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PHILIPPINES

AMENDMENT # TWO (2) TO SOLICITATION NUMBER RFA-492-12-000006

Amendment Issuance Date: September 04, 2012

The RFA closing date of September 18, 2012 remains the same.

All questions and points of clarification received by the due date and time were considered for inclusion in this amendment. If the exact wording of your question(s) cannot be located it is because it is addressed in another similar question or request for clarification. Again, all points were considered but not necessarily adopted.

Applicants should consider the following as supplemental information to the RFA:

QUESTIONS/REVISIONS:

1. **Question:** Page 59, SECTION E.7. Cost Application. The RFA states “If the Applicant has established a consortium or another legal relationship among its partners, the Cost/Business application must include a copy of the legal document establishing the parameters of the relationship between the parties. The agreement should include a full discussion of the relationship between the Applicants including identification of the Applicant with which USAID will deal for purposes of Agreement administration, identity of the Applicant which will have accounting responsibility, how Agreement effort will be allocated and the express agreement of the principals thereto to be held jointly and severally liable for the acts or omissions of the other.”

USAID recipients retain privity of legal documentation with sub-recipients and the request for such consortium agreement is unusual. Will USAID allow the sub-recipients to provide letters of commitment in addition to the submission of the other cost application documentation and certifications as a response?

2. **Question:** As a Prime Applicant, we are forming partnerships with other technical assistance organizations using institutional teaming agreements. Does USAID define these teaming/partnerships as “consortium”? Does USAID define partnerships formed with teaming agreements as a “legal relationship” and if so, does the submission of a Teaming Agreement serve as legal documentation establishing the parameters of the relationships between the parties?

Answer to question 1 & 2 : Section E.7. Cost application refers to partnership, joint venture and consortium arrangements at the prime applicant level. This requirement is not applicable to teaming arrangements for sub-awards. The sub-recipient may submit a letter of commitment along with the other requirements of the RFA.

In accordance with 22 CFR 226

Subaward means an award of financial assistance in the form of money, or property in lieu of money, made under an award by a recipient to an eligible subrecipient or by a subrecipient to a lower tier subrecipient. The term includes financial assistance when provided by any legal agreement, even if the agreement is called a contract, but does not include procurement of goods and services nor does it include any form of assistance which is excluded from the definition of “award” in this section.

Subrecipient means the legal entity to which a subaward is made and which is accountable to the recipient for the use of the funds provided.

END OF QUESTIONS/CLARIFICATIONS FOR AMENDMENT 2