

MODIFICATION OF ASSISTANCE

Page 1 of 14

1. MODIFICATION
NUMBER
000001

2. EFFECTIVE DATE OF
MODIFICATION
January 12, 2010

3. AWARD NUMBER:
RFA No. 518-10-000003

4. EFFECTIVE DATE OF
AWARD:

5. GRANTEE:

TO BE DETERMINED

DUNS NO. :

TIN NO. : 0

LOC NO. :

6. ADMINISTERED BY:

7. FISCAL DATA:

Amount Obligated:

Budget Fiscal Year:

Operating Unit:

Strategic Objective:

Team/Division:

Benefiting Geo Area:

Object Class:

8. TECHNICAL OFFICE:

9. PAYMENT OFFICE:

10. FUNDING SUMMARY:

Obligated Amount

Total Est. Amt.

Amount Prior to this Modification:

Change Made by this Modification:

New/Current Total:

11. DESCRIPTION OF MODIFICATION:

The purposes of this Amendment No. 1 to RFA No. 518-10-000003 are to:

I. Modify the original RFA to reflect the following changes:

A. COVER LETTER

Closing Date and Time for Application Submission: Delete existing closing date and replace it with the following: "Closing Date and time for Application Submission: February 17, 2010, 17h00 (Quito Time)."

(See continuation sheet)

12. THIS MODIFICATION IS ENTERED INTO PURSUANT TO THE AUTHORITY OF AA of 1961

AS AMENDED. EXCEPT AS SPECIFICALLY HEREIN AMENDED, ALL TERMS AND CONDITIONS OF THE GRANT REFERENCED IN BLOCK #3 ABOVE, AS IT MAY HAVE HERETOFORE BEEN AMENDED, REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

13. GRANTEE: ☐ IS ☐ IS NOT REQUIRED TO SIGN THIS DOCUMENT TO RECONFIRM ITS AGREEMENT WITH THE CHANGES EFFECTED HEREIN

14. GRANTEE:

BY: _____

(Name Typed or Printed)

TITLE: _____

DATE: _____

15. THE UNITED STATES OF AMERICA
U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT

BY: _____

Doanh Van

(Name Typed or Printed)

TITLE: Regional Agreement Officer

DATE: _____

**MODIFICATION OF ASSISTANCE
CONTINUATION PAGE**

ASSISTANCE No. TO BE DETERMINED	MODIFICATION No. 00001	PAGE No. 2 of 14
------------------------------------	---------------------------	---------------------

11. DESCRIPTION OF MODIFICATION (CONTINUED)

B. Section I - Funding Opportunity Description

Make the following changes:

I.I INTRODUCTION:

Paragraph 2: Delete it and replace it with the following:

“The United States Agency for International Development Mission in Ecuador (USAID/Ecuador) will support the implementation of the Strengthening Civil Society project for a period of thirty months and an amount not to exceed \$2,581,000, pending the availability of funds, in order to enhance the capacity of CSOs to participate more effectively in the oversight of public institutions and democratic processes, policy dialogue and decision-making, and promotion of key democratic values and practices. This project will complement technical capacity building and democracy strengthening efforts with assistance that enhances the financial, organizational, and networking capacity of targeted CSOs.”

I.VII.AWARD ADMINISTRATION:

Delete existing paragraph it in its entirety and replace it with the following:

“22 CFR 226, OMB Circulars, and the Standard Provisions for U.S. Nongovernmental Recipients will be applicable. For non-U.S. organizations, the Standard Provisions for Non-U.S. Nongovernmental Recipients will apply. While 22 CFR 226 does not directly apply to non-U.S. applicants, the Agreement Officer will use the standards of 22 CFR 226 in the administration of the award. These documents may be accessed through the word-wide-web at: <http://www.usaid.gov/business/regulations/>”

C. Section II - Award Information

II.A. Estimate of Funds Available: Delete “\$2,580,000” and replace it with “\$2,581,000.”

D. Section IV - Application and Submission Information

IV.3. General Application Instructions

A. Paragraph 4, Copies: make the following changes:

1. Delete: “One original plus two (2) copies of a Full Technical application” and replace it with “One original plus three (3) copies of a Full Technical application”
2. Delete: “mmatute@usaid.gov” and replace it with “alvarado@usaid.gov”

**MODIFICATION OF ASSISTANCE
CONTINUATION PAGE**

ASSISTANCE No.	MODIFICATION No.	PAGE No.
TO BE DETERMINED	00001	3 of 14

11. DESCRIPTION OF MODIFICATION (CONTINUED)

- B. Paragraph 11: Delete: "11. Authority to Obligate the Government" and replace it with "10. Authority to Obligate the Government"
- C. Paragraph 12: Delete: "12. Information" and replace it with "11. Information"
- D. Paragraph 13: Delete: "13. Explanation to Prospective Applicants" and replace it with "12. Explanation to Prospective Applicants"

IV.4. Technical Application Format: Delete paragraphs 5 and 6 and replace them with the following:

"The Application should include: (20 pages)

- A detailed description of proposed activities corresponding to the two activities described in the Program Description above.
- A draft Performance Monitoring Plan.

The Annexes should include: (25 pages)

- Key personnel resumes, including three work references, and letters of commitment.
- Management structure or organizational chart.
- Institutional Past Performance Information.
- A draft 12-month work plan that includes the information described in section II. G.2 above."

IV.5. Cost Application Format: Make the following changes:

1. Section 2 Cost Information Submission, item c.iv Equipment: Delete it and replace it with the following:

"iv) Equipment – Specify all equipment to be purchased, including the type of equipment, the unit cost, and the number of units to be purchased."

2. Section 11 Submission Dates and Times: Make the following changes:

- A. Delete the first sentence and replace it with "Applications are due to USAID by February 17, 2010, 5:00 p.m."
- B. Add the following to the existing item: "Applicants shall submit their applications and all attachments by TWO methods: 1) electronically through email service; and 2) hard copy versions physically arriving at the Contracting Office in Quito on February 17, 2010 at (17h00, Quito Time). We are changing the date for submission of both (electronic and hard copy), to provide

**MODIFICATION OF ASSISTANCE
CONTINUATION PAGE**

ASSISTANCE No. TO BE DETERMINED	MODIFICATION No. 00001	PAGE No. 4 of 14
11. DESCRIPTION OF MODIFICATION (CONTINUED)		

opportunities as many organizations as possible to apply or to form alliances and as well as to allow sufficient time to applicants to mail the hard copy applications. **Both the electronic and hard copies must arrive by the stated deadline in order for the application to be considered**".

C. Section Courier/Hand carry submission: Delete the following:

"And

Ms. Veronica Leo
Regional Contracting Office
USAID/Peru
Av. La Encalada s/n, Cuadra 17
Monterrico
Lima Peru"

E. Section V - Application Review Information

V.1. Evaluation Criteria

Section A. Technical Approach: Paragraph 3: Delete "three-year" and replace it with "thirty months"

V.2. Cost Evaluation

Paragraph 2: Delete "15%" and replace it with "20%"

F. Section VI - Award Administration Information

VI.1. Reporting: Make the following changes:

1.1. Quarterly Program Performance Reports: Paragraph 1: delete "10 days" and replace it with "30 days".

1.4. Performance Management: Delete "1.4" and replace it with "1.3".

1.4. Final Report: Delete existing paragraph and replace it with the following:

"Within 90 days after the program completion date, the Applicant shall submit to the USAID AOTR for review and approval a final completion report that describes, in summary form, the following:

- Specific objectives of the program;
- Activities undertaken to achieve program objectives;

**MODIFICATION OF ASSISTANCE
CONTINUATION PAGE**

ASSISTANCE No. TO BE DETERMINED	MODIFICATION No. 00001	PAGE No. 5 of 14
------------------------------------	---------------------------	---------------------

11. DESCRIPTION OF MODIFICATION (CONTINUED)

- Results achieved by objective, including life-of-program reporting according to the performance monitoring plan;
- Cost of efforts by objective;
- Actions taken to leverage resources and to ensure the continuation and sustainability of program objectives and the effectiveness of these actions;
- Recommendations regarding unfinished work and/or program continuation; and,
- Lessons learned regarding strategies adopted for the successful accomplishment of results as well as changes in approaches to address any key problems and challenges throughout the life of this project”

II. Respond to the questions submitted pursuant to the established deadline, as follows:

1. Given that the release date of the RFA was just before the holidays, when many of our staff, both in the U.S and in Ecuador, is gone, we would like to respectfully request your consideration in extending the deadline for receipt of proposals by at least a week.

R. Please see above. In order to provide opportunities as many organizations as possible to apply or to form alliances as well as to allow sufficient time to applicants to mail the hard copy applications, the deadline for receipt of proposals has been extended through February 17, 2010.

2. The RFA was released at the beginning of the Christmas and New Year's holiday for the Government of Ecuador, and much of the public and private sector was unavailable for consultation until this week. We respectfully request an extension of the due date for the proposal from 5 February to 19 February 2010.

R. Please see previous response.

3. Submission Date for Proposal Hard Copies: Are both the hard and electronic copies of applicants' proposals due on February 5, 2010? If so, in light of the expense associated with hand delivery of the proposals, along with the potential uncertainty associated with submitting materials via international courier, would USAID allow applicants to submit copies of their technical and cost applications via e-mail by the proposal deadline, with hard copies of the cost and technical applications to follow shortly, say two or three days later, after the deadline? A number of USAID missions have allowed applicants to submit electronic copies by the deadline, with hard copies to follow immediately afterwards, greatly reducing the financial burden associated with proposal delivery by hand and would not impact the timeliness of project award. We would be grateful if USAID would consider a similar approach.

**MODIFICATION OF ASSISTANCE
CONTINUATION PAGE**

ASSISTANCE No. TO BE DETERMINED	MODIFICATION No. 00001	PAGE No. 6 of 14
11. DESCRIPTION OF MODIFICATION (CONTINUED)		

R. Please see above. Applicants shall submit their applications and all attachments by TWO methods: 1) electronically through email service; and 2) hard copy versions physically arriving at the Contracting Office in Quito on February 17, 2010 at (17h00, Quito Time). We are changing the date for submission of both (electronic and hard copy), to allow sufficient time to applicants to mail the hard copy applications. When mailing your application, please take into consideration that packages may go through customs (approximately seven days). **Both the electronic and hard copies must arrive by the stated deadline in order for the application to be considered”.**

4. Given the extensive number of documents required as annexes (e.g. audited financial statements for the past three years, organization by-laws, constitutions and articles of incorporation and copies of applicants’ personnel, travel and procurement policies, among others as per page 20), please consider eliminating the onerous task of providing hard copies of the proposal. If this is not possible, would it be possible to consider extending the submission in hard copy format at least 5 business days after electronic submission deadline to allow for on-time arrival of mailed packages.

R. Yes, please see previous response.

5. Page 21/42: Item 11
Subject 11. Submission Dates and Times
Applications are due to USAID by February 5, 2010, 5:00 p.m.
How can we comply with this request in the case of the USAID office located in Lima, Perú?. We have to deliver a hard copy to that office, or can we just send an electronic copy to the Lima, Peru Office?

R. Please see above. Applicants shall submit their applications and all attachments by TWO methods: 1) electronically through email service; and 2) hard copy versions physically arriving at the Contracting Office in Quito on February 17, 2010 at (17h00, Quito Time).

6. Please clarify if identical packages of the proposal have to be submitted both to POC in Lima and POC in Ecuador.

R. Yes, please see previous response.

7. Program Duration: Can USAID please confirm that the program’s intended duration is 30 months (2.5 years)? In some sections of the RFA, the program is identified as a three-year program, and in other sections the duration is stated as 30 months.

R. The period of performance anticipated is for thirty months.

**MODIFICATION OF ASSISTANCE
CONTINUATION PAGE**

ASSISTANCE No. TO BE DETERMINED	MODIFICATION No. 00001	PAGE No. 7 of 14
------------------------------------	---------------------------	---------------------

11. DESCRIPTION OF MODIFICATION (CONTINUED)

8. Would you please clarify the expected level of funding and length of the project? There are discrepancies between the figures are listed on the cover page, RFA page 4, and RFA page 11.

R. Please see above. Subject to the availability of funds, USAID intends to provide approximately \$2,581,000 in total USAID funding for the thirty-month life of the activity.

9. Quarterly Financial Reports: On page 13, the RFA references a requirement to submit accruals as part of the financial reporting requirements for a resulting award. Can USAID confirm that this is correct as accruals are not included within the quarterly financial reporting requirements stipulated in 22 CFR 226.52?

R. It is correct. In addition to the financial quarterly reports, accruals might be required and the applicants shall develop such accrual information.

10. Due Dates for Narrative Reporting: On pages 25 and 42 of the RFA, the specific reporting requirements referenced in sections V.I 1.1 and 1.4 would appear to be inconsistent with 22 CFR 226.51, which stipulates that quarterly performance reports shall be required 30 days of each calendar quarter and final reports shall be required 90 days of the project end date. Specifically, section 1.1 of the RFA indicates that quarterly reports will be due within 10 days after the end of each fiscal year quarter and section 1.4 indicates that a draft final report will be submitted 30 days prior to the end of the award with the final report submitted one week prior to the end of the award date. Can USAID please clarify that the quarterly and final report due dates in the resulting Cooperative Agreement will be 30 days after the end of each quarter and 90 days after the end of the agreement respectfully to comply with 22 CFR 226.51?

R. Please see above. Reporting dates have been corrected.

11. Selection Criteria for NGOs Under Objective Two: In light of USAID's desire to support the capacity and sustainability of CSOs currently implementing USAID-sponsored democracy projects under Objective Two, does USAID have desired selection criteria for the identification of these organizations, or perhaps specific organizations in mind for inclusion in this objective?

R. Interested applicants are encouraged to develop their application as fully as possible, including suggesting subrecipients with whom to implement activities under objective #2.

CSOs might be identified under USAID new projects in the areas of justice, electoral support, and local governance. In addition, there are networks who can support activities under objective #2.

**MODIFICATION OF ASSISTANCE
CONTINUATION PAGE**

ASSISTANCE No. TO BE DETERMINED	MODIFICATION No. 00001	PAGE No. 8 of 14
------------------------------------	---------------------------	---------------------

11. DESCRIPTION OF MODIFICATION (CONTINUED)

12. Page 4 calls this project to coordinate initiatives of oversight and participation with USAID/Ecuador's project "Strengthening Democracy in Ecuador". Could more information be provided as to what specific activities or results is this program working on, to avoid overlap or duplication in the design of our proposal?

R. Please see attached Annex 1 with the Executive Summary section of Participacion Ciudadana's "Strengthening Democracy in Ecuador" project description.

13. Page 5 mentions that USAID/Ecuador has helped "advance a pioneer citizen participation approach to the design and promotion of legislation in Ecuador". Are there any documents that can provide further information on this successful approach? Page 5 also mentions a "recent USAID-financed Democracy and Governance Assessment". Is this document public and if so, where can it be found?

R. USAID has supported these efforts through the local NGO Participacion Ciudadana. For example in 2004 this NGO developed a nationwide campaign to collect thousands of signatures throughout the country in order to endorse citizen support for a law reform proposal in electoral legislation. It presented the proposal with the participation of PC representatives from each province. This NGO was also able to participate in the legislative debate. Key inputs were incorporated.

In addition, this organization also led an effort with other 15 civil society organizations to propose inputs for the new Constitution. This group in turn gathered 100 organizations throughout the country who endorsed the inputs and definition of priority themes.

Further information should be requested to Participacion Ciudadana. Please contact Ruth Hidalgo, PC's Executive Director at rhidalgo@participacionciudadana.org

Regarding the DG Assessment it is for internal use, only.

14. Will USAID provide a copy of the "USAID-financed Democracy and Governance Assessment" referred to on page 5?

R. Please see previous response.

15. USAID/Ecuador have any further information as to how Indicator "Number of policies that have been influenced by civil society organizations" is expected to be measured or documented?

R. This is a USG standard indicator. Please refer to the info below with detailed information on indicator definition, rationale, suggested data sources, and additional relevant info.

**MODIFICATION OF ASSISTANCE
CONTINUATION PAGE**

ASSISTANCE No. TO BE DETERMINED	MODIFICATION No. 00001	PAGE No. 9 of 14
------------------------------------	---------------------------	---------------------

11. DESCRIPTION OF MODIFICATION (CONTINUED)

OBJECTIVE: PROGRAM AREA: GOVERNING JUSTLY AND DEMOCRATICALLY CIVIL SOCIETY ELEMENT: GJD 4.1 – STRENGTHEN DEMOCRATIC CIVIC PARTICIPATION	
INDICATOR TITLE: NUMBER OF POLICIES THAT HAVE BEEN INFLUENCED BY CSOS	
<i>DEFINITION:</i> Public policies and laws influenced by civil society organizations' advocacy agenda and awareness campaigns are expected to improve the government's course of action and civil administration as demonstrated by the government institutions' written evidence at the national, regional or local levels.	
<i>RATIONALE:</i> This indicator shows the outcome of assistance programs working to enhance the effectiveness of civil society organizations' influence and role in decision making in order to improve government administration and procedures at all levels	
<i>UNIT:</i> Number of policies positively influenced by civil society organizations	<i>DISAGGREGATE BY:</i> Local, regional, and national
<i>TYPE: OUTPUT/OUTCOME</i> Outcome	<i>DIRECTION OF CHANGE:</i> Higher = Better
<i>DATA SOURCE:</i> Post, implementing partners, legislative and government administration reports	
<i>MEASUREMENT NOTES:</i> The number of public policies and laws that have changed in accordance with civil society agenda may also include negative laws defeated. While the unit number is potentially deceptive (one change could have more impact than many changes), the trend line for this indicator would gradually rise as government becomes more accustomed to working with civil society organizations, and civil society organizations become more effective.	

16. Does the GOE's National Development Plan have a further definition of "processes" in its Objective 10? If not, what does USAID/Ecuador understand or qualify as "processes"?

R. Please see attached Annex 2 for GOE definition and expanded information on the NDP Objective 10.

17. Page 9, section VII on Award Administration mentions that Standard Provisions for Non-US Non-governmental Recipients will be applicable. Will this be true even if the prime recipient is a US-based PVO?

R. Please see above. 22 CFR 226, OMB Circulars, and the Standard Provisions for U.S. Nongovernmental Recipients will be applicable. For non-U.S. organizations, the Standard Provisions for Non-U.S. Nongovernmental Recipients will apply. While 22 CFR 226 does not directly apply to non-U.S. applicants, the Agreement Officer will use the standards of 22 CFR 226 in the administration of the award. These documents may be accessed through the word-wide-web at: <http://www.usaid.gov/business/regulations>.

**MODIFICATION OF ASSISTANCE
CONTINUATION PAGE**

ASSISTANCE No. TO BE DETERMINED	MODIFICATION No. 00001	PAGE No. 10 of 14
------------------------------------	---------------------------	----------------------

11. DESCRIPTION OF MODIFICATION (CONTINUED)

18. On page 13 the last bullet for the work plan includes a Detailed Budget. Given that the Workplan counts towards the 20-page limit, please consider eliminating this request, or move the work plan as a separate annex that does not count towards the 20—page limit.

R. Please see above. The RFA has been modified to include the work plan under Annexes.

19. Page 17, under Description of Annexes calls for three work references on the key personnel resumes. Please clarify the type and level of information required on these references.

R. Reference checks may be undertaken at any time, at the discretion of USAID; therefore, please include the following information for all required references: name of the company where the individual has worked; current telephone numbers/e-mail address (if applicable); points of contact.

20. Page 18 under Budget, calls to indicate the amount of funds to be spent by Result. The RFA has two main objectives and 11 Results. Please clarify if the funds should be discriminated by the 11 Results or by the two main objectives.

R. It is correct. The information to be presented must indicate the amount of funds to be spent by Result while also showing the type of cost for each result. Applicants should include an overall summary budget as well as a detailed annual budget defined by result area.

21. Page 19, under item xii) on Rules on Source and Origin for Goods and Services announces the expected Geographic Code as 000. Given the anticipated need to contract technical services from qualified CSOs in the region and the need to purchase on the cooperating country to expedite procurement processes, please consider changing to a 935 code.

R. The authorized Geographic Code for identifying source, origin and nationality for commodities and services financed by USAID is 000. However, USAID may expand the authorized source in order to accomplish project or program objectives by processing a waiver. All waivers must be in writing and only authorized by the Agreement officer on a case by case basis.

22. On Page 18, under Budget Notes section, item iv) Equipment, it is required to specify the manufacturer and geographic code of the proposed equipment. Given that procurement processes require several quotes from potentially different manufacturers and sources at the time of purchase, please consider removing this requirement.

**MODIFICATION OF ASSISTANCE
CONTINUATION PAGE**

ASSISTANCE No. TO BE DETERMINED	MODIFICATION No. 00001	PAGE No. 11 of 14
------------------------------------	---------------------------	----------------------

11. DESCRIPTION OF MODIFICATION (CONTINUED)

R. Please see above and previous response. The manufacturer and geographic code requirements have been removed from the RFA; however, please note that rules for source, origin and nationality for commodities and services apply.

23. Page 16/42: The item 10 is missing. Or the numbering must be fixed.

R. Please see above. Numbering has been corrected.

24. Page 25/42: The item 1.3 is missing. Or the numbering must be fixed.

R. Please see above. Numbering has been corrected.

25. Page 17/42: Title: The Annexes should include (limited to 20 pages)
On Institutional Past Performance Information the limited number of pages 20 must be comply with, however, if the group is compose of more than one organization, it will require additional pages over the 20 that you are stated. Is this right?

R. Please see above. The maximum page limit for the Annexes is 25 pages.

26. Page 21/42: Item 10
If the Applicant has Cooperative Agreements with other International Agencies, such as NED or IBPC, will it be required to submit a copy of their accounting manual to the US Government?

R. Yes, but if your organization has previous award with US Organizations or federal awards, the submission of the accounting manual is not required.

27. Page 24/42: Item 2 Cost Evaluation
Total Budget: \$2,581,000. Is the 20% cost-share from the applicant included in this amount?

R. No, it is not included. Cost-share should be proposed as an additional amount and should be clearly identified in the application.

28. Are you expecting to have projects with lesser investment requirements? If your answer is yes, would that mean that you can have more than one project awarded?

R. The Mission anticipates only one award resulting from this RFA.

29. Can an applicant be interested in more than one project and submit several proposals?

R. The project "Strengthening Civil Society in Ecuador" is one project that has two components. Applicants are to submit applications that respond to the needs of the project as a whole with differentiated results for each of the two components.

**MODIFICATION OF ASSISTANCE
CONTINUATION PAGE**

ASSISTANCE No. TO BE DETERMINED	MODIFICATION No. 00001	PAGE No. 12 of 14
------------------------------------	---------------------------	----------------------

11. DESCRIPTION OF MODIFICATION (CONTINUED)

30. Is the 30 months activity period mandatory? Will you accept projects with a shorter time period?

R. It is difficult to expect full accomplishment of results and objectives, especially in terms of sustainability, in a period less than 30 months; therefore, the application should cover activities for 30 months, and not for a shorter period of time.

31. A prestigious professional nominated to be part of the core team as key personnel is member of the Board of a mining company publicly listed that operates in one of the regions included in the RFA. This person has been appointed as member of the board as an independent director, with no economic nor professional relationship whatsoever with any shareholder or group of shareholders or management of the company. Can such situation be interpreted as a precluding the appointment of such person as a key personnel?

R. RFA-518-10-000003 does not define any regions. Question does not seem applicable to this RFA.

32. A prestigious professional nominated to be part of the core team as key personnel is member of the Board of Central Bank. This person has been appointed as member of the board by the Congress. Can such situation be interpreted as a precluding the appointment of such person as a key personnel?

R. The mission does not see the person's membership on the Board of Central Bank as a conflict of interest. However, in order for USAID to fully understand the implication of this person filling a key personnel position, the technical application should include complete information on the candidate's functions as a board member.

33. A prestigious professional nominated to be part of the core team as key personnel is member of the Board of SERVIR. Can such situation be interpreted as a precluding the appointment of such person as a key personnel?

R. The mission does not see the person's membership on the Board of SERVIR as a conflict of interest. However, in order for USAID to fully understand the implication of this person filling a key personnel position, the technical application should include complete information on the candidate's functions as a board member.

34. Should the reference to "local governments" in the RFA be interpreted restrictively to municipal governments or can it also include regional governments?

R. RFA does not make reference to "local governments"

**MODIFICATION OF ASSISTANCE
CONTINUATION PAGE**

ASSISTANCE No. TO BE DETERMINED	MODIFICATION No. 00001	PAGE No. 13 of 14
------------------------------------	---------------------------	----------------------

11. DESCRIPTION OF MODIFICATION (CONTINUED)

35. Does the reference to "partners" in the regions (p. 10) also include NGOs?
- R. Page 10 does not mention this.
36. Should Letters of Commitment of regional partners include an exclusivity clause?
- R. Letters of Commitment of partners do not need an exclusivity clause but with proposed key personnel, yes.
37. Is it possible to have access to the reports of the pilot projects promoting relationships between mining companies and civil society organizations mentioned in page 6? If so, how?
- R. This question does not apply to this RFA. In any case, reports are not available for public release.
38. Would have a contract, grant or cooperative agreement with USAID be an impediment to being partner of the organization that leads the proposal for the present RFA?
- R. There is no impediment that a previous recipient or sub-recipient applies.
39. Can a contractor of a USAID grantee (under contract or cooperative agreement) participate in the present RFA as partner to the organization that leads the proposal for the present RFA?
- R. Yes, the contractor can participate.
40. Can private associations, foundations, mining funds created by the mining companies be partners and/or sub contractors of organization that leads the proposal for the present RFA, and as such, implement the activities of the project?
- R. Question does not apply to this RFA.
41. Can a government institution (for example, a research center, Mesa de Concertación) be a partner of the organization that leads the proposal for the present RFA?
- R. Question does not seem applicable to this RFA.

**MODIFICATION OF ASSISTANCE
CONTINUATION PAGE**

ASSISTANCE No.	TO BE DETERMINED	MODIFICATION No.	00001	PAGE No.	14 of 14
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11. DESCRIPTION OF MODIFICATION (CONTINUED)

42. Si bien nuestra Fundación reconoce que el idioma oficial es el Ingles para un proyecto de USAID, quisiéramos plantear la necesidad de que los términos de referencia en el Ecuador sean en español, todo esto para una mejor participación directa de las diferentes organizaciones civiles, intensadas en poder trabajar. El idioma que es el principal medio de comunicación puede ser un limitante, por lo quisiéramos solicitar se envíe en español.

R. It is USAID policy that English is the official language of all award documents because a translation may not convey the full meaning of the original.

43. Does the 15 MG limit for electronic applications (page 16) refer to the total application or to the limit per email?

R. The 15 MB limit applies to each electronic submission only.

Please note that the official language for the proposed activity is English, and all applications and correspondence must be written in that language.

[END OF RFA 518-10-000003-000001]