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|                                                         |                                                                                                                                                                                                                                                           |
|---------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Funding Opportunity Title:                              | SUDAN CIVIL SOCIETY ORGANIZATION (CSO) SUPPORT PROGRAM                                                                                                                                                                                                    |
| Announcement Type:                                      | Annual Program Statement (APS)                                                                                                                                                                                                                            |
| Funding Opportunity/APS Number:                         | APS-667-15-000001                                                                                                                                                                                                                                         |
| Catalog of Federal Domestic Assistance (CFDA) Number:   | 98.001                                                                                                                                                                                                                                                    |
| Initial APS Issue Date:                                 | June 15, 2015                                                                                                                                                                                                                                             |
| Deadline for Submission of Concept Papers Second Round: | March 29, 2016, 8:00 AM Nairobi time                                                                                                                                                                                                                      |
| Deadline for Submission of APS Questions Second Round:  | February 29, 2016, 8:00 AM Nairobi time                                                                                                                                                                                                                   |
| APS Close Date:                                         | March 29, 2016, 8:00 AM Nairobi time                                                                                                                                                                                                                      |
| Submit Questions and Concept Papers to:                 | <p>Maria Televantos<br/>Regional Agreement Officer<br/><a href="mailto:MTelevantos@USAID.Gov">MTelevantos@USAID.Gov</a></p> <p>Ketan Sood<br/>Senior Acquisition &amp; Assistance Specialist<br/><a href="mailto:KSood@USAID.Gov">KSood@USAID.Gov</a></p> |

**NOTE:**

This APS has been amended from its originally published form, and changes the due date for submission of concept papers for the second round from May 31, 2016 to March 29, 2016.

**To Interested Applicants:**

The United States Government, represented by the United States Agency for International Development (USAID), is seeking concept papers from qualified applicants for funding under this Annual Program Statement (APS).

The purpose of this APS is to announce that the United States Government (USG) plans to fund a limited number of awards through USAID/Sudan to Sudanese Civil Society Organizations (CSOs) for the implementation of projects which aim at building their capacities at the national and sub-national levels to improve their understanding of democratic and good governance principles for effective engagement

with each other, the government and stakeholders. The proposed projects could also support nationwide civic education related to democratic processes, with a focus on marginalized communities. This APS provides prospective applicants with a fair opportunity to develop and submit concept papers and then applications to USAID for potential funding.

Competition under this APS will consist of a two-step process where applicants first submit a concept paper for initial review. All concept papers received will be evaluated for responsiveness to the application criteria specified in this APS. USAID will then request applicants successful in the first stage (i.e., selected concept papers) to submit a full application. The full application will offer the applicant an opportunity to explain its technical approach in more detail. All concept papers are due by the date and time specified on the Cover Page of this APS. **Please refer to Annex A for very important information regarding the requirement to register in the System for Award Management (SAM) before submission of a concept paper.**

This APS is open until March 29, 2016, which is the deadline for submission of the second round of concept papers. **Note that this date has been changed from the originally published APS.** USAID anticipates making a number of awards with a range of estimated values as laid out in the APS. The amount of available funding and the number of awards are subject to change. USAID reserves the right to fully or incrementally fund application(s) as well as to partially fund selected application(s). Applicants are encouraged but not required to cost-share.

Please submit any questions regarding this APS electronically to Maria Televantos, Agreement Officer, at [MTelevantos@USAID.Gov](mailto:MTelevantos@USAID.Gov) and Ketan Sood, Senior Acquisition and Assistance Specialist, [KSood@USAID.Gov](mailto:KSood@USAID.Gov), by the submission deadline specified on the Cover Page of this APS. All questions will be answered via an amendment to this APS.

This APS is issued under the Foreign Assistance Act of 1961, as amended (FAA). Awards will be made in accordance with federal regulations and agency policy. See "Section VI: Award and Administration Information" for details.

Issuance of this APS does not constitute an award commitment on the part of the US Government, nor does it commit the US Government to pay for the costs incurred in the submission of a concept note or application. Further, the US Government reserves the right to reject any or all concept notes and applications received, or to negotiate separately with an applicant, if such an action is considered to be in the interest of the US Government.

Sincerely,



Maria Televantos  
Regional Agreement Officer  
USAID/Kenya and East Africa

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## SECTION I: FUNDING OPPORTUNITY DESCRIPTION

### A. INTRODUCTION

Civil society development engages people, organizations, and government bodies to work in partnership for the improvement of their communities, foster good governance and contribute towards sustainable development. To this end, the Government of Sudan's 2<sup>nd</sup> Five Year Plan (2012-2016) and its overall 25 years Strategic Plan underscored the role of civil society in ensuring the full implementation of their objectives including inclusive development, good governance and peaceful coexistence.

Having adhered to the Paris Declaration on Aid Effectiveness in 2005, the Accra Agenda for Action (AAA) in 2008 and Busan Outcome Document on Development Effectiveness and Partnership 2011, Sudan supports the Global Partnership for Effective Development and attended the First High-Level Meeting of the Global Partnership in Mexico in 2014. These global initiatives call for building more effective and inclusive partnerships for development and oblige development partners to deepen their engagement with Civil Society Organizations (CSOs) as independent development actors in their own right whose efforts complement those of governments and the private sector.

It is therefore pivotal that USAID/Sudan works with CSOs to provide an enabling environment that maximizes their contributions to development.

Through this Annual Program Statement (APS) *"Support to Civil Society in Sudan"*, USAID/Sudan intends to support civil society contribution towards development in Sudan. Specifically, USAID/Sudan anticipates to grant award/s to one or more local Civil Society Organizations (CSOs) with the objective of promoting and building a vibrant civil society through institutional capacity strengthening and networking to assist in addressing demand for good governance and democratic participation.

Eligible civil society organizations interested in competing for this award are invited to carefully read this APS in its entirety and to follow the application guidance in Section III in order to apply for funds. There is a two-stage application process, consisting of the submission of a Concept Paper and then, upon invitation by USAID, the submission of a Full Application.

USAID/Sudan is deeply committed to building partnerships with organizations that share the objectives described in the APS.

### USAID/SUDAN'S SUPPORT TO CIVIL SOCIETY OBJECTIVES

U.S. Government (USG) humanitarian and development engagement in Sudan dates to 1958, when Washington and Khartoum entered into an agreement on "Economic, Technical, and Related Assistance." Since then, the USG has been the largest donor of humanitarian assistance to Sudan and has periodically been among the largest of the development donors. Recently U.S. Government support to Sudan included funding and technical assistance – through both international and Sudanese partners and has continued its partnership with Sudanese civil society organizations and networks and developed new programs that respond to post-Comprehensive Peace Agreement (CPA) needs, especially in the area of civil society development, with a dual focus on capacity building.

This APS calls for projects/activities which aim at building the capacity of CSOs at the national and sub-national levels to: a) improve understanding of democratic and good governance principles; and b) improve effective engagement between CSOs, the government and other stakeholders. The proposed projects/activities also may support nationwide civic education related to democratic processes with a focus on marginalized communities.

The following sections outline the specific activity areas to be addressed through this APS.

## **B. APS FOCUS AREAS**

Applicants may propose one or more activities in one or more of the below Intermediate Results (IRs) in one or more targeted areas or at the national level (see “Geographic Focus” section).

### **IR (1): Civil society capacity strengthened at national and sub-national levels to improve understanding of democratic and good governance principles and peaceful, effective engagement**

Civil society is the key instrument through which the needs, desires and aspirations of the Sudanese people are understood, and is the best partner to support a peaceful and constructive environment in Sudan. Civil society provides a lens through which we see the impact of governance on the Sudanese people.

USAID supports capacity-building of civil society organizations at the national and sub-national levels to improve their understanding of democratic and good governance principles and ability to engage effectively with each other and government stakeholders. USAID support will assist in building capacities necessary for these critical components of inclusive governance to play an effective role in enduring democracy.

### **IR (2): Citizen Engagement – including women, youth and other underdeveloped groups - in democratic processes and national dialogue improved**

A key area of focus under this IR will be support for the participation of underdeveloped populations, including women and youth for nationwide civic education related to democratic processes targeted to rural, hard-to-reach locations.

**Applicants are encouraged to think creatively and propose activities and performance indicators that support the objectives of the APS.**

## **C. GEOGRAPHIC FOCUS**

An underlying tenet of this APS is the need for civic engagement, both nationally and at the community level to promote national dialogue, facilitate consensus building, and preempt conflict, especially in conflict-prone and disadvantaged areas of Sudan.

## **D. INTEGRATING GENDER**

USAID’s Gender Equality and Female Empowerment Policy outlines three overarching outcomes that should be adapted, as appropriate, and translated into specific results with associated targets and indicators. These include: 1) Reduce gender disparities in access to, control over, and benefit from

resources, wealth, opportunities, and services; 2) Reduce gender-based violence and mitigate its harmful effects on individuals and communities; and 3) Increase the capability of women and girls to realize their rights, determine their life outcomes, and influence decision-making in households, communities, and society. See USAID's full [Gender Equality and Female Empowerment Policy](#) for more information.

For more guidance on gender analysis and integration, see the following references:

ADS 201.3.9.3 "Gender Considerations" (<http://www.usaid.gov/policy/ads/200/201.pdf>)

ADS 201.3.11.6 "Project/Activity Planning Step 2: Conduct Project-level Analysis as needed" (<http://www.usaid.gov/policy/ads/200/201.pdf>)

ADS 205 "Integrating Gender Equality and Female Empowerment in USAID's Program Cycle" (<http://www.usaid.gov/policy/ads/200/205.pdf>)

#### E. KEY PERSONNEL

(a) The Applicant must furnish for the performance of any resultant award the following key personnel:

- 1) Project Manager
- 2) Technical Coordinator
- 3) Admin/Finance Officer

(b) The three key personnel specified above are considered to be essential to the work being performed hereunder.

#### Summary of Requirements for Key Personnel

| Position                     | Education Requirement                                                                                                                                                                 | Years of Experience | Language Ability                                                          |
|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---------------------------------------------------------------------------|
| <b>Project Manager</b>       | Post Graduate degree in Social Sciences/Political Science/Law with at least 7 years of Project Management/Civil society program management, with experience in a leadership position. | 7                   | Professional level oral and written skills in English and Sudanese Arabic |
| <b>Technical Coordinator</b> | Master's Degree or 7 years' experience in project coordination/M&E and reporting. Technical knowledge of civil society engagements in good governance programs.                       | 7                   | Professional level oral and written skills in English and Sudanese Arabic |
| <b>Admin/Finance Officer</b> | B.Sc. in Economics/Management/Accounting with 5 years' experience in donor's financial and admin requirements.                                                                        | 5                   | Professional level oral and written skills in English and Sudanese Arabic |

All Key Personnel must be able to work under difficult circumstances and have the ability to form productive relationships with host country counterparts at the national and sub-national levels.

**[END OF SECTION I]**

## SECTION II: AWARD INFORMATION

- A. Period of performance:** Applicants may propose activities covering no more than three years from the date of award.
- B. Anticipated Number of Awards and Funding Availability:** Pending the availability of funding, USAID anticipates awarding between one to four awards ranging from **\$50,000 to \$250,000** per year. An application whose estimated amount exceeds \$250,000 will not be considered further. The amount of available funding is subject to change. Accordingly, USAID reserves the right to make multiple awards or no awards at all through this APS. USAID reserves the right to fully or incrementally fund selected application(s) as well as to partially fund selected application(s). Applicants are encouraged **but not required** to cost-share.
- C. Type of Award(s):** USAID anticipates funding Grants, Cooperative Agreements or Fixed Amount Awards (FAAs, formerly known as FOGs) as a result of this APS.
- D. Substantial Involvement:** USAID may be substantially involved during the implementation of the proposed activity in one or more of the following ways in accordance with 303.3.11:
- a) Approval of the Recipient's Implementation Plans
  - b) Approval of Specified Key Personnel
  - c) Agency and Recipient Collaboration or Joint Participation
  - d) Agency Authority to Immediately Halt a Construction Activity
- E. Program Income:**
- E.I. Non-Governmental Organizations (NGOs):** If the successful applicant(s) is/are a non-profit organization, any program income generated under the award(s) will be added to USAID funding (and any cost-sharing that may be provided) and used for program purposes. However, pursuant to 2 CFR 200.307(e)(1), if the successful applicant(s) is/are a for-profit organization, any program income generated under the award(s) will be deducted from the total program cost to determine the amount of USAID funding. Program income will be subject to 2 CFR 200.307 for U.S. NGOs or the standard provision entitled "Program Income" for non-U.S. NGOs.
- E.II. Private International Organizations (PIOs):** If the successful applicant(s) is/are a PIO, any program income generated under the award(s) will be added to USAID funding (and any non-USAID funding that may be provided) and used for program purposes.
- F. Authorized Geographic Code:**
- USAID's rules for the source and the nationality of suppliers of goods and services (other than delivery services, as described in Automated Directives System (ADS) 314 [<http://www.usaid.gov/policy/ads/300/314.pdf>] or restricted goods, as described in ADS 312 [<http://www.usaid.gov/policy/ads/300/312.pdf>]), which are financed by USAID and procured by the recipient under the award(s) resulting from this APS, are set forth in ADS 310 [<http://www.usaid.gov/policy/ads/300/310.pdf>]. These rules do not apply to procurement by the recipient with cost-sharing or program income funds. Applicants should assume the authorized

geographic code (see 22 CFR 228.1) for the award(s) resulting from this APS is 937, subject to revision depending on the successful applications that are selected. For this reason, applicants should justify the rationale for the purchase of any goods and services from countries outside of a 937 country (defined by ADS 310.3.1.1 as “the United States, the recipient country, and developing countries other than advanced developing countries, but excluding any country that is a prohibited source”) in their applications.

**G. PIOs:**

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

**H. System for Award Management:**

**Please refer to Annex A for very important information regarding the requirement to register in the System for Award Management (SAM) before submission of a concept paper.**

**[END OF SECTION II]**

### SECTION III: ELIGIBILITY INFORMATION

**A. General:** In accordance with ADS 303.3.6.5(b)(2), this APS is restricted to local entities only. The definition of “local entity” means an individual, a corporation, a nonprofit organization, or another body of persons that:

- (1) Is legally organized under the laws of;
- (2) Has as its principal place of business or operations in;
- (3) Is majority owned by individuals who are citizens or lawful permanent residents of; and
- (4) Is managed by a governing body the majority of who are citizens or lawful permanent residents of the Republic of Sudan.

For purposes of this section, ‘majority owned’ and ‘managed by’ include, without limitation, beneficiary interests and the power, either directly or indirectly, whether exercised or exercisable, to control the election, appointment, or tenure of the organization's managers or a majority of the organization's governing body by any means.

Therefore, organizations that are eligible to submit an application are limited to the following:

- Registered Sudanese private non-governmental organizations,
- Registered Sudanese non-profit organizations and
- Sudanese for-profit organizations willing to forego profit.

Types of organizations could include foundations, faith-based organizations (FBOs), community-based organizations (CBOs), private organizations affiliated with public academic institutions and international non-governmental organizations, private companies, professional associations, and other international and indigenous organizations. Local partnership consortia comprising any of the above are also encouraged to apply.

Other U.S. Government departments and agencies may not apply for USAID funding under this APS.

Host country government agencies/entities are not eligible to apply. Furthermore, cost applications may not contain Level of Effort related costs for host country government staff.

All applicants must be legally recognized organizational entities under applicable law.

**B. Non-Governmental Organizations (NGOs):** Qualified Sudanese private non-profit organizations may apply for USAID funding under this APS.

**C. For-Profit Organizations:** Qualified Sudanese for-profit organizations may apply for USAID funding under this APS. Potential for-profit applicants should note that, pursuant to 2 CFR 200.400(g), the payment of fee/profit to the prime recipient under grants and cooperative agreements is prohibited. Forgone profit does not qualify as cost-sharing or leveraging. However, if a prime recipient has a (sub)-contract with a for-profit organization for the acquisition of goods or services (i.e., if a buyer-seller relationship is created), fee/profit for the (sub)-contractor is authorized. Non-U.S. for-profit organizations in countries that are ineligible for assistance under the FAA or related appropriations acts are ineligible.

- D. Colleges and Universities:** Qualified Sudanese colleges and universities may apply for funding under this APS. USG and USAID regulations generally treat colleges and universities as NGOs, rather than governmental organizations; hence, both public and private colleges and universities are eligible. Sudanese colleges and universities in countries that are ineligible for assistance under the FAA or related appropriations acts are ineligible.
- E. Responsibility of Applicant:** In order for an award to be made under this APS, the USAID Agreement Officer must make an affirmative determination that the applicant is “responsible,” as discussed in ADS 303.3.9. This means that the applicant:
- (i) Has adequate financial resources or the ability to obtain such resources, as required during the performance of the award.
  - (ii) Has the ability to meet the award terms and conditions, considering all existing prospective recipient commitments, both non-governmental and governmental.
  - (iii) Has a satisfactory record of performance. Generally, relevant unsatisfactory performance in the past is enough to justify a finding of non-responsibility, unless there is clear evidence of subsequent satisfactory performance or the applicant has taken adequate corrective measures to assure that it will be able to perform its functions satisfactorily.
  - (iv) Has a satisfactory record of business integrity.
  - (v) Is otherwise qualified to receive an award under applicable laws and regulations.

In addition, the applicant must possess, or have the ability to obtain, the necessary management and technical competence to conduct the proposed program, and must agree to practice mutually agreed-upon methods of accountability for funds and other assets provided or funded by USAID. Failure to meet these thresholds will lead to removal from consideration of an award.

- F. New Partners:** USAID encourages applications from new Sudanese partners. However, resultant awards to these organizations may be delayed if USAID must undertake necessary pre-award reviews of these organizations to determine their “responsibility” as discussed above. These organizations should take this into account and plan their implementation dates and activities accordingly.
- G. Multiple Applications:** Applicant organizations may submit more than one application, however concept papers may only respond to individual sections of this APS (either A. Civil Society Capacity Strengthening or B Citizen Engagement Program). An applicant wishing to respond to both sections must submit two separate concept notes.
- H. Local Organizations and Sub-Agreements:** Local organizations (lead host-country investigators or institutions) may enter into sub-agreements with technical-assistance providers locally. For any application, sub-agreements to non-local (outside of host-country) entities are limited to less than 50% of the entire award, unless a specific justification is provided.

**[END OF SECTION III]**

## SECTION IV: APPLICATION AND SUBMISSION INFORMATION

- A. Application Process:** Applications received under this APS will be reviewed based on open competition, to the maximum extent practicable, and in accordance with the technical criteria set forth in the APS. Competition under this APS will consist of a two-step process where applicants first submit a concept paper for an initial competitive review, and those successful in the first stage (i.e., selected concept papers) will then be requested by USAID to submit a full application.

Subject to the availability of funds, USAID expects to make awards in the following categories:

- **IR (1): Civil society capacity strengthened at national and sub-national levels to improve understanding of democratic and good governance principles and peaceful, effective engagement**
- **IR (2): Citizen Engagement – including women, youth and other underdeveloped groups - in democratic processes and national dialogue improved**

Applicants are encouraged to submit proposals in areas of their core competency and seek strategic partnerships, where beneficial, with other organizations including county/national governments, private sector, research, academia and others. Only successful applicants at the concept paper stage will be invited to submit full applications.

Concept Papers may only respond to individual sections of this APS, (either IR 1 or IR 2). An applicant wishing to respond to both sections must submit two separate concept notes.

To be considered for funding under this APS, applications must meet all of the following requirements for the concept paper and for the full proposal application respectively:

**B. Concept Paper Format and Content:**

1. Format: The Concept Paper must:

- a. Be written in English;
- b. Be written on letter size paper (8 inches x 11 inches) and legible (illegible concept papers will not be considered);
- c. Be single spaced and paginated with each page consecutively numbered;
- d. **Not exceed five (5) pages** (not including the cover page or CVs, but inclusive of any other attachments or appendices [timeline, references, summary budget]). Pages in excess of this stated limit will not be considered.

2. Content:

- a. Cover page - The cover page must include **(not included in page limit)**:
  - i. APS Number: APS-667-15-000001
  - ii. The project title;
  - iii. Name of applicant organization;
  - iv. Address of applicant organization;

- v. Type of organization (e.g., for-profit, non-profit, university, etc.)
  - vi. Point of contact (lead contact name, title, telephone, e-mail);
  - vii. Identify to which program area described in Section I the concept note applies and respond to the relevant program priorities, goals, results and aspects of government of Sudan and US government policies and strategies.
  - viii. Total budget estimate (direct and indirect).
  - ix. SAM and DUNS numbers
- b. Concept paper body – Concept papers should follow the format below:
- Present a specific problem statement and development hypothesis
  - Present proposed solution/technical approach and basic implementation plan
  - Identify tangible expected results of the program
  - Identify strategic partners and describe the EXISTING relationship the respondent has with specific local organizations with which they propose to work, if any
  - Identify cross-cutting issues of gender equity and women’s empowerment specifically as it relates to your development hypothesis and proposed gender sensitive approach
  - Include a sustainability plan approach and goals (define what sustainability means to your program, what is realistic, and how to get there).
  - Present opportunities to engage youth strategically in the implementation of the activity, as relevant, to ensure broad-based participation and nurturing of change-agents and future leaders in conservation
  - Identify potential key personnel and basic summary paragraph of qualifications of lead responder for the following positions. Include a basic summary of qualifications in the body of the concept paper. See below for CV attachment requirement.
- c. Concept paper attachments:
- Timeline (included in page limit)
  - References (included in page limit)
  - Summary budget (included in page limit)
  - CVs of key personnel (not included in page limit) Include attachments of the full CV and a basic summary of qualifications for all key personnel
  - Evidence of SAM registration (see Annex A)

**Applicants should submit electronic copies of their Concept Paper to the address indicated in the Point of Contact information in the cover letter of this Annual Program Statement.**

Concept Papers will be evaluated according to the criteria described in Section V. If applicants are successful at the Concept Paper stage, USAID will request the applicant to submit a Full Application in line with the format described below and any additional instructions from the Agreement Officer. **(Note: Do NOT submit a full application unless requested to do so by USAID.)** Instructions from the Agreement Officer will include a deadline for the submission of the Full Application. The Full Application will offer the applicant an opportunity to explain the technical approach in more detail. The Full Applications will be evaluated according to criteria described in Section V.

### C. Full Application Format and Content:

The Full Application should be divided into two parts – Technical Application and Cost Application.

#### Technical Application

**NOTE:** Those with successful concept papers will receive additional instruction from the Agreement Officer. This guidance should be considered sample instruction only:

1. Format: The Technical Application must:
  - a. Be written in English;
  - b. Be written on letter size paper (8 inches x 11 inches) and legible (illegible applications will not be considered);
  - c. Be single spaced and paginated with each page consecutively numbered;
  - d. **Not exceed fifteen (15) pages** (not including the cover page, executive summary, and other attachments). Pages in excess of this stated limit will not be considered.
2. Content: The Full Technical Applications should include:
  - a. Cover Page
  - b. Executive Summary
  - c. Program Overview
  - d. Other Attachments (Appendices):
    - i. Draft Workplan
    - ii. Draft M&E Plan
    - iii. Letters of support: Letters of support from all sub-partners
    - iv. Resumes for proposed key personnel.
    - v. Past experience – applicants must submit a list of relevant contracts, grants and cooperative agreements involving similar or related programs (to current application) during the past three years. Reference information should include:
      - (1) Award type (contract, grant or cooperative agreement)
      - (2) Award number;
      - (3) Award amount;
      - (4) Period of performance;
      - (5) Place of performance;
      - (6) Brief description of the program or work effort; and
      - (7) Point of contact at the awarding organization, including telephone and e-mail address.
  - vi. References identifying relevant works cited in body of technical application

Note that USAID reserves the right to obtain past experience information from other sources including those not named in this application.

#### Cost Application

**NOTE:** Those with successful concept papers will receive additional instruction from the Agreement Officer. This guidance should be considered sample instruction only:

1. General format: The Cost Application must:
  - a. Be written in English;
  - b. Be written on letter size paper (8 inches x 11 inches) and legible (illegible applications will not be considered); and
  - c. Be paginated with each page consecutively numbered
2. The Cost Application should detail all direct costs associated with the implementation and completion of activities, including costs such as those related to any sub-agreements and/or sub-contracts as well as any indirect costs. The application must also provide evidence that the funds requested are reasonable and would be used in a cost-effective manner. USAID will assess whether the costs are realistic for the work to be performed, whether the costs reflect the applicant understands the requirements, and whether the costs are consistent with the technical application. The application will also be assessed for cost effectiveness, and applications that minimize administrative costs in order to maximize program, outreach and capacity building activities will generally be considered a better value. The Cost Application has no page limitation and should include the following:
  - a. Standard forms: Applicants must complete and submit the following required forms which may be downloaded from Grants.gov website at <https://apply07.grants.gov/apply/FormLinks?family=15>
    - i. SF 424 Application for Federal Assistance,
    - ii. SF 424A Budget Information, and
    - iii. SF 424B Assurances - Non-Construction Programs.
  - b. Cost data: Detailed breakdown of each line item captured in the forms listed above in an Excel spreadsheet format. The Excel spreadsheet should be completely unlocked without any hidden sheets, cells, or formulas. A budget template may be provided to apparently successful applicants once the concept paper stage is complete. At minimum, the cost application will contain the following, with sufficient information to describe to the reviewer specifically a) what is being purchased, b) why it is necessary for the performance of the proposed activities, c) who will be using the item(s), and d) the basis for your estimated cost:
    - i. A summary budget page (e.g., summary of salary and wages; fringe benefits; consultants; travel and transportation; equipment; materials and supplies; communications; training; sub-agreements; allowances; other direct costs [facilities, miscellaneous costs]; indirect costs; cost share; program income);
    - ii. A detailed breakdown of each element in the summary budget (cost inputs); and
    - iii. Detailed budget notes and supporting justification for all proposed budget line items. Detailed budgets and supporting notes and justifications should include the following:

- (1) Salary and Wages – Applicants must propose direct salaries and wages in accordance with their personnel policies and will be evaluated based on reasonableness. An annual salary increase of more than five percent will be considered unreasonable;
  - a. Also provide expected level of effort for each position. Full time positions should be based on a 40-hour work week and a total of 260 days per year.
  - b. Provide similar information for individual consultants.
- (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 a copy of their Negotiated Indirect Cost Rate Agreement (NICRA) as evidence of its approval. If an Applicant does not have a fringe benefit rate approved, the application should direct cost each benefit (e.g., unemployment insurance, workers compensation, health and life insurance, retirement, FICA, etc.) based on salary and explain how the applicant determined each rate. Also state which items are required and governed by host country laws.
- (3) Travel and Transportation – The Applicant should indicate the number of trips, domestic and international, estimated as necessary to carry out the proposed scope of work, 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. If applicable, applicants should base per-diem calculations on current, published U.S. Government per diem rates for the localities concerned.
- (4) Contractual/Sub-award/Sub-grantee – Any goods and services being procured through a contract mechanism, with all elements of cost broken out for the sub(s) to the same extent as for the prime applicant;
- (5) Equipment and Supplies – Estimated equipment (i.e. model number, cost per unit, quantity) and office supplies and other related supply items;
- (6) Allowances – Allowances should be broken down by specific type and by person, and must in accordance with the applicant's policies as well as in accordance with the applicable USG regulations and policies.
- (7) 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), office rent, etc.;
- (8) Indirect Costs –The Applicant should support the proposed indirect cost rate with a letter from a cognizant, U.S. Government audit agency, a Negotiated Indirect Cost Agreement (NICRA). If applicant does not have a NICRA, the applicant may:
  - a. Choose to charge a de minimus rate of 10% of modified total direct costs (see 2 CFR 200.414(f)). If the prospective applicant chooses the de minimum rate, the AO must incorporate the 10% indirect cost rate in the final award budget and the recipient must follow the requirements in 2 CFR 200.414(f).
  - b. Express all costs in the cost application as direct costs. This is also true for proposed sub(s).
- (9) Cost Share – In addition to USAID funds, applicants are encouraged to contribute resources from their own private or local sources for the implementation of this

program where feasible. Contributions can be either cash or in-kind and can include contributions from the applicant, local counterpart organizations, project clients, the relevant government(s), and other donors (but not other USG funding sources). The budget must provide a breakdown of the financial and in-kind cost share contributions, if any, converted to dollar value, of all organizations involved in implementing this Agreement. The Cost Share should be discussed in sufficient detail to realistically assess these sources and funds, and the feasibility of the cost-sharing plan.

- c. All “Certificates, Assurances and Other Statements of Recipient” found under Annex A must be completed and submitted with the application.
- d. Applicants that have never received a grant, cooperative agreement, or contract from the U.S. Government are required to submit a copy of their accounting manual. If a copy has already been submitted to the U.S. Government, the applicant should advise which Federal Office has a copy.
- e. Certificate of Compliance: Submit a copy of your Certificate of Compliance if your organization's systems have been certified by the USAID/Washington's Office of Acquisition and Assistance (M/OAA).

#### **D. Submission Instructions:**

- 1. Applications (Concept Papers) will be prepared according to the structural format set forth in Section A.II. above.
- 2. Applications (Concept Papers) in response to this APS are due by the date and time specified on the Cover Page of this APS. Late applications will be considered only if the Agreement Officer determines it is in the best interest of the U.S. Government.
- 3. Applications (Concept Papers) must be submitted electronically (via e-mail) to the points of contact listed on the cover page of this APS. Hard copies, including faxed applications, will not be considered.
- 4. Applicants will follow these procedures for submission of applications (Concept Papers) by e-mail:
  - (a) The subject line of the e-mail containing the applications (and modifications thereof) shall contain the words “APS Submission/APS number/Applicant’s name”.
  - (b) Once sent, check your own e-mails to confirm that your attachments were indeed sent. If you discover an error in your transmission, re-send the material again and note in the subject line of the e-mail that it is a “corrected” submission. Do not send the same e-mail more than one time unless there has been a change, and if so, note that it is a corrected e-mail.
  - (c) To avoid confusion, duplication, and overcrowding problems with our e-mail system, only one authorized person from your organization should send in the e-mail submission.
  - (d) Each applicant is responsible for its submissions. Do not wait for USAID to advise you that certain documents intended to be sent were not sent, or that certain documents contained errors in formatting, missing sections, etc. USAID is not responsible for unreadable submissions or attachments under any circumstances.

- (e) The actual application, which is to be an attachment to your e-mail, should be formatted in Microsoft Word and/or Adobe PDF format. Use of zipped files is not permitted. Furthermore, be aware that e-mails containing very large files may be rejected by the system due to size limitations. Applicants are encouraged to submit their applications with enough time prior to the due date/time to deal with such possibilities.
  - (f) Applicants must confirm with points of contact listed on the cover page of this APS that their e-mail submissions were successfully received by the required due date. USAID is not responsible for submissions or attachments not received by the contacts by the due date and time under any circumstances.
5. For selected Concept Papers, USAID will request the applicant to submit a Full Application in line with the sample format described above and any additional instructions from the Agreement Officer. Submission instructions, including a deadline for the submission of the Full Application, will be provided by the Agreement Officer.
6. DUN & Bradstreet Universal Numbering System (DUNS) Number and System for Award Management (SAM) – Each applicant (unless that applicant is an individual, as excepted from the following requirements under 2 CFR 25.110(b) or(c)) is required to:
- (a) Be registered in SAM (<https://www.sam.gov>) before submitting a full application
  - (b) Provide a valid DUNS number in its full application
  - (c) Continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency.

USAID may not make a Federal award to an applicant until the applicant has complied with all applicable DUNS and SAM requirements. If an applicant has not fully complied with the requirements by the time the Federal awarding agency is ready to make a Federal award, the Federal awarding agency may determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another applicant.

**E. Other Pertinent Information (Concept Papers and Full Applications):**

1. Erasures or other changes on any part of the application must be initialed by the person signing the application.
2. Applicants may be subject to a pre-award financial and management survey, and must demonstrate that they have the necessary management competence in planning and carrying out assistance programs as well as a rigorous financial monitoring system in place that will ensure auditable systems and records. A pre-award survey does not commit USAID to make an award to any organization.
3. Applicants who include data that they do not want disclosed to the public for any purpose or used by the U.S. Government except for evaluation purposes should:
  - (a) 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 cooperative 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

(b) 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."

4. Applicants should retain for their records a copy of all parts of the application and all enclosures/attachments that accompany their application.
5. USAID may waive informalities and minor irregularities in the application(s) received.
6. Applicants are reminded that U.S. Executive Orders and U.S. law prohibits transactions with, and the provision of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of the applicant/recipient to ensure compliance with these Executive Orders and laws. This provision must be included in all sub-agreements/sub-contracts/sub-awards issued under this agreement.

**[END OF SECTION IV]**

## SECTION V: APPLICATION REVIEW INFORMATION

### A. Overview:

Applications (both Concept Papers and Full Applications) received under this APS will be evaluated by a USAID Selection Committee (SC) in accordance with the selection criteria detailed below.

After a careful and thorough review of Concept Papers, requests for Full Application(s) will be made of applicant(s) whose application(s) offer(s) the best value to the U.S. Government, considering both technical and cost factors. Likewise, after a careful and thorough review of Full Application(s), award(s) will be made to the responsible applicant(s), whose Full Application(s) offer(s) the best value to the U.S. Government, considering both technical and cost factors. USAID reserves the right to make an award without discussions.

Applicants should note that these criteria: (1) serve as the standard against which all applications will be evaluated, and (2) serve to identify the significant matters that applicants should address in their applications.

All evaluation factors other than cost, when combined, are significantly more important than cost. Concept Papers and Full Applications will be evaluated based on criteria set forth below; the sub-criteria within each criterion (if any) are of equal importance.

### B. Selection Criteria for Concept Papers:

After all of the above requirements have been met, Concept Papers will be evaluated based on the criteria below:

#### 1. Technical (65%)

- Strategic Fit (25%): The likelihood that the program for which funding is sought will make a significant contribution towards achieving goals outlined in this APS.
- Technical Approach (40%): The degree to which the proposed technical approach and methodology can reasonably be expected to produce the intended outcomes. Also, the likelihood that activities being supported will continue beyond and without USAID funding. This could mean further program activities are community initiated and led, are institutionalized in local government structures, and/or are taken up by the private sector. Finally, the degree to which the proposed activities identify and plan for gender sensitive approaches as components of the methodological approach with the goal of improving women's empowerment and gender equity.

#### 2. Organizational Capacity (35%)

- Key Personnel (15%): The Concept Note will provide evidence that the program will have the appropriate technical, managerial and financial staff to implement the program.
- Past Experience and Institutional Capacity (20%)\*: The Concept Note will demonstrate that the respondent exhibits core competency in the activity described and has relevant past successful performance on a similar project. Also, the degree to which the respondent presents strategic

partnerships for sustainable results. This may specifically include effective teaming or consortia arrangements among multiple organizations or identify key partnerships as part of the implementation of the activity.

### 3. Cost

- **Note that no points are assigned to cost.**

#### C. Selection Criteria for Full Applications:

Selection criteria for full technical applications will be provided by the Agreement Officer at the time of request for full applications.

***Note on evaluation of Cost Application:*** Once the technical review of the final application/full technical application is complete, USAID will independently evaluate the Final Application/Cost Application for cost-realism and reasonableness.

**[END OF SECTION V]**

## SECTION VI: AWARD AND ADMINISTRATION INFORMATION

### A. Administration of Award:

Awards to U.S. organizations will be administered in accordance with 2 CFR 200; Cost Principles (2 CFR 230 and 2 CFR 220), ADS 303; and USAID Standard Provisions for U.S. non-governmental organizations. For non-U.S. non-governmental organizations, USAID Standard Provisions for non-U.S. non-governmental organizations apply. Applicants may obtain copies of the referenced material at the following websites:

2 CFR 200:

[http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200\\_main\\_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl)

Cost Principles:

Cost Principles for Non-Profit Organizations, 2 CFR 230 (Formerly OMB Circular A-122)

[http://www.whitehouse.gov/sites/default/files/omb/assets/omb/fedreg/2005/083105\\_a122.pdf](http://www.whitehouse.gov/sites/default/files/omb/assets/omb/fedreg/2005/083105_a122.pdf)

Cost Principles for Educational Institutions, 2 CFR 220 (Formerly OMB Circular A-21)

[http://www.whitehouse.gov/sites/default/files/omb/assets/omb/fedreg/2005/083105\\_a21.pdf](http://www.whitehouse.gov/sites/default/files/omb/assets/omb/fedreg/2005/083105_a21.pdf)

Standard Provisions:

Standard Provisions for U.S. Non-Governmental Recipients:

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

Standard Provisions for Non-U.S. Non-Governmental Recipients:

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

The mandatory and other applicable standard provisions for all organization types are available on the USAID internet site <http://www.usaid.gov/sites/default/files/documents/1868/303.pdf>

### B. 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 a fully executed Agreement or a specific, written authorization from the Agreement Officer.

### C. Agreement Officer's Representative:

Upon award, an Agreement Officer's Representative (AOR) will be appointed by the Agreement Officer to provide technical oversight of the specific resulting award.

### D. USAID Marking and Branding Policy:

During pre-award negotiations, USAID (Agreement Officer) will request that applicants recommended for an award (the 'Apparently Successful Applicant') submit a Branding Strategy and a Marking Plan consistent with the provisions "Branding Strategy," "Marking Plan," and "Marking of USAID-funded Assistance Awards" contained in AAPD 05-11 and in ADS 320. The specific details will be communicated at the time of the request by USAID, and a reasonable time frame for submittal and review will be established.

The link to download USAID ADS 320 Marking and Branding is:

<http://www.usaid.gov/sites/default/files/documents/1868/320.pdf>

#### **E. Environmental Procedures:**

- a. The Foreign Assistance Act of 1961, as amended, Section 117 requires that the impact of USAID's activities on the environment be considered and that USAID include environmental sustainability as a central consideration in designing and carrying out its development programs. This mandate is codified in Federal Regulations (22 CFR 216) and in USAID's Automated Directives System (ADS) Parts 201.5.10g and 204 (<http://www.usaid.gov/policy/ads/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. Environmental compliance obligations under these regulations and procedures are specified in the following paragraphs of this APS.
- b. In addition, the contractor/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.
- c. 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 a Request for Categorical Exclusion (RCE), Initial Environmental Examination (IEE), or Environmental Assessment (EA) signed by the Bureau Environmental Officer (BEO). (Hereinafter, such documents are described as "approved Regulation 216 environmental documentation.")

#### **F. Reporting Requirements:**

The recipient will adhere to all reporting requirements listed below. All reports as required will be submitted by the due date for approval of the USAID AOR. Additional reports requiring review and clearances, when necessary, are listed under each requirement. Recipient will consult with the AOR on the format and expected content of reports prior to submission.

##### **a) Financial Reporting:**

Financial reporting requirements will be in accordance with 2 CFR 200.327.

##### **b) Performance Monitoring and Reporting:**

The recipient will be responsible for the submission of reports to the USAID AOR. The requirements below are illustrative of the types of reporting that may be required by any award

resulting from this APS. The exact content, format for preparation of, and timing for, submission of all reports will be determined in collaboration with the AOR.

**c) Annual Work Plan**

The recipient will prepare annual work plans on a schedule and according to a format established by USAID, to be submitted to the AOR for approval. The first work plan to be submitted will not necessarily be for a full year or may be for more than a full year, depending on the start date of the agreement.

**d) Performance Monitoring Plan**

The recipient will submit a Performance Monitoring Plan to be developed by the recipient in collaboration with USAID. Further, notification must be given in the case of problems, delays or adverse conditions which materially impair the ability to meet the objectives of the award. These notifications must include a statement of the action taken or contemplated and any assistance needed to resolve the situation.

**e) Final Report**

As USAID requires, 90 days after the completion date of this agreement, the Recipient will submit a final report that includes an executive summary of the Recipient's accomplishments in achieving results and conclusions about areas in need of future assistance; an overall description of the Recipient's activities and attainment of results by country or region, as appropriate during the life of the award; an assessment of the progress made toward accomplishing the objective and expected results, significance of these activities; important research findings, comments and recommendations; and a fiscal report that describes how the Recipient's funds were used. See 2 CFR 200.328.

**G. Distribution of Reports:**

The Recipient will submit an original and one copy of the Final Report to the AOR and one copy to the USAID Development Experience Clearinghouse: E-mail (the preferred means of submission) is: [docsubmit@usaid.gov](mailto:docsubmit@usaid.gov) or online: <http://dec.usaid.gov>.

- A) Online: <http://dec.usaid.gov>; or
- B) By mail:  
DEXS Document Submissions  
M/CIO/KM/DEC  
RRB M.01-010  
Washington, DC 20523-6100

**H. Standard Provisions:**

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

Standard Provisions for Non-U.S. Non-Governmental Recipients:

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

The mandatory and other applicable standard provisions for all organization types are available on the USAID internet site <http://www.usaid.gov/sites/default/files/documents/1868/303.pdf>

### **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.<sup>15</sup>
- 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 brandmark, with the tagline "from the American people" as found on the USAID Web site at [transition.usaid.gov/branding](http://transition.usaid.gov/branding), unless Section VI of the RFA or APS states that the USAID Administrator has approved the use of an additional or substitute logo, seal, or tagline.
    - (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 RFA or APS will state if an Administrator approved the use of an additional or substitute 16 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.
- f. 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.
- g. 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]**

**MARKING PLAN (ASSISTANCE) (June 2012)**

- a. Applicants recommended for an assistance award must submit and 17 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 brandmark, 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 RFA or APS 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 18 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 19 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]**

#### **CONSCIENCE CLAUSE IMPLEMENTATION (ASSISTANCE) (FEBRUARY 2012)**

- (a) An organization, including a faith-based organization, that is otherwise eligible to receive funds under this agreement for HIV/AIDS prevention, treatment, or care—
- (1) Shall not be required, as a condition of receiving such assistance—
    - (i) to endorse or utilize a multisectoral or comprehensive approach to combating
    - (ii) HIV/AIDS; or
    - (iii) to endorse, utilize, make a referral to, become integrated with, or otherwise participate in any program or activity to which the organization has a religious or moral objection; and
  - (2) Shall not be discriminated against in the solicitation or issuance of grants, contracts, or cooperative agreements for refusing to meet any requirement described in paragraph (a)(1) above.

- (b) An applicant who believes that this solicitation contains provisions or requirements that would require it to endorse or use an approach or participate in an activity to which it has a religious or moral objection must so notify the cognizant Agreement Officer in accordance with the Mandatory Standard Provision titled —Notices as soon as possible, and in any event not later than 15 calendar days before the deadline for submission of applications under this solicitation. The applicant must advise which activity(ies) it could not implement and the nature of the religious or moral objection.
- (c) In responding to the solicitation, an applicant with a religious or moral objection may compete for any funding opportunity as a prime partner, or as a leader or member of a consortium that comes together to compete for an award. Alternatively, such applicant may limit its application to those activities it can undertake and must indicate in its submission the activity(ies) it has excluded based on religious or moral objection. The offeror's proposal will be evaluated based on the activities for which a proposal is submitted, and will not be evaluated favorably or unfavorably due to the absence of a proposal addressing the activity(ies) to which it objected and which it thus omitted. In addition to the notification in paragraph (b) above, the applicant must meet the submission date provided for in the solicitation.

**[END OF PROVISION]**

**[END OF SECTION VI]**

## **SECTION VII: AGENCY CONTACTS**

The applicant may contact the following USAID personnel with all questions regarding this APS in writing:

Maria Televantos  
Contracting/Agreement Officer  
USAID/Kenya and East Africa  
Email: [MTelevantos@USAID.Gov](mailto:MTelevantos@USAID.Gov)

Ketan Sood  
Senior Acquisition & Agreement Specialist  
USAID/Kenya and East Africa  
Email: [KSood@USAID.Gov](mailto:KSood@USAID.Gov)

**[END OF SECTION VII]**

## SECTION VIII: OTHER INFORMATION

- A. USAID Rights and Funding:** Issuing this APS does not constitute an award commitment on the part of the US Government, nor does it commit the US Government to pay for the costs incurred in the submission of an application. Further, the US Government reserves the right to reject any or all applications received, or to negotiate separately with an applicant, if such an action is considered to be in the US Government interest.
- B. Small Business:** Applicants are encouraged to use small business concerns on sub-awards as appropriate.

[END OF SECTION VIII]

## ANNEX A:

### REGISTRATION IN THE SYSTEM FOR AWARD MANAGEMENT

#### **IMPORTANT!!**

Submission of concept papers must be accompanied with evidence that the potential Recipient has registered in the System for Award Management (SAM). This evidence may be in the form of a screenshot showing current registration in the system, or an e-mail from the system confirming registration (the page limitations do not apply to this requirement). **Applicants who fail to register successfully in SAM before submitting their concept papers will not be considered further for funding.**

The requirement for this registration is found at Automated Directives System (ADS) 303.3.5.3(d)(3), which states that each applicant must:

- (i) Be registered in SAM before submitting its application;
- (ii) Provide a valid DUNS number in its application; and
- (iii) Continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency.

Refer to the following link: <https://www.usaid.gov/sites/default/files/documents/1868/303.pdf>

**USAID is not permitted to make a Federal award to an applicant until the applicant has complied with all applicable DUNS and SAM requirements and, if an applicant has not fully complied with the requirements by the time the Federal awarding agency is ready to make a Federal award, the Federal awarding agency may determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another applicant.**

To complete the registration in SAM, a DUNS number will have to be obtained. Please visit <http://www.dnb.com/> to obtain a DUNS number. USAID is not responsible for reimbursing applicants for any costs associated with obtaining a DUNS number. Should you have any questions on the process, please contact the D&B helpdesk at the following for assistance:

**+1-800-234-3867 (Monday – Friday from 8 a.m. to 6 p.m. Eastern Standard Time)**

Once you have obtained a DUNS number, please find the detailed steps below in order to register in SAM:

- 1) Go to <https://www.sam.gov/portal/public/SAM/>
- 2) Click on “Create an Account.”
- 3) Choose an “Individual Account.”
- 4) Once you complete creating an individual account, a link will be sent to the email address you will provide during registration. Click on that link and log in to activate your account.
- 5) Once you log in, agree to usage agreement.
- 6) Click on “Manage Entity” and then click on “Register New Entity.”
- 7) Follow each of the listed steps and click on submit

Should you have any questions on the SAM registration process, please use the following numbers:

**Monday – Friday from 8 a.m. to 8 p.m. Eastern Standard Time**

**U.S. Calls: 866–606–8220**

**International Calls: +1–334–206–7828**

**DSN: 866–606–8220**

The process for applying for a DUNS number and registration on the SAM website can be very lengthy.

**We therefore strongly encourage applicants to begin the process immediately.** If you have already registered in SAM and already have a DUNS number, include this evidence as part of your concept paper.

**[END OF ANNEX A]**