



***United States Agency for International Development
Afghanistan Procurement Support Office,
Bangkok Thailand***

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Subject: Request for Applications (RFA) No. 306-05-500

USAID/Afghanistan Initiative to Promote Afghan Civil Society (I-PACS)

The United States Agency for International Development (hereinafter referred to as "USAID" or the "Government") is seeking applications from non-governmental organizations (NGOs) to implement activities to support Afghan Civil Society, as described in Section C of this Request for Applications (RFA). The objective of this activity is to assist in the expansion of a vibrant Afghan civil society through capacity building and technical assistance, implementation of an enabling NGO law, and the award and administration of small grants to civil society organizations. There will be a particular emphasis on supporting women-focused civil society organizations. The authority for the RFA is the U.S. Foreign Assistance Act of 1961, as amended.

Non-US PVO's are eligible to apply and do not need to separately register with USAID to be eligible for award, but they must be determined by USAID to have the systems, internal controls, staffing and finances to manage and implement the program. This review will be done as part of the proposal evaluation process.

The chosen Recipient will be responsible for ensuring achievement of the program objectives. Applicants are encouraged to form partnerships with other organizations to ensure that appropriate technical expertise can be focused on meeting the primary objectives of the program. Please refer to the Program Description for a complete statement of goals and expected results.

Pursuant to 22 CFR 226.81, it is USAID policy not to award profit under assistance instruments. However, all reasonable, allocable, and allowable expenses, both direct and indirect, which are related to the approved program and are in accordance with applicable cost standards (22 CFR 226 and OMB Circular A-122 for non-profit organizations, OMB Circular A-21 for universities, and the Federal Acquisition Regulation (FAR) Part 31 regarding for-profit organizations), may be paid under the cooperative agreement expected to be awarded as a result of this process.

USAID reserves the right to fund any or none of the applications submitted, although at the present time it is planned, subject to the results of the proposal evaluation process, to make an award of one cooperative agreement under this RFA.

For the purposes of this program, this RFA is being issued and consists of this cover letter and the following:

Diethelm Towers, Tower A, 3rd Fl., Room 303
93/1 Wireless Road, Bangkok 10330
Tel: (662) 263-7400, Fax: (662) 263-7499, 254-2838

1. Section A - Application Format;
2. Section B - Selection Criteria;
3. Section C – Program Description;
4. Section D - Certifications, Assurances, and Other Statements of Applicant/Grantee;

For the purposes of this RFA, the term "Grant" is synonymous with "Cooperative Agreement"; "Grantee" is synonymous with "Recipient"; and "Grant Officer" is synonymous with "Agreement Officer".

Issuance of this RFA does not constitute an award commitment on the part of the Government, nor does it commit the Government to pay for costs incurred in the preparation and submission of an application. In addition, final award of any resulting cooperative agreement(s) cannot be made until funds have been fully appropriated, allocated, and committed through internal USAID procedures. While it is anticipated that these procedures will be successfully completed, potential applicants are hereby notified of these requirements and conditions for award. Applications are submitted at the risk of the applicant, and all preparation and submission costs are at the applicant's expense.

The preferred method of distribution of USAID procurement information is via the Internet. This RFA and any future amendments can be downloaded from the internet at the following website address: <http://www.Fedgrants.gov>. Select "applicants" from the home page. On the following screen, select "search grants postings" make your selection then click on "start search" and here you will find a list of all new solicitations and you can download this RFA. Alternatively, requests may be submitted via email to knewkirk@usaid.gov.

Receipt of this RFA through the internet must be confirmed by written notification to apsobangkok@usaid.gov. It is the responsibility of the recipient of the application document to ensure that it and any subsequent amendments have been received in their entirety and USAID bears no responsibility for data errors resulting from transmission or conversion processes.

Any questions regarding this RFA shall be submitted via email by November 3, 2004 to apsobangkok@usaid.gov. Applications must be received by the closing date and time indicated at the top of this cover letter at the place designated below for receipt of applications. Details for preparation and submission of applications can be found in the RFA.

Applicants are requested to submit both technical and cost portions of their applications in separate volumes. Award will be made to those responsible applicants whose applications best respond to the terms of this RFA.

In the event of any inconsistency between the documents comprising this RFA, it shall be resolved by the following descending order of precedence:

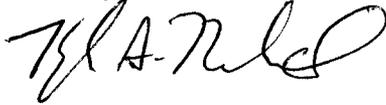
- (a) Section B - Selection Criteria;
- (b) Section A - Grant Application Format;
- (c) Section C - The Program Description;
- (d) This Cover Letter.

Applicants are responsible to ensure that proposals are received at USAID in Bangkok, Thailand by the due date and time specified above.

Applicants should retain for their records one copy of the application and all enclosures which accompany their application.

Thank you for your interest in programs of USAID in Afghanistan.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Newkirk', written in a cursive style.

Kyle Newkirk
Regional Agreement Officer
Afghanistan Procurement Support Office
USAID Regional Development Mission/Asia
Bangkok, Thailand

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SECTION A - GRANT APPLICATION FORMAT

PREPARATION GUIDELINES

All applications received by the deadline will be reviewed for responsiveness to the specifications outlined in these guidelines and the application format. Section B addresses the technical evaluation procedures for the applications. Applications which are submitted late or are incomplete run the risk of not being considered in the review process. Late applications will be considered for award only if the Agreement Officer determines it is in the Government's interest.

Applications shall be submitted in two separate parts: (a) technical and (b) cost or business application.

Applications must be submitted no later than the date and time indicated on the cover page of this RFA, to the location indicated on the cover letter accompanying this RFA.

Technical applications should be specific, complete and presented concisely. Type face shall be 12 point Times New Roman. The applications should demonstrate the applicant's capabilities and expertise with respect to achieving the goals of this program. The applications should take into account the technical evaluation criteria found in Section B.

Applicants should retain for their records one copy of the application and all enclosures which accompany their application. Erasures or other changes must be initialed by the person signing the application. To facilitate the competitive review of the applications, USAID will consider only applications conforming to the format prescribed below.

TECHNICAL APPLICATION FORMAT

Although no specific technical application format is mandated, the technical proposals should take into account the guidance below.

A. The Technical Approach must include a clear description of the approach and the general strategy (i.e. methodology and techniques) being proposed and explain how the approach is expected to achieve the proposed objectives. Applicants are encouraged to propose innovative programs designed to reach the desired outcomes/results. The roles and responsibilities of all partner organizations must be clearly identified.

B. Implementation Plan - The application must provide a detailed Implementation Plan for achieving expected program results. The applicant is encouraged to propose innovative implementation mechanisms to reach the desired results and a realistic schedule of performance milestones as steps toward achieving proposed results. The implementation plan should clearly outline links between the proposed results, conceptual approach, and performance milestones. The implementation plan must also include a draft performance monitoring plan laying out program indicators and targets to measure the progress of the proposed activities and the achievement of results. The plan must also describe the monitoring system that will enable it to track these indicators regularly.

C. Management Plan - The Management Plan should provide evidence of the organization's technical resources, expertise and capabilities for implementing similar programs in Afghanistan or a similar context. The application must specify the organizational structure and composition of the program team (including home office support) and describe the roles of proposed staff

members. A detailed plan for managing the sub-grants program must be included. The application must also describe the role of the partner-organizations or consortium members, including the utilization of public/private alliances as described in the program description. If public/private alliances are proposed, Memoranda of Understanding between the lead organization and alliance partners must be included.

D. Personnel Qualifications - Applicants must include CVs and/or resumes of proposed Key Personnel and other important managerial and technical personnel to be assigned to this program activity including a minimum of 3 references with email addresses. Proposed personnel not yet identified may be shown as "TBD" (to be determined). In addition, an annex shall be devoted to the retention of nominated personnel in awarded proposals for a period of the past five years.

E. Past Performance References - Applications must include the last 10 U.S. donor funded contracts, grants, cooperative agreements, etc. received by your organization involving programs similar to the program proposed in your application. Include the following for each award listed:

- Name of awarding organization or agency
- Address of awarding organization or agency;
- Place of performance of services or program;
- Award number;
- Amount of award;
- Term of award (start and end dates of services/program);
- Name, current telephone number, current fax number and e-mail address (if one is available) of a responsible technical representative of that organization or agency; and
- Brief description of the program.

USAID may contact references and use the past performance data, along with other information to determine the applicant's responsibility. The Government reserves the right to obtain information for use in the evaluation of past performance from any and all sources inside or outside the Government.

COST APPLICATION FORMAT

The Cost or Business Application is to be submitted under separate cover from the technical application. Certain documents are required to be submitted by an applicant in order for the Agreement Officer to make a determination of responsibility. However, it is USAID policy not to burden applicants with undue reporting requirements if that information is readily available through other sources.

The following sections describe the documentation that applicants for Assistance award must submit to USAID prior to award:

A. Include a budget with an accompanying budget narrative which provides in detail the total costs for implementation of the program your organization is proposing. The budget must be submitted using Standard Form 424 and 424A which can be downloaded from the USAID web site, http://www.usaid.gov/procurement_bus_opp/procurement/forms/sf424/;

- the breakdown of all costs associated with the program according to costs of, if applicable, headquarters, regional and/or country offices;

- the breakdown of all costs according to each partner organization involved in the program;

- the costs associated with external, expatriate technical assistance and those associated with local in-country technical assistance;

- the breakdown of the financial and in-kind contributions of all organizations involved in implementing this Cooperative Agreement;

- potential contributions of non-USAID or private commercial donors to this Cooperative Agreement;

- your procurement plan for commodities (note that contraceptives and other health commodities will not be provided under this Cooperative Agreement).

B. A current Negotiated Indirect Cost Rate Agreement;

C. Required certifications and representations (as attached):

D. Cost share for this award is encouraged, but not required. Additionally, public/private alliances as described in the program description are encouraged.

E. Applicants who do not currently have a Negotiated Indirect Cost Rate Agreement (NICRA) from their cognizant agency shall also submit the following information:

1. copies of the applicant's financial reports for the previous 3-year period, which have been audited by a certified public accountant or other auditor satisfactory to USAID;

2. projected budget, cash flow and organizational chart;

3. A copy of the organization's accounting manual.

F. Applicants should submit any additional evidence of responsibility deemed necessary for the Agreement Officer to make a determination of responsibility. The information submitted should substantiate that the Applicant:

1. Has adequate financial resources or the ability to obtain such resources as required during the performance of the award.

2. Has the ability to comply with the award conditions, taking into account all existing and currently prospective commitments of the applicant, nongovernmental and governmental.

3. Has a satisfactory record of performance. Past relevant unsatisfactory performance is ordinarily sufficient to justify a finding of non-responsibility, unless there is clear evidence of subsequent satisfactory performance.

4. Has a satisfactory record of integrity and business ethics; and

5. Is otherwise qualified and eligible to receive a grant under applicable laws and regulations (e.g., EEO).

G. 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.

In addition to the aforementioned guidelines, the applicant is requested to take note of the following:

H. Acknowledgement of Amendments to the RFA - Applicants shall acknowledge receipt of any amendment to this RFA by email to apsobangkok@usaid.gov. The Government must receive the acknowledgement by the time specified for receipt of applications.

K. Receipt of Applications - Applications must be received at the place designated and by the date and time specified in the cover letter of this RFA.

L. Submission of Applications:

1. The required method of submission of applications is electronic via email attachment to the following email address: apsobangkok@usaid.gov. Submissions may be made in either PDF or Microsoft Office formats. Applicants should confirm receipt of their email with attachments, and should strive to separate large files to ensure no issues with the receipt of emails with attachments that are too large. Submissions with multiple attachments may be separated into individual email, preferably containing the appropriate subject line for identification.

2. Acceptance of applications after the due date and time due to technical difficulties is solely at the discretion of the Agreement Officer.

M. Preparation of Applications:

2. The applicant shall sign the application and print or type its name on the Cover Page of the technical and cost applications. Erasures or other changes must be initialed by the person signing the application.

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 grant 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 grant. 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 sheets; 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."

N. Explanation to Prospective Applicants - Any prospective applicant desiring an explanation or interpretation of this RFA must request it in writing via email to apsobangkok@usaid.gov by no later than November 3, 2004. Oral explanations or instructions given before award of a

Grant will not be binding. Any information given to a prospective applicant concerning this RFA will be furnished promptly to all other prospective applicants as an amendment of this RFA, if that information is necessary in submitting applications or if the lack of it would be prejudicial to any other prospective applicants.

O. Grant Award:

1. The Government may award one or more Cooperative Agreements resulting from this RFA to the responsible applicant(s) whose application(s) conforming to this RFA offers the greatest value (see also Section II of this RFA). The Government may (a) reject any or all applications, (b) accept other than the lowest cost application, (c) accept more than one application (see Section III, Selection Criteria), (d) accept alternate applications, and (e) waive informalities and minor irregularities in applications received.

2. The Government may award one or more Grant(s) on the basis of initial applications received, without discussions. Therefore, each initial application should contain the applicant's best terms from a cost and technical standpoint.

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

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

SECTION B - SELECTION CRITERIA

The criteria presented below have been tailored to the requirements of this particular RFA. Applicants should note that these criteria serve to: (a) identify the significant matters which applicants should address in their applications and (b) set the standard against which all applications will be evaluated.

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

A review panel established under the direction of the Regional Agreement Officer will evaluate applications. The review panel and the Regional Agreement Officer will use "Best Value" criteria to determine the proposal most advantageous to the U.S. Government. **All evaluation factors other than cost or price, when combined, are significantly more important than cost or price.** The award shall be made to the responsive and responsible offeror whose combined technical and cost factor offer the best value to the U.S. Government.

COST SHARING

Cost Sharing, Matching Arrangement and/or In-Kind Contribution from the recipient is desired, but not required. Any cost sharing proposed will be evaluated as part of "Best Value" consideration.

"Cost-sharing" means the application presents cash from non-US Federal sources which the offeror will use in the performance of the award. "Matching-Arrangement" means the application presents cash from non-US Federal sources which will be provided at a set ratio (e.g. for every 2 dollars USAID obligates the recipient will provide 1 dollar.) "In-Kind Contribution" means the donation of tangible property (such as computers, medical and lab equipment, but excluding real) or services (such as rent, utilities, etc.) provided by the recipient to the Government.

Additionally, public/private alliances are encouraged under this RFA as described in the program description. More information about USAID's Global Development Alliance (GDA) can be found at and additional instructions about how to form such partnerships can be found at

http://www.usaid.gov/our_work/global_partnerships/gda/tab.html

The purpose of public/private alliances under this RFA is to provide additional value to the Government in terms of expertise and also to leverage additional financial resources to the agreement. Any proposed alliances will be evaluated as part of the "Best Value" consideration.

Subject to the availability of funds, USAID expects to award one or more Cooperative Agreements. USAID reserves the right to determine the resulting level of funding for the Cooperative Agreement.

SECTION C - PROGRAM DESCRIPTION

Initiative to Promote Afghan Civil Society (I-PACS)

A. PROGRAM SUMMARY

The objective of this activity is to assist in the expansion of a vibrant Afghan civil society through capacity building and technical assistance, implementation of an enabling NGO law, and the award and administration of small grants to civil society organizations. There will be a particular emphasis on supporting women-focused civil society organizations.

In order to accomplish this goal, the implementation of four project components is required.

1. Assessment of the status of civil society in post-Taliban Afghanistan
2. Application of guidelines and procedures such that practice informs policy and that there is effective implementation of the NGO bill once it is passed into law
3. Implementation of capacity building training to a core number of NGOs
4. Disbursement of grants to partner NGOs

The intended results of this activity will be:

- Increase in the number of organizationally active civil society organizations.
- Increase in the number of registered civil society organizations under the new law.
- Improved advocacy and service delivery through training and the disbursement of small grants.

B. PROGRAM DESCRIPTION

I. Background

USAID/Afghanistan is moving from emergency response to longer-term strategic thinking and recognizes the critical role that civil society plays in the transition to a stable, democratic state. After years of stagnation, the CSO sector in Afghanistan has taken on a new vibrancy. Yet civil society as a concept has different interpretations in Afghanistan. There are a growing number of Civil Society Organizations (CSOs) interested in contributing to national development by implementing projects in agriculture, infrastructure, micro-enterprise development, education and health care delivery. There are also a growing number of NGOs interested in promoting the rights of women and, broadly, human rights in general. Additionally there are CSOs interested in advocacy and creating a larger space for civil society in Afghanistan.

Meanwhile, a new representative structure of civil society has emerged. Since May 2004, well over 5,000 women's and men's Community Development Councils have been elected by rural villages across almost all 34 provinces. These Councils constitute the largest movement in non-governmental grassroots democracy and empowerment of women in the history of Afghanistan. For the first time, women and the community as a whole have a voice and mechanism for participation in decision-making and meeting their own prioritized development needs. While they may receive block grants from the government primarily for implementation of infrastructure projects, the Councils are a viable channel for widespread access to communities, particularly women, for social and economic development, nurturing and development of the Councils will not just *promote* equity and rights, but will create it.

Since 2002, the number of registered local NGOs has steadily increased as donor money has flowed into Afghanistan. A number of these NGOs have been formed to respond to the development challenges facing Afghanistan. Many of these have been established by Afghans returning from abroad in order to respond to the challenges and needs of their homeland. A number are led by women, or are women-focused to address the need to empower and enhance the status and welfare of women and girls. However, the best information available suggests that most of these new NGOs lack basic organizational skills that are required to be effective organizations. At the same time, there are NGOs that may already possess enough capacity to implement development projects, but lack funds to enable them to carry out their organizational objectives.

To assist development of and through civil society organizations, USAID/Afghanistan's Democracy and Governance Office intends to award a cooperative agreement to a qualified organization to implement the three-year activity detailed below.

II. Program Description

The goal of this three year activity is to increase the role and viability of civil society in Afghanistan by providing capacity building training and small grants to civil society organizations showing potential to be sustainable, effective organizations. USAID/Afghanistan will target at

least 50% of the funds to be used to support women focused organizations that promote women's development.

In order to accomplish this goal, the implementation of four project components is required.

1. Assessment of the status of civil society in post-Taliban Afghanistan
2. Application of guidelines and procedures such that practice informs policy and that there is effective implementation of the NGO bill once it is passed into law
3. Implementation of capacity building training to a core number of NGOs
4. Disbursement of grants to partner NGOs

USAID/Afghanistan encourages applicants to present creative approaches and innovative ideas to accomplish the objectives detailed below.

1. Assessment of the status of civil society in post-Taliban Afghanistan

Since the fall of the Taliban and the return to civilian rule in 2002, civil society has blossomed. Over 1000 local non-governmental organizations have registered with the government. In addition, over 5,000 Community Development Councils or *shuras* have been formed across the country under one of the government's National Priority Programs in order to play a facilitative development role of the rural areas and to give women and men a voice in their own development. More traditional *shuras* are male only, reactive organizations which are problem solving and conflict resolution bodies. The newer development oriented *shuras* are open to female membership, are proactive in seeking out means to develop their communities, and membership is merit based through open, free, and secret ballot elections. These community and district level development-oriented *shuras* or councils are guaranteed under Article 140 of the Constitution.

To date, little analytic work has been done to assess the texture of civil society, place it in a development context, and analyze the potential for civil society in Afghanistan to prosper. As a starting point the recipient should implement a broad sector assessment of civil society to facilitate a better understanding of how USAID can support the development of the sector. The assessment will serve as a baseline for the health of civil society and provide recommendations for capacity building assistance.

2. Application of guidelines and procedures such that practice informs policy and that there is effective implementation of the NGO Act once it is passed into law

Over the past two years, assistance has been provided by the International Center for Not-for-Profit Law to civil society and the Transitional Islamic Government of Afghanistan to draft an acceptable law regulating and guiding the non-governmental sector. The draft law, agreed to by all significant parties, has been languishing in the executive branch for months. Due to the current political climate dominated by elections, this issue has lost its urgency with President Karzai and it is uncertain when or if he will sign the bill into law with decree authority. Furthermore, civil society in Afghanistan feels under siege by the current Minister of Planning who publicly denounces NGOs, and issues spurious regulations governing NGOs. It is clear to civil society in Afghanistan that the draft NGO bill must be signed into law and implemented to protect the integrity of the sector and facilitate its growth.

As the passage of a sound NGO law is but the first step in strengthening civil society, USAID/Afghanistan intends to support the implementation of the law once it is signed. Support

could include advocacy by civil society to make politicians aware of the urgency of the bill. Additional assistance may include support to the appropriate Ministry charged with implementing the law. It is presently unclear which Ministry will have the authority to register NGOs, but as soon as the law is enacted, a line Ministry will be designated.

However, at this point few standards exist that ensure real transparency and accountability amongst NGOs, even those registered with the government. Many are basically individual or family 'businesses,' with little understanding of international principles for use of taxpayers' funds for non-profit service to society or standards of accountability such as required of even fledgling private voluntary organizations in the U.S. This has been a major constraint for donor support (not just USAID) to these organizations.

Likely issues to arise for the government in the implementation of the NGO law include, but are not limited to: procedures to register, reporting requirements, tax provisions, governance, and membership requirements. Since these issues are already anticipated, USAID, on its own and in collaboration with other donors, before and following passage of the law, will support development of civil society by ensuring that practice informs policy. The CSOs that qualify for grant funding will be required to meet the guidelines that are recommended in the pending law, and other minimum standards of practice that will ensure accountability for not-for-profit funds and for program performance.

Therefore, as part of this program, the recipient and USAID will collaborate with other donors to establish basic guidelines that all should follow in support of grant funds to CSOs. By establishing minimum operational standards of transparency and accountability that CSOs must meet prior to receipt of funds, these guidelines will inform the capacity building needs to ensure that the skills they develop enable them to become accountable, effective and sustainable civil society organizations.

3. Implementation of capacity building training to a core number of NGOs

A central component of the I-PACS activity will be a comprehensive training program for Afghan CSOs. The recipient is encouraged to suggest a broad outreach program touching on as many geographic provinces as feasible. USAID/Afghanistan anticipates working with both structured, registered NGOs as well as progressive, development oriented *shuras*. The recipient will work with the USAID Cognizant Technical Officer (CTO) to develop criteria to guide identification of CSOs to be supported through training. The objective of the training is to build the capacity of CSOs to design, implement, manage, monitor and evaluate their activities effectively; achieve their organizational objectives; and do all the above mentioned with transparency and accountability. A main outcome of the training will be to assist CSOs to access and manage funds accountably.

Once the partner CSOs are identified, individual baseline assessments of the organizations' organizational capacity will be conducted which guide decisions on what types of training will be offered each NGOs. It is anticipated that the following types of training may be contemplated: financial management, management, organizational governance, public outreach, sustainability, networking, service delivery and advocacy. The recipient should use a participatory methodology to design the training modules.

4. Disbursement of grants to partner NGOs

A main feature of the I-PACS activity will be a small grants component. It is anticipated that grants up to \$100,000 will be considered. Many existing CSOs possess sufficient capacity to effectively carry out their objectives. Most, however, will require a significant level of initial technical assistance to develop their organizational structures and systems, and to improve their ability to plan strategically and to draft convincing proposals.

The purpose of the grants component is to provide funding to NGOs to implement developmental and advocacy activities. Disbursement of the grants will be on a rolling basis beginning as soon as the recipient staffs its local office and the grant manual and grant criteria are agreed to with the USAID CTO, and the M&E system is in place.

The recipient will work closely with the USAID CTO to design a grants manual that will detail criteria for the award of grants. The recipient may consider issuing an Annual Program Statement in the Afghan press to ensure broad coverage.

USAID has targeted at least 50% of the funds available for small grants for women-focused CSOs that promote the development of women.

III. Management and Staffing

The recipient should detail a management and staffing plan that clearly shows lines of authority and the relationships with USAID and relevant Government of Afghanistan ministries. It is suggested that the recipient partner with at least one credible Afghan organization to implement the activities above. The management plan should detail the relationship between the recipient and the Afghan partner(s). For example, an Afghan partner could facilitate the implementation of the training component. There are several competent Afghan CSOs and firms with sufficient capacity with which to partner.

IV. Coordination, Monitoring and Evaluation

USAID will insist on close monitoring of the activity to ensure the effectiveness of capacity building, and the effective and accountable use of the grants. Recipient CSOs will be mentored as needed by the implementing partner in proposal writing and project design, implementation, monitoring, evaluation, and reporting. Through its Gender Advisor, the Mission will ensure coordination of the program activities with other donor and USG-funded activities, and collaboration with relevant Ministries to ensure that the activities and approach by the Mission best serve the interests of Afghan people, particularly women.

The proposal will include a Program Learning Framework that establishes an on-going process of consultation and feedback amongst all key stakeholders on what works and where improvements in approach are required, with adjustments to be made accordingly. By the end of the first year USAID and the recipient will conduct an overall evaluation of its approach for empowering CSOs and women, and will modify this program accordingly.

V. Public/Private Alliances

In recognition of the many changes in today's development assistance environment, and in the context of USAID's new Global Development Alliance (GDA), USAID/Afghanistan strongly

encourages (but does not require) the formation of public-private alliances in the implementation of its programs.

Official U.S. Government assistance now accounts for only a minority share of the flow of resources from the United States to developing countries. Foundations, private companies, non-governmental organizations (NGOs) and others entities have become increasingly active in financing development efforts in West Africa and elsewhere, and they are often looking for synergies with other similar programs.

By "public-private alliance" USAID means proposals with material and significant non-federal resources offered in their proposals, in order to more fully address the development challenges in Afghanistan as outlined in the RFA. One criteria that the GDA Secretariat uses to define a "public-private alliance" is a least one-to-one leveraging of USAID's resources with additional non-federal resources. Potential offerors are strongly encouraged to think innovatively and creatively about ways to draw forth significant non-federal resources, be they in cash or in kind, and to incorporate commitments to such resources into their proposals to USAID. Public-private alliances are expected to bring together a coalition of organizations and individuals who will jointly define a problem, situation, and solution, thereby capitalizing on the combine knowledge, skills and expertise of all partners.

VI. Substantial Involvement

In accordance with ADS 303.5.11a, USAID/Afghanistan will assert its authority to have substantial involvement in the management of the cooperative agreement. The following substantial involvement is anticipated:

A. Approval of recipient's Implementation Plans

- Implementation plan for the first year will be due within 30 days of the cooperative agreement award.

B. Approval of Key Personnel

- Chief of Party/Country Director
- Deputy Chief of Party (if proposed)
- Organizational Development/Training Coordinator
- Grant Manager

C. Agency and recipient collaboration or joint participation

- Approval of the initial assessment instrument and any follow-up assessment instruments.
- Approval of grant manual and procedures
- Participation on grant award committee including prior approval of sub-grants
- Establishment and approval of a Learning Framework (an on-going participatory learning process amongst stakeholders) including monitoring and evaluation plan that tracks and analyzes the approach used to empower civil society organizations and women
- Approval of modifications to this initial strategy based on the Learning Framework and M&E plan.

VII. Milestones

- Annual Workplan due to USAID no later than 30 days after the award is made.
- CSO Assessment due to USAID no later than 60 days after the award is made.
- Grant Guidelines and Manual due to USAID no later than 90 days after the award is made.
- Monitoring and evaluation system due to USAID no later than 90 days after the award is made.
- Quarterly program and financial reports to begin within the first quarter of implementation and every quarter thereafter.
- Annual report due no later than 30 days after the end of each calendar year of the activity.

VIII. Funding

USAID will require that at least \$5 million be set aside for sub-grants to Afghan CSOs. The applicant should present a budget that includes the sub-grant component plus all additional costs to achieve all of the objectives listed above.

IX. Authorized Geographic Code

For the purposes of this cooperative agreement, the authorized geographic code will be 935.

X. Period of Performance

The anticipated period of performance is for two years from approximately January 2005 through January 2007.

XI. Place of Performance

Kabul, Afghanistan plus various other locations in Afghanistan to be determined.

XII. Authorized Work Week

A six day work week is approved for this cooperative agreement.

XIII. Application

Budgets with budget notes shall be contained in a separate submission. The font employed shall be 12 point Times New Roman. Annexes devoted to CVs of key personnel, complete with

a minimum of three references including e-mail contact address, and past performance details of the last ten donor-sponsored activities shall be included. In addition, an annex shall be devoted to the retention of nominated personnel in awarded proposals for a period of the past five years.

XIV. Evaluation Criteria

The following adjectival ratings will be utilized to describe each component of the technical evaluation criteria (personnel qualifications, implementation plan, management plan, past performance, and partnership and resource leveraging) and for the technical proposal as a whole.

Excellent - Comprehensive and complete. Meets or exceeds all RFP requirements. Exemplifies complete understanding, of the technical requirements and demonstrates, in detail how to accomplish the task. Has exceptional strengths that will significantly benefit the Government.

Good - Meets or exceeds most if not all RFP requirements. May have some outstanding aspects. Has one or more strengths that will benefit the Government.

Satisfactory - Generally meets RFQ requirements. Omissions are of minor or easily correctable consequence. Production of an acceptable end item is anticipated. Few or no strengths.

Marginal - Meets RFQ requirements but has some negative aspects. Could be made technically acceptable.

Unacceptable - Gross omissions. Failure to understand problem areas. Failure to respond to requirements. Little or no chance of success in completing the end item. Requirements can only be met with major changes to the proposal.

Personnel Qualifications

The background and qualifications of proposed personnel will be carefully evaluated. USAID will look for management level experience in designing and implementing similar civil society capacity building and sub-grant making activities in a similar environment (post-conflict, failed state), familiarity with Afghanistan and/or other pertinent, comparative countries.

Implementation Plan

Applications will be evaluated based on the applicant's technical implementation plan detailing how the recipient proposes to accomplish the objectives detailed in the program description. The applications will also be evaluated on the soundness of the proposed approach, the clarity of understanding of civil society in Afghanistan, and creativity. The application must include a description of activities, timeline, anticipated results and a draft performance monitoring plan including proposed indicators, data collection sources, and targets. Analysis of potential risks and/or obstacles that could be encountered during the program and along with contingency plans are recommended.

Management Plan

Applications will be evaluated based on a proposed staffing plan, field office management plan, headquarters-field operation management structures, and management relationship with a local Afghan NGO as described in the Program Description. The applications will also be judged based on the applicants' plan to scale up activities in a timely manner and applicants' ability to recruit and retain key personnel.

Past Performance

Applications will be evaluated based on the applicants' demonstrated track record of implementing similar activities in comparative environments, including demonstrated capacity to manage (technically, administratively, and financially) a project of similar type and complexity and to deliver the required results within the specified time period.

Partnership and Resource Leveraging

The ability and methodology of the applicant to form public/private alliances that benefit the program by bringing additional expertise and potentially leveraging substantial non-federal resources to the project to deliver a program with far-reaching results will be evaluated.

Applications should detail contributions of alliance partners and potential risks associated with alliances for the successful implementation of the project. Memorandum of Understanding(s) with alliance partners specifying in detail the contributions of each partner (e.g. cost-sharing, in-kind, cash, etc.), expectations of the recipient, reporting structure, and the non-federal resource level and how those resources will be utilized is essential. Potential on-going benefits both for the Government of Afghanistan and private alliance partners (if any) should be highlighted.

Budget

The recipient should have a structure that will allow it to provide the greatest value (highest results) at the lowest cost; minimizing and/or eliminating overall administrative costs, overhead, subcontract/subgrant pass-through costs, international staff benefits, home office communications and support, and other non-value added costs. Each offeror's cost proposal shall be evaluated based on the following criteria in comparison with the cost proposal of other offerors:

- 1) Effectiveness of proposed cost control structure
 - a. Budget transparency to effectively track expenditures; and
 - b. Subcontracting/grantmaking methods are clearly defined.
- 2) Reasonableness of proposed labor cost and structure
 - a. Expatriate salary structure and expense; and
 - b. Local salary structure and expense
- 3) Cost efficiency of proposed Other Direct Costs (ODCs)
 - a. Offers market competitive pricing estimates of tangible items to be used for performance; and
 - b. Competitiveness of pricing and soundness purchase methods of international and in-country air travel and surface transportation.
- 4) Provides cost-sharing, matching arrangements, and value of in-kind contributions, if any is proposed.

5) Reasonableness of overall proposed price

Section D



U.S. Agency for International Development

CERTIFICATIONS, REPRESENTATIONS, AND OTHER STATEMENTS OF RECIPIENT^{1 2}

PART I - CERTIFICATIONS AND REPRESENTATIONS

1. ASSURANCE OF COMPLIANCE WITH LAWS AND REGULATIONS GOVERNING NON-DISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS

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

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

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

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

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

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

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

(c) This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts, or other Federal financial assistance extended after the date hereof to the recipient by the Agency, including installment payments after such date on account of applications for Federal financial assistance which were approved before such date. The

1FORMATS\GRNTCERT: Rev. 06/16/97 (ADS 303.6, E303.5.6a)

2When these Certifications, Assurances, and Other Statements of Recipient are used for cooperative agreements, the term "Grant" means "Cooperative Agreement".

recipient recognizes and agrees that such Federal financial assistance will be extended in reliance on the representations and agreements made in this Assurance, and that the United States shall have the right to seek judicial enforcement of this Assurance. This Assurance is binding on the recipient, its successors, transferees, and assignees, and the person or persons whose signatures appear below are authorized to sign this Assurance on behalf of the recipient.

2. CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

(a) Instructions for Certification

(1) By signing and/or submitting this application or grant, the recipient is providing the certification set out below.

(2) The certification set out below is a material representation of fact upon which reliance was placed when the agency determined to award the grant. If it is later determined that the recipient knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.

(3) For recipients other than individuals, Alternate I applies.

(4) For recipients who are individuals, Alternate II applies.

(b) Certification Regarding Drug-Free Workplace Requirements

Alternate I

(1) The recipient certifies that it will provide a drug-free workplace by:

(A) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the applicant's/grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(B) Establishing a drug-free awareness program to inform employees about--

1. The dangers of drug abuse in the workplace;
2. The recipient's policy of maintaining a drug-free workplace;
3. Any available drug counseling, rehabilitation, and employee assistance programs; and
4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(C) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (b)(1)(A);

(D) Notifying the employee in the statement required by paragraph (b)(1)(A) that, as a condition of employment under the grant, the employee will--

1. Abide by the terms of the statement; and
2. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;

(E) Notifying the agency within ten days after receiving notice under subparagraph (b)(1)(D)1. from an employee or otherwise receiving actual notice of such conviction;

(F) Taking one of the following actions, within 30 days of receiving notice under subparagraph (b)(1)(D)2., with respect to any employee who is so convicted--

1. Taking appropriate personnel action against such an employee, up to and including termination; or
2. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(G) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (b)(1)(A), (b)(1)(B), (b)(1)(C), (b)(1)(D), (b)(1)(E) and (b)(1)(F).

Alternate II

The recipient certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance in conducting any activity with the grant.

3. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS -- PRIMARY COVERED TRANSACTIONS³

(a) Instructions for Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to the department or agency to whom this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meaning set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549.⁴ You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transaction,"⁵ provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the methods and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealing.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

(b) Certification Regarding Debarment, Suspension, and Other Responsibility Matters--Primary Covered Transactions

- (1) The prospective primary participant certifies to the best of its knowledge and belief, the it and its principals:

³The recipient must obtain from each identified subgrantee and (sub)contractor, and submit with its application/proposal, the Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Transactions, set forth in Attachment A hereto. The recipient should reproduce additional copies as necessary.

⁴See ADS Chapter E303.5.6a, 22 CFR 208, Annex1, App A.

⁵For USAID, this clause is entitled "Debarment, Suspension, Ineligibility, and Voluntary Exclusion (March 1989)" and is set forth in the grant standard provision entitled "Debarment, Suspension, and Related Matters" if the recipient is a U.S. nongovernmental organization, or in the grant standard provision entitled "Debarment, Suspension, and Other Responsibility Matters" if the recipient is a non-U.S. nongovernmental organization.

(A) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(B) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(C) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(B) of this certification;

(D) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

4. CERTIFICATION REGARDING LOBBYING

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

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

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

Statement for Loan Guarantees and Loan Insurance

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

3. AAPD 04-14 IMPLEMENTATION OF E.O. 13224 – CERTIFICATION REGARDING TERRORIST FINANCING

Certification

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

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

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

RFA 306-05-500
Initiative to Promote Afghan Civil Society (I-PACS)

a. Before providing any material support or resources to an individual or entity, the Recipient will verify that the individual or entity does not (i) appear on the master list of Specially Designated Nationals and Blocked Persons, which list is maintained by the U.S. Treasury's Office of Foreign Assets Control (OFAC) and is available online at OFAC's website : <http://www.treas.gov/offices/eotffc/ofac/sdn/t11sdn.pdf>, or (ii) is not included in any supplementary information concerning prohibited individuals or entities that may be provided by USAID to the Recipient.

b. Before providing any material support or resources to an individual or entity, the Recipient also will verify that the individual or entity has not been designated by the United Nations Security (UNSC) sanctions committee established under UNSC Resolution 1267 (1999) (the "1267 Committee") [individuals and entities linked to the Taliban, Usama bin Laden, or the Al Qaida Organization]. To determine whether there has been a published designation of an individual or entity by the 1267 Committee, the Recipient should refer to the consolidated list available online at the Committee's website: <http://www.un.org/Docs/sc/committees/1267/1267ListEng.htm>.

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

d. The Recipient also will implement reasonable monitoring and oversight procedures to safeguard against assistance being diverted to support terrorist activity.

3. For purposes of this Certification-

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

b. "Terrorist act" means-

(i) an act prohibited pursuant to one of the 12 United Nations Conventions and Protocols related to terrorism (see UN terrorism conventions Internet site: <http://untreaty.un.org/English/Terrorism.asp>); or

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

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

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

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

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

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

7. CERTIFICATION OF RECIPIENT

The recipient certifies to the best of its knowledge and belief all of the above and that it has reviewed and is familiar with the proposed grant format and the provisions and regulations applicable thereto, and that it agrees to comply with all such regulations, except as noted below (use a continuation page as necessary):

As applicable:

Grant/Agreement No.

Solicitation No.

Application/Proposal No.
Date of Application/Proposal

Name of Recipient

Typed Name and Title

Signature _____ Date

PART II

OTHER STATEMENTS OF RECIPIENT

1. AUTHORIZED INDIVIDUALS

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

<u>Name</u>	<u>Title</u>	<u>Telephone No.</u>	<u>Email</u>
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2. TAXPAYER IDENTIFICATION NUMBER (TIN)

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

3. CONTRACTOR IDENTIFICATION NUMBER--DATA UNIVERSAL NUMBERING SYSTEM (DUNS) NUMBER

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

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

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

(c) Recipients located outside the United States may obtain the location and phone number of the local Dun and Bradstreet Information Services office from the Internet Home Page at <http://www.dbisna.com/dbis/customer/custlist.htm>. If an offeror is unable to locate a local service center, it may send an e-mail to Dun and Bradstreet at globalinfo@dbisma.com.

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

DUNS:

4. LETTER OF CREDIT (LOC) NUMBER

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

LOC:

5. TYPE OF ORGANIZATION

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

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

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

6. PAST PERFORMANCES REFERENCES

Please provide a list of up to the five most current US Government contracts, grants cooperative agreements, etc., and the name, address, and telephone number of the Contract/Agreement Officer or other contact person. If this is not available please provide the same information for those privately funded.

7. OMB CIRCULAR A-133 OR SIMILAR AUDITS

If applicable, please provide the date of your most recent A-133 or similar audit, including findings and results of such audits.

**Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion
Lower Tier Covered Transactions**

(a) Instructions for Certification

1. By signing and submitting this proposal/application, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, has the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. ^{1/} You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier covered Transaction," ^{2/} without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Non procurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

^{1/} See ADS Chapter 303, 22 CFR 208.

^{2/} For USAID, this clause is entitled "Debarment, Suspension, Ineligibility, and Voluntary Exclusion (March 1989)" and is set forth in the USAID grant standard provision for U.S. nongovernmental organizations entitled "Debarment, Suspension, and Related Matters" (see ADS Chapter 303), or in the USAID grant standard provision for non-U.S. nongovernmental organizations entitled "Debarment, Suspension, and Other Responsibility Matters" (see ADS Chapter 303).

(b) Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Solicitation No.
Application/Proposal No.
Date of Application/Proposal
Name of Applicant/Subgrantee
Typed Name and Title

Signature _____ Date