingent upon GOM buy-in to collaborate in the implementation of this project¹¹. The resultant recipient must establish partnerships that would potentiate HURPP Activity's impact and sustainability.

Partnerships between this Activity and local counterparts are expected to potentiate impact and sustainability. USAID will accept cash and other than cash contributions, if these are new resources such as property, equipment, products, and technologies; infrastructure, services, and supplies used for the implementation of any one individual initiative or effort in human rights public policy. In-kind contributions are allowable, if they meet the Automated Directives System (ADS) 303.3.10.2 and USAID Acquisition Regulation 731.2 for for-profit entities. Funds and resources used as cost-share from other authorized governments (except host national government) or from multilateral organizations can be accepted as part of the leveraging for an alliance but these resources will be treated as in-kind and will only be counted for up to the equivalent of the USAID contribution.

Partnerships in which non-USAID resources leveraged have more clearly defined cash component are generally more competitive. However, various types of in-kind contributions can play an important role in funding alliances. Examples of in-kind contributions that USAID seeks under alliances include:

- Commodities such as food stuffs, equipment, etc.
- Use of training or other purpose-specific facilities necessary to a project's implementation
- Value of time donated by technical consultants necessary to a project
- Value of salaries for staff dedicated to a project
- Innovative technology, communications and capital assets.

¹⁰ Such as UN and OAS human rights bodies.

¹¹ Please note that contributions from Government of Mexico (GOM) institutions will not be counted as cost share.

B.13 Cross-Cutting Activities

B.13.1 Gender and Human Rights

USAID's commitment to advance gender equality and pursue gender as a key development issue should be fully reflected in this activity. In developing its programs, USAID Mexico seeks to ensure that gender considerations are incorporated into all aspects of its planned programs. Gender considerations should be integrated into the activities, ensuring that men and women both benefit from USAID support and that gender awareness is a build-in component of the activities.

This Human Rights Public Policy will take into account the fact that men and women see and experience human rights violations and need assistance differently, and should identify different factors and propose different solutions to address the factors that lead to discrimination as a form of gender-based violence. The HURPP will look to incorporate strategic and gender-sensitive elements to inform the policy making, ensure that gender considerations are factored into planning and implementing activities with the respectively data collection, gender disaggregated indicators and within the monitor and evaluation progress and challenges.

USAID will evaluate the appropriateness of the proposed activities, staff and budget with regard to gender integration. The areas or aspects of this Human Rights Public Policy Activity in which gender is relevant should be clearly indicated, and the application should specifically demonstrate how gender issues will be addressed; how results will be determined taking gender into account; and what resources will be provided to do this.

In order to ensure that USAID assistance makes possible the optimal contribution to gender equality, USAID projects will consider the following two questions:

(1) How will the different roles and status of women and men within the community, political sphere, workplace, and household (for example, roles in decision-making and different access to and control over resources and services) **affect the work to be undertaken?**

(2) How will the anticipated results of the work affect women and men differently?

The purpose of the first question is to ensure that 1) the differences in the roles and status of women and men are examined; and 2) any inequalities or differences that will impede achieving program or project goals are addressed in the planned work design.

The second question calls for another level of analysis in which the anticipated programming results are: 1) fully examined regarding the possible different effects on women and men; and 2) the design is adjusted as necessary to ensure equitable and sustainable program or project impact.

In order to respond to these questions and to deepen the understanding and attention to gender issues, USAID Mexico performed a gender analysis for the Human Rights Portfolio based on examination of major gender gaps in key sectors. Please consult the Gender Analysis for USAID's Human Rights Development Objective, Annex 3 of this package. Applicants should incorporate in their application meaningful approaches to address identified gender issues in the sector. Once the agreement is signed, the

recipient should respond the above two questions using as a basis the results from the USAID Mexico gender analysis.

The recipient should submit a gender integration plan that responds to the recommendations included in the gender analysis in Annex 3 (as applicable). At least one gender expert and one CSO focused on gender issues should be included during consultations.

The recipient must ensure that at least 30% of all beneficiaries in the project will be women. Participation of lesbian, gay, bisexual, transgender (LGBT) populations should be encouraged.

B.13.2 Social inclusion

In order to ensure that USAID assistance makes possible the optimal contribution to social inclusion, the Human Rights Public Policy Activity will be tailored considering specific national, state and/or regional contexts, and will consider the needs of indigenous populations¹² and people with disabilities to be included in the technical assistance to GOM and CSO. USAID encourages supporting active participation of indigenous groups and disabled persons in the design and implementation of HURPP activities, as well as in the national and local policy-making processes supported by the activity.

B.13.3 Working with Government

The primary GOM counterpart for this activity is the Secretary of the Interior's (SEGOB) Undersecretary for Human Rights, hereinafter the "Undersecretary." The Undersecretary's mandate includes leading the development of GOM human rights policies and coordinating their implementation with federal and state entities.

USAID anticipates this activity may support and engage with the following entities or offices: the Attorney General's Office (PGR), the Foreign Ministry or other GOM offices. USAID anticipates this activity may support the below offices (or units): National Security Commissioner (Federal Police); Executive Commission to Assist Victims; National Human Rights Commission and State-level GOM human rights offices.

Any assistance provided under this activity with GOM entities at the sub-national level will be led by the federal GOM and will strengthen GOM linkages with state-level human rights entities.

B.13.4 Coordination with other donors and programs

There are many multilateral and bilateral donors currently supporting various types of human rights protection projects in Mexico. In order not to duplicate efforts and to maximize donor output, the HURPP will coordinate work with other donors in the field and leverage complementary donor funding. Examples of these donors include, but are not limited to: Foreign Commonwealth Office (FCO); Spanish Agency for International Development Cooperation (AECID), UN system, and Canadian International Development Agency, Open Society Foundations, MacArthur Foundation, Ford Foundation, among others.

¹² More details available at 2010 report by *Instituto Nacional de Estadística y Geografía* "Censo de Población y Vivienda" <http://www3.inegi.org.mx/sistemas/temas/default.aspx?s=est&c=17484>

B.14 Key Stakeholders

As the GOM institutions and actors, both at the national and sub-national levels, are required partners in promoting human rights protection, the HURPP should establish linkages/partnerships with relevant GOM ministries, organizations, and municipalities. Partnerships with the GOM will build upon existing relationships between USAID and the Ministry of Governance, Attorney General's Office (PGR), the Foreign Ministry or other GOM offices. USAID anticipates this activity may support the below offices (or units): National Security Commissioner (Federal Police); Executive Commission to Assist Victims; National Human Rights Commission and State-level GOM human rights offices, among others. It will be critical that close dialogue is maintained between USAID and appropriate GOM entities throughout the life of the HURPP to ensure that there is full buy-in and high level commitment throughout the implementation of the project. It is important to note that the HURPP must engage state level governments to support their efforts as well as share lessons learned and success stories with other states implementing similar programs.

Equally important for USAID Mexico engagement with the Mexican civil society and private sector, which are crucial for the continued success in human rights public policy development. The HURPP Activity should engage with, and foster communication and cooperation among, civil society and private sector stakeholders who have been involved and have expert knowledge on human rights public policy and protection and their implementation.

[END OF SECTION B]

SECTION C – ELIGIBILITY INFORMATION

C.1 Eligible Applicants

The following list of potential partners is for illustrative purposes because the eligibility criteria are wide. We welcome other new types of partners. Potential partners include foundations, U.S. and Non-U.S. NGOs (Mexican or otherwise), faith-based organizations, U.S. and local private businesses, business and trade associations, international organizations, U.S. and local colleges and universities, civic groups, regional organizations, philanthropic leaders including venture capitalists, public figures, advocacy groups, pension funds and employee-welfare plans, PIOs, etc. USAID welcomes applications from organizations which have not previously received financial assistance from USAID.

Applicants must have established financial management, monitoring and evaluation processes, internal control systems, and policies and procedures that comply with established U.S. Government standards, laws, and regulations. The successful applicant(s) will be subject to a responsibility determination assessment (Pre-award Survey) by the Agreement Officer (AO).

The recipient must be a responsible entity. The AO may determine, pursuant to ADS 303.3.9.1, that a pre-award survey is required to conduct an examination to determine whether the prospective recipient has the necessary organization, experience, accounting and operational controls, and technical skills – or ability to obtain them – in order to achieve the objectives of the program and comply with the terms and conditions of the award.

It is important to note that NGOs do not need to be registered as Private Voluntary Organizations to submit an application. **Potential for-profit applicants are encouraged to submit concept papers, though they should note that USAID policy prohibits the payment of fee/profit to the prime recipient under assistance instruments. Forgone profit does not qualify as cost-sharing or leveraging.**

C.2 Cost Sharing And Matching

ADS 303.3.10 explains cost share as the resources a recipient contributes to the total cost of an agreement. Cost share becomes a condition of an award when it is part of the approved award budget. The cost share must be verifiable from the recipient's records. For U.S. organizations it is subject to the requirements of 2 CFR 200.306, and for non-U.S. organizations it is subject to the Standard Provision, "Cost Share"; and can be audited. Though cost share is encouraged as an element of the activity's sustainability, it is not compulsory under this NFO.

C.3 Other

In addition, all prospective partners must be organizations with a reputation for integrity and the highest standard of conduct, and a proven track record in their particular areas of expertise. They should be able to demonstrate a respect for human rights, gender sensitivity, and inclusion of people with disabilities and other vulnerable groups, decent work conditions, environmental protection, and community involvement in their operational practices. They should also be able to provide evidence of a strong commitment to the proposed consortium and/or partnerships; and, ideally, experience in working in partnership with others.

[END OF SECTION C]

SECTION D – APPLICATION AND SUBMISSION INFORMATION

D.1 Agency Point Of Contact

Rodrigo Diaz
Acquisition and Assistance Specialist
Email: rdiaz@usaid.gov

Questions and Answers:

All questions regarding this NFO should be submitted to USAID/Mexico via email to: mexproposals@usaid.gov no later than June 17, 2015 to provide sufficient time to address the questions and incorporate the questions and answers as an amendment to this solicitation. Any information given to a prospective Applicant concerning this NFO will be furnished promptly to all other prospective Applicants as an amendment to this NFO, if that information is necessary in submitting applications or if the lack of it would be prejudicial to any other prospective Applicant.

D.2 Content and Form of Application Submission

All Applicants must submit their application to mexproposals@usaid.gov by the time and date indicated using the SF-424 series, which includes the:

- SF-424, Application for Federal Assistance
- SF-424A, Budget Information - Nonconstruction Programs, and
- SF-424B, Assurances - Nonconstruction Programs

These forms can be found in the following links

- SF-424 http://apply07.grants.gov/apply/forms/sample/SF424_2_1-V2.1.pdf
- SF-424A <http://apply07.grants.gov/apply/forms/sample/SF424A-V1.0.pdf>
- SF-424B <http://apply07.grants.gov/apply/forms/sample/SF424B-V1.1.pdf>

Required Certifications

In addition to the certifications that are included in the SF 424, organizations must provide the following certifications, assurances and other statements included in Section H, Certifications, Assurances, Other Statements of the Recipient and Solicitation Standard Provisions of this NFO.

1. Certifications and Assurances
2. Key Individual Certification Narcotics Offenses and Drug Trafficking
3. Participant Certification Narcotics Offenses and Drug Trafficking
4. Other Statements of Recipient
5. Standard Provisions for Solicitations

Applicants are expected to review, understand, and comply with all aspects of the NFO.

D.3 Application Submission Procedures

The following general guidance is applicable to the submission of the applications under this NFO.

1. Applicants: It is USAID policy not to pay profit of any nature under assistance agreements. Reasonable, allocable and allowable expenses, both direct and indirect, which are related to the agreement program and are in accordance with applicable cost standards (e.g., OMB Circular A-21), may be paid under the agreement contemplated by this NFO.

2. Responsiveness: Applicants should submit an application directly responsive to the terms, conditions, specifications and clauses of this NFO. Applications not conforming to this NFO may be categorized as non-responsive and eliminated from further consideration.

3. Language: It is USAID policy that English shall be the control language of all awards documents. As a result, it is required that the applications be in English.

4. Copies: Applicants must submit applications in electronic format. Applications should be submitted to the following address: mexproposals@usaid.gov or apply at the www.grants.gov site. Technical applications must not make reference to specific costs or detailed pricing data. Applicants should retain for their records one copy of the application and all enclosures that accompany their application. Applications should make sure that the information provided in both hard and soft copies is identical.

Applications are due to USAID/Mexico by the date included in the cover page of this NFO. Late applications will be considered for award if the Agreement Officer determines it is in the Government's interest.

Technical applications must not make reference to specific costs or detailed pricing data. Applicants should retain for their records one copy of the application and all enclosures that accompany their application. Applications should make sure that the information provided in electronic format is identical. Cover pages also shall be clearly marked with "**NFO-523-15-000005- Human Rights Public Policy Activity**"

5. Electronic mail: All electronic files containing Technical and Cost Applications must be clearly marked on the subject line with the following words "**NFO-523-15-000005- – Human Rights Public Policy Activity**". Submit applications electronically (e-mail) in compliance with the following conditions:

- Internet e-mail with up to 3 attachments with 10 MB limit per e-mail compatible with MS Word, Excel and PDF (no zipped or compressed files). **Cover page must identify applications with NFO number, the name of the firm submitting the application and DUNS number**¹³.
- Email applications must be submitted to: mexproposals@usaid.gov , the subject line of the email must contain the NFO number "**NFO-523-15-000005- – Human Rights Public Policy Activity**".
- Time of receipt of the email is the USAID email gateway time-stamp of the message header;

The Federal grant process is now web enabled, allowing for applications to be received on-line. USAID

¹³ https://www.whitehouse.gov/sites/default/files/omb/grants/duns_num_guide.pdf

bears no responsibility for data errors resulting from transmission or conversion processes associated with electronic submissions.

6. Point of Contact – Applications, any questions and comments about this NFO should be addressed to Rodrigo Diaz, Acquisition and Assistance Specialist, and must be sent to mexproposals@usaid.gov , as specified in Section D.1 above.

7. Delivery: Hard copy, telegraphic or faxed applications are not authorized for this NFO and will not be accepted. E-mail submissions are acceptable. It is important to note that graphics, charts, tables and fancy formatting are often garbled during e-mail transmission and care should be exercised to ensure that the product we receive is adequate for evaluation. In that regard, USAID is not responsible for applications that cannot be accessed through USAID standard e-mail systems or word processing software.

8. Start Up: USAID anticipates that the successful recipient of the Agreement will begin activities immediately after signing the Agreement. The Agreement will provide support for five years from the date of the Agreement signature. All program activities are expected to be completed within that period.

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

10. Authority to Obligate the Government: The Agreement Officer is the only individual who may legally commit the U.S. Government to the expenditure of public funds. No costs chargeable to the proposed agreement may be incurred before receipt of either an agreement signed by the Agreement Officer or a specific, written authorization from the Agreement Officer.

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

1. Mark the title page with the following legend:

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

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

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

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

13. Telegraphic or faxed applications – Telegraphic or faxed applications will not be considered and will not be accepted.

D.4 Technical Application Format

General

Applicants must organize the Technical Application to follow the technical evaluation criteria specified in Section V. The page length of the entire Technical Application shall not exceed 35 pages exclusive of Annexes and other pages not subject to the page limitation indicated below.

Therefore, technical applications must be organized as follows:

- I.** Executive Summary (limited to three pages)
- II.** Technical Approach
- III.** Activity Management
- IV.** Institutional Capacity and Past Performance
- V.** Annexes - USAID will not review annexes that are not included below.
 - i. Draft Monitoring and Evaluation Plan (limited to 6 pages)
 - ii. Draft Annual work plan (limited to 7 pages)
 - iii. Resumes (key personnel) (limited to 2-page resumes per person)
 - iv. Activity Organizational Chart (1 page)
 - v. Past Performance Information and Summary Chart (no limit)

Page Limitation

Technical Application is limited to 35 pages. **Any pages OVER 35 PAGES WILL NOT BE EVALUATED.** Additional documentation not requested above will not be reviewed. Applications must be written in English and typed on standard 8 1/2" x 11" paper (216mm by 297mm paper), single spaced, font type Times New Roman 12, with each page numbered consecutively.

Content

The technical application should address the objectives and results defined in the Activity Description and provide a clear prioritization of activities to achieve the Results. The technical application should not merely repeat the contents of the Activity Description, rather it should offer original, critical thinking and analysis related to each result. Applicants should structure their proposal based on the expected results identified in the Activity Description.

USAID considers that all applicants have a level playing field based information provided in the Activity Description and attached annexes.

The technical application must address the following:

1. Technical Approach

- a. **Context Analysis.** The extent to which the applicant identifies gaps, challenges and opportunities applicant's proposed activities in Mexico.
- b. **Effective and innovative approach** to achieving programmatic results outlined in the Activity Description in the given timeframe. Approach is based on clear conceptual framework and to the extent to which the proposed methodology and activities are sound practices for technical assistance and training to federal and state government officials. The extent to which the proposed activities show an understanding of the current challenges and methodologies to integrate human rights-based approaches into public policies. The extent to which the applicant's implementation approach with logically sequenced program activities in order to achieve the desired outcomes. Applicants should cite best practices or evidence based approaches and focus on programmatic activities that directly and materially allow achieving results rather than on administrative or operational tasks.
- c. **Sustainability.** Applicants should clearly and explicitly address sustainability throughout their applications and how they plan to strengthen governmental and non-governmental actors and strategic alliances and partnerships to ensure the continuity of the HURPP funded activities and initiatives. The Applicant will be evaluated on the extent to which they promote, strengthen and are supported by approaches that can champion sound concepts, practices and changes beyond the life of the award including the attention to capacity building of local partners. The Applicant should outline how local perspectives have contributed to the design, implementation and evaluation and how these efforts are being incorporated and/or built upon to realize success. USAID expects that the investment made throughout the life of this activity will result in sustained impacts beyond the life of USAID funding. Applications should specifically address how project investments will be sustained given the high rates of turnover in government staff and financial challenges faced by CSOs.
- d. **Realism and appropriateness** based on knowledge and understanding of Mexico's social, political and economic contexts and GOM priorities and initiatives. Applicants should clearly describe how the proposed approach is appropriate and realistic, taking into consideration current GOM and civil society-led initiatives as well as potential constraints to implementation.
- e. **Gender and Social Inclusiveness:** The HURPP must address gender and social inclusion throughout its approach. Specifically, HRD will focus on the areas of women's participation and leadership. Proposed project design should include elements to support holistic approaches on gender and social inclusive public policy and its implementation, including protection for victims of human rights violations. Similarly, the proposed project designs should have distinct elements

to promote women's active participation in decision-making, planning and implementation of all activity-sponsored human rights public policy activities.

For additional gender specific issues and recommendations, please consult the Gender Analysis for USAID's Human Rights Development Objective, Annex 3 of this package.

2. Program Management

a. Key Personnel

Adequacy of staff key strengths (i.e., skills, education, experience) *vis-à-vis* their roles and responsibilities in the application. Requirements for Key Personnel are listed in Section B.7.2.

The Applicant may propose other Key Personnel in which case the Applicant will include requirements for the position as well as qualifications of proposed personnel.

USAID reserves the right to request those applicants determined to be within the competitive range for contract award to make their proposed Key Personnel candidates and other representatives available for interviews and oral discussions in Mexico City.

b. Organizational capacity and geographic coverage

Describe the staffing roles and responsibilities and appropriate skill sets for personnel proposed and proposed sub-grantees with defined lines of management, supervisory authority, and technical responsibilities. Applicants' staffing plans must also describe the provision of home office support, sustained project support to targeted states, and any potential field presence. Application demonstrates rapid program start-up within the first forty-five days of the award.

Note: On qualification and experience of proposed personnel, the Applicant is required to present resumes/curriculum vitae for proposed staff and ensure that the proposed personnel will, in fact, be available to staff the program should the Applicant be selected for award. Failure to provide such assurances and letters of commitment may disqualify the Applicant from being considered for award. Failure of the Applicant selected for award to provide the proposed personnel may result in disqualifying the winner from receiving an award.

The Applicant shall provide a biographical sketch and position description for the proposed staff. The position descriptions shall reflect a clear understanding of the technical skills necessary to achieve the results specified in the Application. Resumes/curriculum vitae may not exceed two pages in length per individual; this information should be included as an attachment to the technical application.

3. Institutional Capacity and Past Performance

Demonstrated recent and relevant technical and field experience and quality of performance in programs of similar technical content and scope in developing countries.

If relevant, the application can include a description of experience and representative accomplishments of the organization of conducting activities of the type required under this NFO.

The Applicant must provide information on past performance in accordance with the table below. USAID may use performance information obtained from other than the sources identified by the Applicant/subrecipient. USAID will utilize existing databases of recipient performance information and solicit additional information from the references provided herein and contact the individual(s) indicated as well as others. If the performance information contains negative information on which the Applicant has not previously been given an opportunity to comment, USAID will provide the Applicant an opportunity to comment on it prior to its consideration in the evaluation.

Program Description summary	Primary location of work	Term of performance	Dollar Value	Award type & Number	Organization / Contracting Entity/Technical Officer who received the services of the applicant	e-mail address and Tel. No.

NOTE: USAID relies on the prime organization's review of partner/subrecipient institutions. However, if deemed necessary to ensure prudent use of USG funds, USAID may conduct its own past performance review of proposed partners/subrecipient institutions.

D.5 Cost Application Format

The Applicant must sign and submit the cost application standard form number SF-424 and SF-424A. Standard Forms can be accessed electronically at www.grants.gov. When submitting the application, the Cost/Business section shall be submitted separately from the technical section.

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 whom USAID will work with 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 severally liable for the acts or omissions of the other.

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

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

- SF-424 http://apply07.grants.gov/apply/forms/sample/SF424_2_1-V2.1.pdf
- SF-424A <http://apply07.grants.gov/apply/forms/sample/SF424A-V1.0.pdf>
- SF-424B <http://apply07.grants.gov/apply/forms/sample/SF424B-V1.1.pdf>

1. The breakdown of all costs associated with the project according to costs of, if applicable, headquarters, regional and/or country offices;
2. The breakdown of all costs according to each partner organization or subcontractor/subgrantee involved in the project;
3. The costs associated with external, expatriate technical assistance and those associated with local in-country technical assistance;
4. The breakdown of the financial and in-kind contributions of all organizations involved in implementing this Cooperative Agreement;
5. Potential contributions of non-USAID or private commercial donors to this Cooperative Agreement;
6. A procurement plan for commodities.
7. Applicants must provide cost element details:

Applicants shall provide this information through the use of detailed spreadsheets, budget narratives and footnotes. The following standard cost elements shall be included in the submission when applicable and include costs for each year. Individual subcontractors should include the same cost element breakdowns in their budgets as applicable.

Cost Elements	Year 1	Year 2	Year 3	Year 4	Year 5	Total
1. Salaries and Wages						
2. Fringe Benefits						
3. Consultants						
4. Travel and Transportation						
5. Equipment and Supplies						
6. Sub-contracts						
7. Sub-grants						
8. Rapid Response Fund						
9. Other Direct Costs						
10. Indirect Costs						
11. TOTAL AWARD BUDGET						

Note: Individual sub-awards proposed as part of application should include the same cost element break-downs in their budget as applicable

Illustrative description of the cost elements are provided below:

1. Salary and Wages – Applicants must propose direct salaries and wages in accordance with their personnel policies;
2. Fringe Benefits – If the Applicant has a fringe benefit rate approved by an agency of the U.S. Government, the applicant should use such rate and provide evidence of its approval. If an Applicant does not have a fringe benefit rate approved, the application should propose a rate and explain how the Applicant determined the rate; in this case, the 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 U.S. dollars and as a percentage of salaries;
3. Consultants – If applicant proposes for short-term expert services rendered by persons who are members of a particular profession or possess a special skill and who are not officers or employees of the awardee/recipient. Costs of consultants should be broken down by person months or days;
4. Travel and Transportation – The Applicant should indicate the number of trips, domestic and international, estimated as necessary to carry out the proposed activities, and their estimated costs. Applicants must specify the origin and destination for each proposed trip, the duration of travel, and number of individuals who would be traveling. Per diem should be based on the applicant's normal and current travel policies that do not exceed the published U.S. Government per diem rates for the localities concerned.
5. Equipment and Supplies – Estimated equipment (i.e. model number, cost per unit, quantity) and office supplies and other related supply items;
6. Subcontracts – Any goods and services being procured through a contract;
7. Subgrants – Subgrants to CSOs, NGOs and business organizations to scale up their activities and enhance their sustainability. Activities may include advocating for laws and policies, strengthening community organization in marginalized urban neighborhoods, and providing recreational, educational and vocational opportunities to at-risk youth, among others. If subgrantees have been identified, costs must be broken down using the elements in the table above. Funding for this purpose shall not to exceed \$20,000,000 over the life of the project.
8. Rapid Response Fund (RRF) – The applicant is required to include \$5,000,000 in its cost application a line item for the life of the activity for implementation of the RRF mechanism.
9. Other Direct Costs – Applicants should detail any other direct costs, including the costs of communications, report preparation, passport issuance, visas, medical exams and inoculations, insurance (other than insurance included in the applicant's fringe benefits), equipment, office rent, etc.;

10. Indirect Costs – Indirect costs are to be allocated to intermediate or two or more final cost objectives. For U.S. organizations, the Applicant should support the proposed indirect cost rate by submitting a Negotiated Indirect Cost Agreement (NICRA) letter from a cognizant, U.S. Government audit agency, , or with sufficient information to determine the reasonableness of the rates. (For example, a breakdown of labor bases and overhead pools, the method of determining the rate, etc.).

For local organizations, as well as U.S. and international organizations who do not currently have a Negotiated Indirect Cost Rate Agreement (NICRA), they may use the 10% de minimis rate authorized in 2 CFR 200.414(f) . Note that in this case no indirect costs are to be included in the budget as other direct costs.

- B. In addition to the latter, U.S. Applicants which do not currently have a NICRA, or any Non-U.S. Applicant, shall submit the following information:

Reviewed Financial Statements Report: a report issued by a Certified Public Account (CPA) documenting the review of the financial statements was performed in accordance with Statements on Standards for Accounting and Review Services; that management is responsible for the preparation and fair presentation of the financial statements in accordance with the applicable financial reporting framework and for designing, implementing and maintaining internal control relevant to the preparation. The account must also state the he or she is not aware of any material modifications that should be made to the financial statements; or

Audited Financial Statements Report: An auditor issues a report documenting the audit was conducted in accordance with Generally Accepted Auditing Standards (GAAS), the financial statements are the responsibility of management, provides an opinion that the financial statements present fairly in all material respects the financial position of the company and the results of operations are in conformity with the applicable financial reporting framework (or issues a qualified opinion if the financial statements are not in conformity with the applicable financial reporting framework.

- C. Applicants should submit additional evidence of responsibility they deem necessary for the Agreement Officer to make a determination of responsibility. The information submitted should substantiate that the Applicant:
1. Has current adequate financial resources to manage its day to day operations independent of USAID funding, or the ability to obtain such resources as required during the performance of the award.
 2. Has the ability to comply with the award conditions, taking into account all existing and currently prospective commitments of the applicant, nongovernmental and governmental.
 3. Has a satisfactory record of performance. Past relevant unsatisfactory performance is ordinarily sufficient to justify a finding of non-responsibility, unless there is clear evidence of subsequent satisfactory performance.

4. Has a satisfactory record of integrity and business ethics; and
5. Is otherwise qualified and eligible to receive a cooperative agreement under applicable laws and regulations under this NFO.

D. Required certifications, assurances, and other statements. These forms, located in Section H, include:

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

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

F. 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. 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.

The information submitted should substantiate:

1. Bylaws, constitution, and articles of incorporation.
2. Whether the organizational travel, procurement, financial management, accounting manual and personnel policies and procedures, especially regarding salary, promotion, leave, differentials, etc., submitted under this section have been reviewed and approved by any agency of the Federal Government, and if so, provide the name, address, and phone number of the cognizant reviewing official.

D.6 Funding Restrictions

USAID policy is not to award profit under assistance instruments. However, all reasonable, allocable and allowable expenses related to the agreement, both direct and indirect, may be paid under the anticipated award in accordance with applicable cost principles under 2 CFR 200 Subpart E. of the Uniform Administrative Requirements. IT is hereby reminded that indirect costs are not allowable under this NFO for Non-U.S. applicants. Additionally, no pre-award costs will be reimbursed under the award resulting from this NFO.

[END OF SECTION D]

SECTION E – APPLICATION REVIEW INFORMATION

E.1 Criteria

The criteria presented below have been tailored to the requirements of this particular NFO. 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.

The technical applications will be evaluated in accordance with the Technical Evaluation Criteria set forth below. Thereafter, the cost application of all applicants submitting a technically acceptable application will be evaluated for general reasonableness, allowability, and allocability. To the extent that they are necessary (if award is made based on initial applications), negotiations may then be conducted with all applicants whose application, after discussion and negotiation, have the best chance of being selected for award. Awards will be made to responsible applicants whose applications offer the greatest value, cost and other factors considered. The government reserves the right to make award without discussions.

E.2 Review and Selection Process

A review panel established under the direction of the Agreement Officer will evaluate applications. The review panel and the Agreement Officer will use “Best Value” criteria to determine the Application most advantageous to the U.S. Government. **Technical Approach, Management & Staffing Plan and Past Performance when combined, are significantly more important than cost or price.** The award shall be made to the responsive and responsible applicant whose combined technical and cost factor offer the best value to the U.S. Government.

All applicants who meet the eligibility and program requirements and conform to the application preparation and submission instructions will be reviewed and scored by a panel of USAID Mexico reviewers in strict conformity with the evaluation criteria set forth in this section. These criteria have been customized to the requirements of this NFO and serve to (a) identify significant matters that applicants should address and (b) set the standard against which applications will be evaluated.

Technical applications will be evaluated on the basis of the following criteria:

E.2.1. Technical Approach (55 points)

Extent to which the proposed technical approach reflects understanding of the Mexican context, dynamics, realities and challenges. Extent to which the overall approach demonstrates a clear plan that is creative, well-conceived, logical, flexible, technically sound, and feasible with an integration among activities that leads to achieving project objectives and results. This includes extent to which approaches for partnering and coordinating with government counterparts, civil society organizations, and other donors’ human rights projects are meaningfully and realistically addressed. Similarly, the extent to which methodologies and products are designed with an emphasis on being adaptable and replicated.

E.2.2. Activity Management (30 points)

a. Key Personnel (15 points)

Adequacy of staff key strengths (i.e., skills, education, experience) *vis-à-vis* their roles and responsibilities in the application. Requirements for Key Personnel are listed above in Section D.4.

b. Organizational Capacity (15 points)

USAID will review the overall staffing plan with Mexican long- and short-term experts and staff who have the relevant experience, knowledge and skills related to their roles, in order to achieve program objectives. International oversight and Mexican experts and staff will be evaluated based on the skill areas proposed and their appropriateness to the technical approach outlined in the application as well as on their academic background, expertise and years of related experience. USAID will review how its management structure and partners will support the technical approach to achieve results.

E.2.3. Institutional Capacity and Past Performance (15 points)

Demonstrated recent and relevant technical and field experience and quality of performance in programs of similar technical content and scope in Latin American countries. Extent to which the experience lead to representative accomplishments of the organization.

E.2.4. Cost

Cost applications will be evaluated based on cost fairness, cost realism, completeness, and reasonableness. Cost realism is defined as the Applicant's ability to project costs which are realistic for the work to be performed; reflect a clear understanding of the requirements; and are consistent with the Applicant's technical capacity. Administrative and management costs will be closely scrutinized to determine if financial resources are maximized to support the project approach.

E.3 Evaluation System

USAID will use the numerical evaluation system in order to evaluate applications.

E.4 Branding Strategy And Marking Plan

Pursuant to ADS 303.3.6.2(f) and ADS 320.3.1.2, the **apparently successful** applicant will be requested to submit a Branding Strategy and Marking Plan (see illustrative table in Attachment 2) that will be negotiated and finalized as part of the assistance award. These plans shall be prepared in accordance with the guidance in ADS 320.3.3, 2 CFR 700.348 and the references therein. Please note that the Branding Strategy and Marking Plan shall not be included with the original application but shall be provided only after a written request of the Agreement Officer.

The Agreement Officer evaluates and approves the Branding Strategy and a Marking Plan (including any request for exceptions) of the apparently successful applicant, consistent with the provisions "Branding Strategy", "Marking Plan", and "Marking of USAID-funded Assistance Awards" contained in **ADS 303** and **ADS 320**.

E.5 Award

The Agreement Officer's decision about the funding of an award is final and not subject to review. Any information that may impact the Agreement Officer's decision shall be directed to the Agreement Officer. Authority to obligate the Government: the Agreement Officer is the only individual who may legally commit the U.S. Government to the expenditure of public funds. No costs chargeable to the proposed Agreement may be incurred before receipt of either an Agreement signed by the Agreement Officer or a specific, written authorization from the Agreement Officer.

[END OF SECTION E]

SECTION F – AWARD ADMINISTRATION INFORMATION

F.1 Federal Award Notices

Award of the agreement contemplated by this NFO cannot be made until funds have been appropriated, allocated and committed through internal USAID procedures. While USAID anticipates that these procedures will be successfully completed, potential applicants are hereby notified of these requirements and conditions for the award. The Agreement Officer is the only individual who may legally commit the Government to the expenditure of public funds. No costs chargeable to the proposed Agreement may be incurred before receipt of either a fully executed Agreement or a specific, written authorization from the Agreement Officer.

Notice of Award signed by the Agreement Officer is the authorizing document, which shall be transmitted to the recipient for countersignature to the authorized agent of the successful organization electronically.

Request for debriefings: USAID will follow the procedures included in ADS 303.3.7.2 to receive and accept requests for debriefings from unsuccessful applicants.

F.2 Administrative and National Policy Requirements

For U.S. organizations the resulting award will be administrated per 2 CFR 700¹⁴, 2 CFR 200¹⁵, and ADS 303maa, Standard Provisions for U.S. Non-Governmental Organizations¹⁶.

For Non-U.S. organizations the resulting award will be administrated per ADS 303mab, Standard Provisions for Non-U.S. Non-Governmental Organizations¹⁷.

F.3 Reporting Requirements

USAID is committed to evaluating programs and projects using credible impact and performance evaluation methodologies.¹⁸ In the spirit of increasing the rigor of all USAID project evaluations, the HURPP may require evaluations that will be solicited by USAID and conducted by objective third parties—external evaluations—and final results may be made public. The resulting recipient should consult with USAID before conducting any sub-contracted evaluations to ensure that planned evaluation efforts will not be duplicated. Moreover, the resulting recipient must cooperate with any external evaluation indicated by USAID and provide input to external evaluation team, when requested and indicated by USAID, so that the HURPP can benefit from objective findings on project results.

¹⁴ <http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=1c2a2d04670b39e14283b1c377b9816c&ty=HTML&h=L&mc=true&r=PART&n=pt2.1.700>

¹⁵ http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl

¹⁶ <http://www.usaid.gov/sites/default/files/documents/1868/303maa.pdf>

¹⁷ <http://www.usaid.gov/sites/default/files/documents/1868/303mab.pdf>

¹⁸ See USAID's Evaluation Policy for specific information: <http://www.usaid.gov/sites/default/files/documents/2151/USAIDEvaluationPolicy.pdf>

For its part, the resulting recipient is encouraged to propose a set of questions that will guide its own evaluation efforts and reports, i.e., annual reports.

Processes to monitor progress and project performance should be utilized in order to assess the on-going results of the program interventions and whether or not objectives are being achieved and if interventions should be adjusted. The Applicant will provide a proposed Monitoring and Evaluation Plan as part of a response to this NFO. The M&E plan will be reviewed as part of the selection process. The M&E plan should logically follow the annual work plan and must specify indicators, targets, and methodologies that will be used to monitor the progress of project activities towards achieving key milestones and results related to project objectives, expected outcomes, impacts, and measures of accountability. Regular M&E reports also gives USAID a tool for gauging performance and understanding any unforeseen changes in strategy needed to achieve intended results. Since the M&E plan must monitor selected indicators on an ongoing basis, the implementer will be expected to select those indicators that best relate to outputs and outcomes. The M&E plan should incorporate required USAID indicators that will need to be monitored during project implementation.

Applicants will submit an illustrative M&E plan that includes notional indicators to objectively measure progress towards achieving each of the results included in the application, anticipated Life of Activity and annual targets for these indicators, and a strategy for monitoring these indicators during implementation. Data collection efforts may be necessary at the beginning of the project to verify or establish baseline information for many of the project indicators. Most project M&E indicators will be reported on in project quarterly and annual reports. The M&E plan must be designed to disaggregate by gender, allowing the full capture of program impact on women. The Applicant must also address the data collection process to ensure that quality data are collected and available to inform management decisions. The key criteria for assessing the quality of performance data are: validity, reliability, timeliness, precision, and integrity.

The Applicant should be familiar with the standard indicators that USAID is obliged to measure for various agency frameworks, such as the Development Objective 3 indicators under the Mexico CDCS, standard indicators, and the Foreign Assistance Standard Indicators. Applicants are encouraged to propose additional indicators other than the illustrative ones provided in this document if they better capture the application's ability to measure impact. Indicators should be gender and geographically disaggregated where appropriate.

The M&E plan will be finalized after project start-up, in consultation with USAID, and submitted to USAID for approval 30 calendar days after the approval of the first annual work plan. Subsequent annual M&E plans must be submitted along with annual work plans—see reporting section for more information on dates. Any subsequent changes in the M&E plan will require concurrence from the AOR at USAID. The finalized project M&E plan will include a narrative outlining, at a minimum, the following:

- The Activity's Results Framework, development hypothesis and/or theory of change;
- List of process, output, and outcome indicators that will allow USAID to gage the project's progress and impact;
- The recipient's data collection method (e.g., how often data is collected, who collects the data, who analyzes the data collected, controls in place to safeguard data);
- Data quality information for all relevant indicators (USAID proposed / recipient proposed indicators). Data quality includes: a precise definition of the indicator, unit of measure, and disaggregation information to include women and men, youth, members of vulnerable populations and people with disabilities;
- Indicator validity (i.e., the relationship between the indicator and the desired output or result);
- Life of project targets for each relevant indicator for each fiscal year of this program;
- The recipients procedures for ensuring data quality of sub-recipients' reported data; and
- Key evaluation question that will guide performance reports.

F.3.1 Learning

Experimentation is essential to innovation and effectiveness. The HURPP must utilize a knowledge/learning methodology that builds in continuous learning and evaluating about "what works" and "what does not." Ongoing monitoring and outcome-related evaluations will allow the HURPP to learn from these experiments, obtain timely feedback on their success, and make adjustments in intervention design, as needed.

F.3.2 Performance Reporting

F.3.2a Performance Plans and Reports

The recipient will be required to submit the following performance plans and reports to the Agreement Officer Representative (AOR) and other USAID administrative staff as indicated after award signature. Plans and Reports shall be submitted in English in hard copy (one original and one copy in MS Word or PDF) and electronically with an Executive Summary in Spanish. This applies to the list below as well as any other studies, reports, briefings, or any other document for public distribution (on a case by case basis).

1. Annual Work Plans;
2. Quarterly/Annual Performance Reports;
3. Final Report;

4. Any additional documents, such as assessments, systematization, evaluations, studies, strategies, training manuals, outreach materials, or other documents produced under the agreement;
5. Monitoring and Evaluation Plan;
6. Branding Strategy and Marking Plan (this will be approved upon Agreement award);
7. Communication Plan; and
8. Participant Training

F.3.2b Annual Work Plans

Within 90 calendar days of award the recipient will submit for USAID AOR approval its first Annual Work Plan in English from the effective date of the Cooperative Agreement to September 2015. Subsequent work plans in English will cover the period October 1 to September 30 of the following year and shall be submitted by August 15 of each year.

The Annual Work Plans must include:

1. Introduction.
2. Background (Problem Statement/Analysis, and any other relevant analyses).
3. Activity Approach (Development Hypothesis, Results Framework, and Implementation Strategy, including possible obstacles hindering achievement of objectives).
4. Implementation Plan Matrix organized according to project objectives/results that identify proposed accomplishments for the fiscal year, tasks, activities, timeframe, expected outputs or progress toward achieving cooperative agreement results, indicators, and targets.
5. Training Plan.
6. Gender equity and gender based violence issues will be identified by the recipient and ways to address these issues will be clearly integrated in a specific section of each year's work plan. The recipient will develop a system to measure and monitor and evaluate the impact of efforts to enhance gender equity.
7. Social exclusion issues will be identified by the recipient and ways to address these issues will be clearly integrated in a specific section of each year's work plan. The recipient will develop a system to measure and monitor and evaluate the impact of efforts to enhance social inclusion.
8. Detailed Budget: by principal activities, funding source, and also by line item, broken down by quarters. The Annual Work Plan must show planned expenditures and actual expenditures to date.

9. Activity Fact Sheet or Activity Profile, in Spanish and English, that summarizes pertinent information regarding the Human Rights Public Policy Activity that can be used for preparing media kits and for disseminating to interested stakeholders.
10. A description of any information, communication, education, and training materials planned. These materials will be submitted for approval to the AOR at the design stage prior to printing, reproducing, disseminating or airing. AOR approval will focus on the materials' technical content, presentation, and compliance with the Branding Strategy and Marking Plan. The recipient must ensure that all branding and marking specifications laid out in the Branding Strategy and Marking Plan have been followed prior to submitting the material for AOR approval.
11. Planned local and international training events and expected results.
12. Steps to be taken to monitor and ensure compliance with USAID Environmental Procedures, Reg. 216.
13. International travel plan for the year.
14. A description of the approach that the recipient will use to ensure coordination, collaboration and information sharing with other partners.

The work plan may be revised on an as needed basis to reflect changes on the ground and with the concurrence of the AOR.

As part of the first Annual Work Plan, the resulting recipient will be expected to include a geographic selection criteria and a section on: institutional analysis, sustainable impacts, and local Civil Society Engagement. The work plan can reference these sections as needed.

Geographic strategy: The resulting recipient will elaborate a geographic selection criteria that presents a criteria-based selection process to be discussed with the GOM to identify those potential targeted states described in the Program Description. USAID must approve the selection criteria, participate in the discussions with the GOM and approve the geographic strategy in work plan for year 1, and subsequent annual work plans.

Institutional Analysis: The recipient will carry out an institutional analysis that will cover state governments, relevant federal government agencies or units, and any relevant laws, policies or reform processes with which the project will be engaged. The analysis will address capacity, incentives, transparency and accountability mechanisms, political and political-economy dynamics, and other relevant factors related to institutional capacity and the fulfillment of institutional responsibilities related to human rights public policy.

Sustainable Impacts: The resulting recipient will seek to maximize the sustainability of project impacts, demonstrating how project inputs and activities will contribute to impacts that will continue beyond the life of USAID funding. It will identify barriers to sustainability (e.g., change in government, personnel turnover, organizational and personal incentives, budgetary and other resource limitations) and how such obstacles will be addressed. The recipient will also integrate analysis of political opportunities and

constraints in this section of the work plan, and will prioritize strategic and politically-informed capacity building, including institutionalizing improved processes, addressing negative organizational culture or incentives, ensuring robust measurement of outcomes and impacts, and improving oversight and auditing mechanisms (both internal and external via civil society and citizen involvement), coalition building and promoting institutional reforms.

Civil Society Engagement: The resulting recipient will elaborate a strategic approach for engaging with civil society actors, including a description of the relevant civil society actors at the national and state level. The plan will also outline the project's strategy for working collaboratively with CSOs to achieve maximum impact and strengthen civil society capacity to sustain and institutionalize impacts of project interventions, including:

- Important potential sub-grantees, prioritizing longer-term support
- Critical capacity-building needs of CSOs to advocate for, participate in human rights public policy design and monitor and evaluate its implementation
- Key coalitions, federations, or alliances to be built or strengthened

F.3.2c Quarterly Performance Reports

The recipient shall submit quarterly performance reports 15 calendar days after the end of the reporting period, summarizing progress of the major activities in process during the period in relation to requirements of the agreement, indicating any problems encountered, and proposing remedial actions as appropriate. This report must contain progress on performance indicators as planned in the Work Plan and the Monitoring and Evaluation Plan and also include a section on planned activities by each expected result for the next quarter. Progress reports shall include a specific section on gender-related activities, as well as compliance with USAID's Disability Policy. Upon signature of the agreement, USAID will provide the recipient with a template including guidelines and details about the scope of quarterly performance reports.

The fourth quarterly report shall also serve as the **Annual Report** and shall be submitted by **October 31** of each year. Any implementation problems should be discussed in the reports as well as proposed corrective actions and the costs associated with the delay. These reports must include specific sections on: compliance with USAID Environmental Procedures, Reg. 216, including environmental mitigation measures monitoring, and specify gender considerations in implementation and performance during the quarter.

In each quarterly report, the recipient shall submit a list of all in country training events performed during the reporting period. This report shall include at a minimum: name of the training program, field of study, relationship to the objectives of this instrument, start and end dates, estimated cost (USAID's cost and partner's cost disaggregated by instruction, trainee, and travel) and number of male and female participants. For U.S. and third country training, the recipient shall follow the guidelines described in ADS 252 and 253 and shall allow at least twelve weeks prior to the begin date of the training program to comply with the requirements therein described. U.S. and third country training information shall also be included in each quarterly report.

The recipient is required to provide quarterly data for the indicators in the project's Monitoring and Evaluation Plan.

Quarterly reports will include a section that describes what activities or steps have been taken during the quarter to effectively coordinate, collaborate and share information with other USAID, USG and non-USG partners.

The recipient will be required to submit technical reports, in English to USAID's Development Experience Clearinghouse through the public-facing and searchable <https://dec.usaid.gov/> , through e-mail (docsubmit@usaid.gov), or through the U.S. Postal Service delivery to the following address:

USAID Development Experience Clearinghouse
M/CIO/ITSD/KM
Ronald Reagan Building M. 01
U.S. Agency for International Development
Washington, DC 20523

For DEC information, refer to ADS 540, <http://auslnxapvweb01.usaid.gov/ADS/500/540.pdf>

F.3.2d Annual Reports

The recipient will submit Annual Reports to USAID/Mexico in English in electronic format by October 31 of the year covered. By September 30 of the year covered, the recipient will be requested to submit preliminary Annual Reports and will be reviewed by USAID Mexico as part of the process of reviewing and approving Annual Work Plans. Annual Reports will describe:

1. The extent to which objectives and targets contained in the Annual Work Plan have been achieved;
2. Highlights of major achievements during the year;
3. Significant implementation problems encountered during the year and progress toward achievement of results;
4. Actions taken to resolve problems;
5. Performance measures, indicators and benchmarks, tied to the Annual Work Plan and the Monitoring and Evaluation Plan targets, for the quarter and the entire previous fiscal year;
6. Present data and relevant analysis on the evaluation questions identified in the Monitoring and Evaluation Plan;
7. Include a summary of lessons learned, observations and recommendations that might be relevant to programming, design and implementation of similar or follow-on activities; and
8. Environmental compliance required as indicated in the USAID Environmental Threshold Decision.

The Annual Report shall consolidate data from project M&E indicators in the previous quarterly reports in order to present annual totals with a comparison with expected targets.

The annual reports shall include success stories for publication.

Annual Reports are not to exceed 50 pages in length, including an Executive Summary not to exceed 5 pages in length. A Spanish version of the Executive Summary will also be provided. Additional supporting information may be included in Annexes to the report.

F.3.2e Monitoring and Evaluation (M&E) Plan and Reports

A comprehensive Monitoring and Evaluation Plan (M&E plan) must be submitted for approval to the AOR 30 calendar days after the approval of the Annual Work, covering the complete award period. The plan shall be prepared in English and submitted in hard copy to the AOR and in electronic form to other USAID administrative staff as indicated by USAID upon signature of the award. Approval or request for modifications will be within 15 calendar days, thereafter. The recipient will then have 15 calendar days to incorporate the modifications and resubmit the plan for final approval. Approval will be within 15 calendar days.

The M&E plan should include a mix of quantitative and qualitative indicators for all expected results. Annual targets (and quarterly benchmarks, as appropriate) for each indicator will also be included in the M&E plan. The M&E plan must: be rigorous; take into consideration the criteria of integrity, precision, reliability and timeliness; and in the case of at least one indicator per expected result, explain how these criteria are met. The M&E plan must be consistent with the USAID Mexico Human Rights Performance Management Plan (PMP) plan, which includes some key indicators to measure the overall impact of the project. This document will be made available to the recipient after award signature.

The resulting recipient will be expected to develop and incorporate output, outcome, and impact indicators in the project that will provide USAID with a clear vision of the impact of USAID-funded activities. In addition, the resulting recipient should propose a set of questions that it will guide its own evaluation efforts and present relevant data, analysis and results in the annual reports.

The M&E plan must clearly indicate the data gathering methodology, instruments, timeframe and other relevant elements of the evaluation system, as required in the USAID performance indicator reference sheet. Indicators will be disaggregated by gender, ethnicity and age wherever possible. This will be the core information for all monitoring and evaluation exercises. To complement this information, additional data, assessments, relevant anecdotes and comments should contextualize the indicators when reported. Recipient performance will be evaluated on the basis of the M&E plan and targets met.

The recipient must submit to the AOR a comprehensive Annual Monitoring and Evaluation Plan 30 calendar days after the end of the reporting period. The first M&E plan shall cover the period from the signature of the Agreement through the end of fiscal year 2015. Subsequent plans shall cover the period of October 1st to September 30th. Besides the submission of the hard copy and electronic versions described above, the recipient must organize a presentation of this plan to the AOR and other USAID staff, which will take place at the same meeting organized for the Annual Work Plan presentation (usually in October

of each year as agreed with the AOR). The purpose of these presentations is for the recipient to show the results of its M&E plan and to demonstrate that the Work Plan for the following year is consistent with the results and findings of the M&E plan.

The following indicator is also required under this agreement:

5. Percent of human rights defenders who perceive improvements in the recognition and protection of human rights (disaggregated by sex);
6. Number of public policies addressing human rights international recommendations (United Nations/Organization of American States) put into effect with technical assistance provided by USAID;
7. Number of human rights public policies co-designed by GOM in collaboration with civil society organizations (CSOs) as a result of USAID assistance; and,
8. Number of GOM officials trained on human rights-based approaches with technical assistance provided by USAID.

F.3.2f Weekly Highlights and Success Stories

The recipient should submit input for USAID Mexico's Weekly Activity Report (WAR) to the AOR. USAID can provide the format of the WAR. The recipient should provide occasional "success stories" for publication by USAID, if applicable in a monthly basis. The information should be submitted following the below format:

Short, action-oriented title. First sentence: "what" and "when." Second sentence: more "what." Third sentence: significance to the HURPP Activity- answer "so what?" If needed, fourth/last sentence: anything else that that is pertinent but didn't fit above.

F.3.2g Final Performance Report

A final performance report in English is required within 90 days of the expiration of the Cooperative Agreement. The final performance report shall be presented in English. Two hard copies and an electronic version (Microsoft Word preferred). The final performance report should include a description of the activity, the accomplishments, successes achieved, and lessons learned during the Agreement period in terms of the expectations of activity design and changes in the project environment as well as any shortcomings and/or difficulties encountered; an assessment of the progress towards achievement of the objectives or results, including gender and social inclusion aspects, and reasons why expected results were not met, if appropriate; a summary of performance indicators used and an assessment of their relative usefulness. The final report shall include a summary of lessons learned and recommendations that might be relevant to programming, design and implementation of similar or follow-on activities, as well as pertinent information related to the financial status of the activity.

It also must include a list of all publications, evaluations and media products that were sent to the USAID DEC during the life of the Agreement. The recipient will be required to submit technical reports, in

English to Development Experience Clearinghouse through the public-facing and searchable <https://dec.usaid.gov/> through e-mail (docsubmit@usaid.gov), or through the U.S. Postal Service delivery.

F.3.2h Financial Reporting

Quarterly financial reports shall be submitted by the recipient along with its Performance Report, providing actual information on expenditures through the reporting quarter, as well as estimated costs for the following reporting period including financial and accrual reporting.

(1) The recipient must submit the Federal Financial Form (SF-425) on a quarterly basis via electronic format to the Agreement Officer's Representative (AOR) and the Agreement Officer.

Electronic copies of the SF-425 can be found at http://www.whitehouse.gov/omb/grants/standard_forms/ff_report.pdf

Line item instructions for completing the SF-425 can be found at: http://www.whitehouse.gov/omb/grants/standard_forms/ffr_instructions.pdf

Financial reports will also show the total amount of funds (cash a/o in-kind) leveraged and executed, each quarter and each fiscal year.

F.3.2i Accrual Reports

The recipient shall submit an estimated accrual report including the following information: (i) agreement number; (ii) recipient's name; (iii) total amount obligated; (iv) total amount invoiced for; (v) total amount expended but not yet invoiced for; (vi) remaining unexpended funds; (vii) estimated completion date; (viii) any pertinent information, such as analysis, projections for the next quarter, and an explanation of costs increases or underestimation of original costs. The accruals report shall be presented in English to the AOR and other designated administrative staff, on a quarterly basis (15 days previous to the close of each fiscal year quarter) in the format to be provided to the recipient upon award signature.

F.3.2j Procurement Plan

The recipient shall submit a Procurement Plan along with Annual Work Plans. The Procurement Plan shall contain the following:

1. Specifications and the estimated cost of all non-expendable supplies and equipment expected to be purchased in the coming fiscal year;
2. An explanation of the intended use of each item; and
3. The source of the commodities to be purchased.

F.3.2k Value Added Tax

The recipient shall submit an Annual Reporting of Foreign Taxes on a date to be determined by USAID after the award, but no later than April 16 of each year. The resulting contractor will be requested to submit its Annual Reporting of Foreign Taxes corresponding to the last year of program activities along with the submission of its Final Report. Submissions should follow the below guidance as per ADS 303:

REPORTING HOST GOVERNMENT TAXES (JUNE 2012)

- a. By April 16 of each year, the recipient must submit a report containing:
 - (1) Contractor/recipient name.
 - (2) Contact name with phone, fax and e-mail.
 - (3) Agreement number(s).
 - (4) The total amount of value-added taxes and customs duties (but not sales taxes) assessed by the host government (or any entity thereof) on purchases in excess of \$500 per transaction of supplies, materials, goods or equipment, during the 12 months ending on the preceding September 30, using funds provided under this contract/agreement.
 - (5) Any reimbursements received by April 1 of the current year on value-added taxes and customs duties reported in (iv).
 - (6) Reports are required even if the recipient did not pay any taxes or receive any reimbursements during the reporting period.
 - (7) Cumulative reports may be provided if the recipient is implementing more than one program in a foreign country.
- b. Submit the reports to: Financial Management Office (FMO), USAID/Mexico, Paseo de la Reforma No. 305, Col. Cuauhtemoc, 06500, Mexico City, Mexico.
- c. Host government taxes are not allowable where the Agreement Officer provides the necessary means to the recipient to obtain an exemption or refund of such taxes, and the recipient fails to take reasonable steps to obtain such exemption or refund. Otherwise, taxes are allowable in accordance with the Standard Provision, "Allowable Costs," and must be reported as required in this provision.
- d. The recipient must include this reporting requirement in all applicable subawards and contracts.

F.7 Participant Training

For all training activities financed under this cooperative agreement and conducted in-country, in the U.S., or in a third country, the recipient must comply with Automated Directives system (ADS) Chapter 253 and other USAID/Mexico specific policies and procedures (i.e., Mission Order 253) governing the effective, efficient planning, design, and implementation of such training programs. The Recipient shall also be responsible for entering training information into the TraiNet database on a quarterly basis. Each quarterly report will include a confirmation that this requirement has been met.

For all project-funded trips to the United States, the recipient shall follow the guidelines included in ADS 252.

F.8 Use Of Activity Vehicles

USAID does not expect the acquisition of vehicles under the resulting Cooperative Agreement, unless with the exception of thoroughly justified cases.

In accordance with USAID policy, all vehicles shall be used only for the purpose of work concerning project objectives. Use of vehicles acquired under this cooperative agreement for private use will not be authorized. At no time shall a project vehicle be used for home-office transportation and all project vehicles shall be parked in a secure area overnight, preferably at field office sites.

Recipient agrees that, in the event any vehicle is financed by USAID for use by Recipient in conducting activities under this instrument, it shall be registered in the name of the Recipient, and it will be the responsibility of Recipient to indemnify and hold the U.S. Government harmless from any damages or liability assessed against it because of the negligence of the Recipient or its agents or employees.

The recipient must be responsible to follow USAID/Mexico requirements of the closeout process.

F.9 Recipient's Staff Support, Administrative And Logistics Arrangements And Legal Registration In The Cooperating Country

In accordance with Standard Provision entitled "Regulations Governing Employees", the recipient shall be responsible for all administrative support and logistics required to fulfill the requirements of this Agreement. These shall include all travel arrangements, appointment scheduling, secretarial services, report preparations services, printing, and duplicating.

In addition, the recipient is responsible to comply with all applicable local laws regarding fringe benefits for its local employees, local business operations, including but not limited to the registration of its offices in the local country, etc.

F.10 Standard Provisions

The following Standard Provisions will apply to the resulting award:

- **U.S. organizations** - Standard Provisions for U.S. Nongovernmental Recipients - <http://www.usaid.gov/sites/default/files/documents/1868/303maa.pdf>
- **Non-U.S. organizations** - Standard Provisions for Non-U.S., Nongovernmental Recipients - <http://www.usaid.gov/sites/default/files/documents/1868/303mab.pdf>

[END OF SECTION F]

SECTION G – AGENCY CONTACTS

The Agreement Officer for this Award is:

Natalie J. Thunberg
Regional Agreement Officer
USAID/El Salvador

Questions and Answers:

All questions regarding this NFO should be submitted to USAID/Mexico via email to: mexproposals@usaid.gov observing the deadlines specified above in Section D.1.

[END OF SECTION G]

SECTION H- OTHER INFORMATION

H.1 Certifications, Assurances, Other Statements of the Recipient and Solicitation Standard Provisions

NOTE: When these Certifications, Assurances, and Other Statements of Recipient are used for cooperative agreements, the term “Grant” means “Cooperative Agreement.”

Part I – Certifications and Assurances

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

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

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

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

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

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

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

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

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

2. Certification Regarding Lobbying

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

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal Cooperative Agreement, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned must complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.
- (3) The undersigned must require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients must certify and disclose accordingly.

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

Statement for Loan Guarantees and Loan Insurance

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

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

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

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

4. Certification Regarding Terrorist Financing, Implementing Executive Order 13224

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

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

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

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

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

<http://www.un.org/Docs/sc/committees/1267/1267ListEng.htm>.

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

d. The recipient also will implement reasonable monitoring and oversight procedures to safeguard against assistance being diverted to support terrorism.

3. For purposes of this Certification -

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

b. “Terrorist act” means -

(i) an act prohibited pursuant to one of the 12 United Nations Conventions and Protocols related to terrorism (see UN terrorism conventions Internet site:

<http://untreaty.un.org/English/Terrorism.asp>); or

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

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

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

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

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

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

5. Certification of Recipient

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

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

New Funding Opportunity No. _____

Application No. _____

Date of Application _____

Name of Recipient _____

Typed Name and Title _____

Signature _____

Date _____

Part II – Key Individual Certification Narcotics Offenses and Drug Trafficking

I hereby certify that within the last ten years:

1. I have not been convicted of a violation of, or a conspiracy to violate, any law or regulation of the United States or any other country concerning narcotic or psychotropic drugs or other controlled substances.
2. I am not and have not been an illicit trafficker in any such drug or controlled substance.
3. I am not and have not been a knowing assistor, abettor, conspirator, or colluder with others in the illicit trafficking in any such drug or substance.

Signature: _____

Date: _____

Name: _____

Title/Position: _____

Organization: _____

Address: _____

Date of Birth: _____

NOTICE:

1. You are required to sign this Certification under the provisions of 22 CFR Part 140, Prohibition on Assistance to Drug Traffickers. These regulations were issued by the Department of State and require that certain key individuals of organizations must sign this Certification.
2. If you make a false Certification you are subject to U.S. criminal prosecution under 18 U.S.C. 1001.

Part III – Participant Certification Narcotics Offenses and Drug Trafficking

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

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

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

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

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

Signature: _____

Name: _____

Date: _____

Address: _____

Date of Birth: _____

NOTICE:

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

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

Part IV – Other Statements of Recipient

1. Authorized Individuals

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

Name	Title	Telephone No.	Facsimile No.
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2. Taxpayer Identification Number (TIN)

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

TIN: _____

3. Data Universal Numbering System (DUNS) Number

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

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

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

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

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

DUNS: _____

4. Letter of Credit (LOC) Number

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

LOC: _____

5. Procurement Information

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

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

\$ _____

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

TYPE/DESCRIPTION (Generic) _____

QUANTITY _____

ESTIMATED UNIT COST _____

(d) Source If the recipient plans to purchase any goods/commodities which are not in accordance with the Standard Provision "USAID Eligibility Rules for Procurement of Commodities and Services," indicate below (using a continuation page, as necessary) the types and quantities of each, estimated unit costs of each, and probable source. "Source" means the country from which a commodity is shipped to

the cooperating country or the cooperating country itself if the commodity is located in the cooperating country at the time of purchase. However, where a commodity is shipped from a free port or bonded warehouse in the form in which received, “source” means the country from which the commodity was shipped to the free port or bonded warehouse. Additionally, “available for purchase” includes “offered for sale at the time of purchase” if the commodity is listed in a vendor’s catalog or other statement of inventory, kept as part of the vendor’s customary business practices and regularly offered for sale, even if the commodities are not physically on the vendors’ shelves or even in the source country at the time of the order. In such cases, the recipient must document that the commodity was listed in the vendor’s catalog or other statement of inventory; that the vendor has a regular and customary business practice of selling the commodity through “just in time” or other similar inventory practices; and the recipient did not engage the vendor to list the commodity in its catalog or other statement of inventory just to fulfill the recipient’s request for the commodity.

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

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

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

(f) Supplier Nationality. If the recipient plans to purchase any goods or services from suppliers of

goods and services whose nationality is not in accordance with the Standard Provision “USAID Eligibility Rules for Procurement of Commodities and Services,” indicate below (using a continuation page, as necessary) the types and quantities of each good or service, estimated costs of each, probable nationality of each non-U.S. supplier of each good or service, and the rationale for purchasing from a non-U.S. supplier.

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

6. Past Performance References

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

7. Type of Organization

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

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

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

8. Estimated Costs of Communications Products

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

Part V – Standard Provisions for Solicitations

1. Branding Strategy - Assistance (June 2012)

- a. Applicants recommended for an assistance award must submit and negotiate a "Branding Strategy," describing how the program, project, or activity is named and positioned, and how it is promoted and communicated to beneficiaries and host country citizens.
- b. The request for a Branding Strategy, by the Agreement Officer from the applicant, confers no rights to the applicant and constitutes no USAID commitment to an award.
- c. Failure to submit and negotiate a Branding Strategy within the time frame specified by the Agreement Officer will make the applicant ineligible for an award.
- d. The applicant must include all estimated costs associated with branding and marking USAID programs, such as plaques, stickers, banners, press events, materials, and so forth, in the budget portion of the application. These costs are subject to the revision and negotiation with the Agreement Officer and will be incorporated into the Total Estimated Amount of the grant, cooperative agreement or other assistance instrument.
- e. The Branding Strategy must include, at a minimum, all of the following:
 - (1) All estimated costs associated with branding and marking USAID programs, such as plaques, stickers, banners, press events, materials, and so forth.
 - (2) The intended name of the program, project, or activity.
 - (i) USAID requires the applicant to use the "USAID Identity," comprised of the USAID logo and landmark, with the tagline "from the American people" as found on the USAID Web site at transition.usaid.gov/branding,
 - (ii) USAID prefers local language translations of the phrase "made possible by (or with) the generous support of the American People" next to the USAID Identity when acknowledging contributions.
 - (iii) It is acceptable to cobrand the title with the USAID Identity and the applicant's identity.
 - (iv) If branding in the above manner is inappropriate or not possible, the applicant must explain how USAID's involvement will be showcased during publicity for the program or project.
 - (v) USAID prefers to fund projects that do not have a separate logo or identity

that competes with the USAID Identity. If there is a plan to develop a separate logo to consistently identify this program, the applicant must attach a copy of the proposed logos. Section VI of the NFO will state if an Administrator approved the use of an additional or substitute logo, seal, or tagline.

- (3) The intended primary and secondary audiences for this project or program, including direct beneficiaries and any special target segments.
 - (4) Planned communication or program materials used to explain or market the program to beneficiaries.
 - (i) Describe the main program message.
 - (ii) Provide plans for training materials, posters, pamphlets, public service announcement, billboards, Web sites, and so forth, as appropriate.
 - (iii) Provide any plans to announce and promote publicly this program or project to host country citizens, such as media releases, press conferences, public events, and so forth. Applicant must incorporate the USAID Identity and the message, “USAID is from the American People.”
 - (iv) Provide any additional ideas to increase awareness that the American people support this project or program.
 - (5) Information on any direct involvement from host-country government or ministry, including any planned acknowledgement of the host-country government.
 - (6) Any other groups whose logo or identity the applicant will use on program materials and related materials. Indicate if they are a donor or why they will be visibly acknowledged, and if they will receive the same prominence as USAID.
- e. The Agreement Officer will review the Branding Strategy to ensure the above information is adequately included and consistent with the stated objectives of the award, the applicant's cost data submissions, and the performance plan.
- f. If the applicant receives an assistance award, the Branding Strategy will be included in and made part of the resulting grant or cooperative agreement

(END OF PROVISION)

2. Marking Plan – Assistance (June 2012)

- a. Applicants recommended for an assistance award must submit and negotiate a “Marking Plan,” detailing the public communications, commodities, and program materials, and other items that will visibly bear the “USAID Identity,” which comprises of the USAID logo and landmark, with the tagline “from the American people.” The USAID Identity is the official marking for the Agency, and is found on the USAID Web site at <http://www.usaid.gov/branding>. Section VI of the NFO will state if an Administrator approved the use of an additional or substitute logo, seal, or tagline.
- b. The request for a Marking Plan, by the Agreement Officer from the applicant, confers no rights to the applicant and constitutes no USAID commitment to an award.
- c. Failure to submit and negotiate a Marking Plan within the time frame specified by the Agreement Officer will make the applicant ineligible for an award.
- d. The applicant must include all estimated costs associated with branding and marking USAID programs, such as plaques, stickers, banners, press events, materials, and so forth, in the budget portion of the application. These costs are subject to the revision and negotiation with the Agreement Officer and will be incorporated into the Total Estimated Amount of the grant, cooperative agreement or other assistance instrument.
- e. The Marking Plan must include all of the following:
 - (1) A description of the public communications, commodities, and program materials that the applicant plans to produce and which will bear the USAID Identity as part of the award, including:
 - (i) Program, project, or activity sites funded by USAID, including visible infrastructure projects or other sites physical in nature;
 - (ii) Technical assistance, studies, reports, papers, publications, audio-visual productions, public service announcements, Web sites/Internet activities, promotional, informational, media, or communications products funded by USAID;
 - (iii) Commodities, equipment, supplies, and other materials funded by USAID, including commodities or equipment provided under humanitarian assistance or disaster relief programs; and
 - (iv) It is acceptable to cobrand the title with the USAID Identity and the applicant's identity.
 - (v) Events financed by USAID, such as training courses, conferences, seminars, exhibitions, fairs, workshops, press conferences and other public activities. If the USAID Identity cannot be displayed, the recipient is encouraged

to otherwise acknowledge USAID and the support of the American people.

- (2) A table on the program deliverables with the following details:
 - (i) The program deliverables that the applicant plans to mark with the USAID Identity;
 - (ii) The type of marking and what materials the applicant will use to mark the program deliverables;
 - (iii) When in the performance period the applicant will mark the program deliverables, and where the applicant will place the marking;
 - (iv) What program deliverables the applicant does not plan to mark with the USAID Identity, and
 - (v) The rationale for not marking program deliverables.
- (3) Any requests for an exemption from USAID marking requirements, and an explanation of why the exemption would apply. The applicant may request an exemption if USAID marking requirements would:
 - (i) Compromise the intrinsic independence or neutrality of a program or materials where independence or neutrality is an inherent aspect of the program and materials. The applicant must identify the USAID Development Objective, Interim Result, or program goal furthered by an appearance of neutrality, or state why an aspect of the award is presumptively neutral. Identify by category or deliverable item, examples of material for which an exemption is sought.
 - (ii) Diminish the credibility of audits, reports, analyses, studies, or policy recommendations whose data or findings must be seen as independent. The applicant must explain why each particular deliverable must be seen as credible.
 - (iii) Undercut host-country government “ownership” of constitutions, laws, regulations, policies, studies, assessments, reports, publications, surveys or audits, public service announcements, or other communications. The applicant must explain why each particular item or product is better positioned as host-country government item or product.
 - (iv) Impair the functionality of an item. The applicant must explain how marking the item or commodity would impair its functionality.
 - (v) Incur substantial costs or be impractical. The applicant must explain why marking would not be cost beneficial or practical.
 - (vi) Offend local cultural or social norms, or be considered inappropriate. The applicant must identify the relevant norm, and explain why marking would violate

that norm or otherwise be inappropriate.

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

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

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

(END OF PROVISION)

H.2 Standard Provisions applicable to the resulting award

- **U.S. organizations** - Standard Provisions for U.S. Nongovernmental Recipients - <http://www.usaid.gov/sites/default/files/documents/1868/303maa.pdf>
- **Non-U.S. organizations** - Standard Provisions for Non-U.S., Nongovernmental Recipients - <http://www.usaid.gov/sites/default/files/documents/1868/303mab.pdf>