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COLOMBIA

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Deadline for Questions: October 1/2015

Bidders Conference: October 15/2015

Deadline for Concept Paper: October 29/2015

Closing Times: All closing times are 3:00 pm Local Time (Bogota, Colombia)

Subject: NOFO-514-15-000012

Program Title: Reconciliation Activity

Ladies/Gentlemen:

The United States Agency for International Development (USAID) is seeking applications for a cooperative agreement from qualified U.S. and Non-U.S. organization to fund a program entitled Reconciliation Activity. Eligibility for this award is not restricted see Section C of this NOFO for eligibility requirements.

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

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

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

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

Please send any questions to the point(s) of contact identified in section D. The deadline for questions is shown above. Responses to questions received prior to the deadline will be

furnished to all potential applicants through an amendment to this notice posted to www.grants.gov.

USAID is planning on conducting a pre-application conference, in order to clarify questions and requirements of this NOFO, on the date and time shown in this cover letter. If you plan to participate in this conference, we will appreciate that you confirm by e-mail to ggutierrez@usaid.gov, the number of participants (no more than three (3) by organization), the names and identification numbers, on a date no later than the due date for submission of questions, in order to coordinate the access to the building.

Note. This procurement will be conducted in two stages. Stage one will be the submission of a concept paper. Only applicants that pass the concept paper review stage will be asked for a full application. See section Directions to Applicants Technical Application for more information on concept paper development.

If you decide to submit a concept paper or you are invited to submit a full application, it should be received by the closing date and time indicated at the top of this cover letter. The application must be submitted electronically to the following e-mail addresses: bogotausaidofficeAA@usaid.gov, to Mr. German Gutierrez, Acquisition and Assistance Specialist, at ggutierrez@usaid.gov and copied to Ms. Curtrice Dorsey, Agreement Officer, at cdorsey@usaid.gov.

Issuance of this NOFO does not constitute an award commitment on the part of the U.S. Government, nor does it commit the U.S. Government to pay for costs incurred in the preparation and submission of an application or any other costs associated with the pre-awarding process. In addition, final award of any resultant award 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, the applicant is hereby notified of these requirements and conditions for award. The application is submitted at the risk of the applicant; should circumstances prevent award of the grant, all preparation and submission costs are at the applicant's expense.

Thank you for your interest in USAID programs.

Sincerely,



Curtrice Dorsey

Agreement Officer

ATTACHMENTS:

1. Certifications, Assurances, Other Statements of the Recipient and Funding Opportunity Standard Provisions
2. Guidance for Obtaining a DUNS Number (Data Universal Numbering System) and new link.
3. Guidance on Branding and Marking Under Assistance Instruments

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Abbreviations and Acronyms used in this NOFO

AAPD	Acquisition & Assistance Policy Directives
ANSPE	Asociación Nacional para la Superación de Pobreza Extrema
ADS	Agency Directive System
AO	Agreement Officer
AOR	Agreement Officer Representative
CCN	Cooperating Country Nationals
CDCS	Country Development Cooperation Strategy
CFR	Code of Federal Regulations
CA	Cooperative Agreement
CNRR	National Commission for Reparation and Reconciliation
CONPES	National Council for Social and Economic Policy
COP \$	Colombian Pesos
EEO	Equal Employment Opportunity
DUNS	Dun and Bradstreet Universal Numbering System
SAM	System for Award Management
FARC	Fuerzas Armadas Revolucionarias de Colombia
FICA	Federal Insurance Contributions Act
FTO	Foreign Terrorist Organization
GDA APS	Global Development Alliance Annual Program Statement
GBV	Gender-based Violence
GOC	Government of Colombia
HM	Historical Memory
IPR	Implementation and Procurement Reform
LAPOP	Latin American Public Opinion Project
MOU	Memorandum of Understanding
LGBTI	Lesbian, Gay, Bisexual, and Transgender Individual
NGOs	Nongovernmental Organizations
NOFO	Notice of Funding Opportunity
NICRA	Negotiated Indirect Cost Rate Agreement
OFAC	U.S. Department of Treasury's Office of Foreign Assets Control
PAD	Project Appraisal Document
POA	Public Opinion Activity
Q&A	Questions and Answers
SC	Selection Committee
USAID	United States Agency for International Development
USG	United States Government



SECTION A: PROGRAM DESCRIPTION

The United States Agency for International Development in Colombia (USAID/Colombia) Country Development Cooperation Strategy (CDCS) goal is to support Colombia to be more capable of successfully implementing a sustainable and inclusive peace. To achieve this goal, USAID works with the Government of Colombia (GOC), the private sector, and civil society organizations to strengthen institutions that provide services to conflict victims and support the social and economic reintegration of former combatants into society, as well as to promote efforts to help Colombians as a whole heal from the conflict by acknowledging the truth and suffering of the past. This healing will be achieved through mechanisms for truth-telling, justice, reparations, restoration of relationships and socio-economic inclusion, with special attention to the needs of women, children, people with disabilities, members of the Lesbian, Gay, Bisexual, Transgender, and Intersex (LGBTI) community, and ethnic communities.

All Colombians have been affected in one way or another by the conflict. As a result, the citizenry as a whole has a significant role to play in rebuilding relationships and moving towards a long term sustainable peace. While closely linked to truth-telling, justice and reparations, reconciliation is a long term process that is critical to the implementation of any peace agreement. Reconciliation encompasses a myriad of approaches that range from legal frameworks to community-based initiatives in order to rebuild trust and the social fabric.

The primary objective of this activity is to enhance the capacity of both the GOC and civil society to rebuild (and in some cases, to build) understanding and acceptance. The logic behind this activity is that adversaries must first accept each other's right to exist, and then take steps towards tolerance, to build a future as Colombians, rather than perpetuating the perpetrator/victim dynamic. The activity is also meant to complement other ongoing or future USAID/Colombia's efforts to support reintegration of ex-combatants, reparation and attention to victims of the conflict, rural development and inclusion.

Building on previous work and lessons learned, USAID/Colombia aims to support the GOC in its effort to conduct an important truth-telling process, create social awareness about the importance of reconciliation at all levels and finally, to facilitate strategic public private alliances to support community-based reconciliation initiatives in key municipalities.

A reconciliation process involves not only victims and perpetrators but also communities and society at large. In the Colombian case, a vast proportion of society has not necessarily been directly affected by the conflict and is not fully aware of the dire consequences it has had on others. Accordingly, a reconciliation process should not only address individuals and affected communities, but it should have a holistic approach that encompasses all citizens.

Award type

The US Government contemplates the award of a Cooperative Agreement (CA) resulting from this Request for Applications (NOFO).

USAID/Colombia is committed to the principles of USAID/Forward¹ and the use of local institutions and personnel for implementation of its awards. As such, each applicant is requested to incorporate in its proposal a transition strategy that includes the selection of a local organization as a sub-recipient during the first year, along with a mentoring plan in the following key areas: 1) governance, 2) administration, 3) human resources management, 4) financial management, 5) organizational management, 6) program management, 7) project performance management, and 8) leadership and team dynamics.

The purpose of this clause is to support the chosen local organization in becoming a stronger and more mature entity that will enable it to become eligible for a direct award from USAID without competition, by the end of the project. Indicators, including baseline and target indicators for local capacity development are to be included in the monitoring plan to be prepared by the applicant. See Directions to Applicants Technical Application section for more information.

Theories of Change

The theory of change underlying the overall Development Objective supported by this activity is that by paying the moral and legal debt owed to victims of the conflict, integrating ex-combatants and former child soldiers into society, preventing recidivism and recruitment into criminal gangs and illegal armed groups, reducing levels of gender-based violence, fostering inclusion of ethnic communities, telling the truth about the conflict, and creating awareness of the importance of reconciliation, Colombia will be able to come to terms with the past and transform the future into a more inclusive and peaceful society.

USAID/Colombia has developed the following two theories of change to guide its reconciliation activity:

1. If nation-wide truth-telling processes that address violations during the conflict and promote the need of reconciliation are undertaken as critical to peace, then Colombians will be better prepared to come to terms with the past and to embrace reconciliation efforts.
2. If local reconciliation initiatives are supported and communities are empowered to address grievances associated with the conflict and the transition to peace, then communities will have the capacity to mitigate potential conflicts and actively advance reconciliation.

These theories of change are built on the assumption that reconciliation, understood as the process of seeking to “engender a minimum basis of trust so that there can be a degree of cooperation and mutual reliance between individuals” in a post conflict situation, contributes to durable peace.³

USAID is aware of the challenges that creating trust and understanding among former enemies and a victimized civil society can pose. However, this NOFO is developed under the assumption

¹ <http://www.usaid.gov/usaid/forward>

² Understood as the capacity to put processes in place in order to ensure accountability, transparency, responsiveness and inclusiveness.

³ Reconciliation after Violent Conflict. A handbook, David Bloomfield, Teresa Barnes and Luc Huyse. International IDEA handbook Series, Sweden

that “addressing the painful past, acknowledging and understanding it and, transcending it together, is the best way to guarantee that it does not – and cannot – happen again.”⁴

This program description details the background considerations relating to the Colombian context, defines the project’s main objectives, territorial scope, expected results, and suggests performance indicators for monitoring and evaluation purposes, as well as several considerations related to reconciliation in the targeted regions.

Background

For several years, the GOC has undertaken a transitional justice process that began with the Justice and Peace Law in 2005. This legal framework aims to facilitate the demobilization of paramilitaries and guerrilla groups in Colombia. In exchange for truth, reparations to victims, and completion of the reintegration process, among other requirements, demobilized ex-combatants who committed grave crimes against humanity would receive a reduced prison sentence of five to eight years.

Colombia’s commitment to transitional justice was reinforced by the passage of the Victims and Land Restitution Law in 2011 (also known simply as the “Victims Law”), which aims to provide assistance and comprehensive reparation to the approximately seven million victims of the conflict, including victims of forced displacement, forced disappearance, kidnapping, forced child recruitment and death and injuries from unrecovered landmines. The Victims Law is the first institutional attempt to acknowledge all victims of the conflict and specifically establishes the rights of victims. The Victims Law also entitles victims to assistance,⁵ attention, protection,⁶ reparation,⁷ and restitution of land,⁸ regardless of whether the perpetrator is the State or a member of an illegal armed group.

As such, it can be said that peace building is a process that has already started in Colombia and will go beyond a potential signed agreement between the GOC and one or more guerrilla groups. However, with or without an agreement, many challenging issues remain for the country’s stability: reintegrating ex-combatants, responding to the needs of marginalized communities historically affected by the conflict, providing effective attention and reparation to victims and outlining an inclusive rural development strategy. Many of these are or will be addressed by other USAID or GOC programs.

Reconciliation, another crucial step in peace building, encompasses all of the aforementioned challenges but also entails a more intangible and broader process of trust building. The process of trust building is not new to Colombia. In fact, civil society initiatives have addressed this issue for many years. The first institutional attempt was the creation of the National Commission for Reparation and Reconciliation (CNRR) in 2005⁹ whose mandate included the promotion of a

⁴ Reconciliation after Violent Conflict. A handbook. David Bloomfield, Teresa Barnes and Luc Huyse. International IDEA handbook Series. Sweden

⁵ According to CONPES 3172, attention refers to provision of accurate and timely information, orientation, and legal and psychosocial services required in order to facilitate access to truth, justice and reparation measures.

⁶ Article 31 of Law 1448 states that the State and specifically territorial entities (Article 174) should protect the life, integrity, freedom and security of victims.

⁷ Article 25 of the Law also defines comprehensive reparation as the measures aimed to transform the victim’s situation and re-establish, inasmuch as is possible, the situation that existed prior to the wrongful act being committed. It can be restitution, indemnification (provision of monetary compensation for a human rights violation), rehabilitation (restoring the victim to good physical and mental health and a productive life after a human rights violation has occurred); and satisfaction and guarantees of no repetition of being victimized (as defined in the GOC’s CONPES 3712). Reparation can be individual or collective and can also be classified as symbolic or material.

⁸ Stated in Chapter III of the Law.

⁹ Law 975, 2005. The Commission (CNRR) was comprised by members of the National Government as well as five representatives from civil society and two from the victims’ organizations.

long term process towards peaceful coexistence based on the development of trust between citizens and state institutions.¹⁰ The CNRR had an investigative arm known as Historical Memory (HM), which was charged with producing an account of the origins and evolution of Colombia's internal armed conflict. HM's work contributed to creating an essential link between the reconstruction of memory and democratic strengthening, in addition to producing a general narrative of violence taking into account themes of gender, ethnicity, and political and social identities. The CNRR also attempted reconciliation efforts at the community level which proved to be very challenging. The main conclusions drawn from its work are that reconciliation is:

- more a long term process than a fixed objective,
- not a fixed formula but rather a context tailored process that requires a great amount flexibility and creativity,¹¹
- a complex goal that should be addressed both at the national and local levels through different, but complementary strategies,¹²
- not about making enemies appreciate each other but to “engender a minimum basis of trust so that there can be a degree of cooperation and mutual reliance between them,”¹³ and
- a process through which “a society moves from a divided past to a shared future”¹⁴

The formal launch of the peace conversations between the GOC and the Revolutionary Armed Forces in Colombia (FARC) in Havana in October 2012 gave significant attention to reconciliation-related issues. While reconciliation has now been elevated in the peace process, the reality is that it remains an abstract concept linked to peace and other aspects of transitional justice that are still undefined.

In Colombia's current social context, reconciliation is clearly an urgent issue. However, recent studies show that Colombians want peace but are not inclined to make the necessary compromises to achieve it. The latest Gallup survey carried out in March 2015 found that 70% of respondents nationwide approve of the peace process. However, 80% do not agree that former FARC members should be permitted to create their own political movement. Perhaps more concerning are the findings of Vanderbilt University's poll¹⁵ that less than 30% of the participants in its survey would approve of a friendship between one's son or daughter and a demobilized person.¹⁶

Additionally, as also shown by Vanderbilt, only 25% of those surveyed, considered truth-telling as a requirement for reconciliation although 46% believed that reparations for victims were necessary.¹⁷ This raises important questions: What does reconciliation mean for Colombians? What will it take for Colombians to be able to live together in relative peace?

¹⁰ CNRR's internal functioning guide: www.cnrr.org.co

¹¹ Reparación colectiva: Del daño a la experiencia de 7 casos emblemáticos. IOM. August 2012 http://www.google.com/url?url=http://www.oim.org.co/component/docman/doc_download/456-del-dano-a-la-reparacion-colectiva-la-experiencia-de-7-casos-emblematicos.html%3FItemid%3D&ret=j&frm=1&q=&esre=s&sa=U&ei=YFl.KVlakBoHugwTthoLADg&ved=0C'DMQIjAG&usq=AFQjCNI?2Ks60xCrosGih3ZbX_sVm8x4wYQ

¹² Región y Reconciliación: Claves de política pública desde lo local – encuesta y recomendaciones. Fundación Social, 2011, pg. 37 through 42.

¹³ Reconciliation after Violent Conflict. A handbook, David Bloomfield, Teresa Barnes and Luc Huyse. International IDEA handbook Series. Sweden

¹⁴ Reconciliation after Violent Conflict. A handbook, David Bloomfield, Teresa Barnes and Luc Huyse. International IDEA handbook Series. Sweden

¹⁵ Latin American Public Opinion Project (LAPOP) on political culture in Colombia (2014- 2015)

¹⁶ Latin American Public Opinion Project (LAPOP) on political culture in Colombia (2014- 2015)

¹⁷ Latin American Public Opinion Project (LAPOP) on political culture in Colombia (2014- 2015)

USAID's role is not to answer these questions but to support the GOC and civil society in engaging Colombian citizens in a reconciliation process that addresses historical grievances and current negative perceptions as a means to achieve a sustainable and inclusive peace. Comparative experiences around the world have shown that in order to transition to durable peace and provide guarantees of non-repetition, serious and sincere reconciliation efforts must be undertaken.¹⁸

There is not a single or simple path for healing wounds and divisions in a post-conflict environment, especially in a country that has had ongoing conflict for more than 50 years. Creating awareness of the atrocities committed among society at large while developing trust between society and stigmatized groups is not easy. This new activity aims to support the GOC's effort to inform society about the implications of peace and the meaning of reconciliation. The effort will begin with the very difficult process of unveiling the painful past so everyone agrees that it must not be repeated and willingly makes compromises to move forward. Additionally, this activity will support strategic alliances with the public and private sectors as well as other key actors, to strengthen the capacity of civil society organizations at the local and community levels to design and implement tailored reconciliation activities in those regions where the conflict has had more impact.

General Description of the Activity

It is important to keep in mind that while the international community has an important role to play in a post conflict scenario, the United States Government is fully respectful of the GOC and its capacity to achieve lasting peace. In this regard, even though the activity can provide insightful technical assistance and support strategic development alliances, the ownership of the process and the meaning it will have for Colombians relies on the Colombian government and its citizens.

Additionally, one must remember reconciliation entails many components such as truth-telling, reparation to victims and justice, among others. None of these alone can achieve reconciliation; they are entwined efforts that complement one another. This activity will not address justice or certain types of reparation (such as financial compensation) that are part of the GOC's broader effort. Due to the importance of articulating efforts with other components, it will be crucial for the activity to have a coordination strategy with the GOC, with other donors and with other USG funded activities that address the same or other elements of reconciliation.

Objectives

The activity will have three objectives:

- (1) Improved capacity of the GOC for truth-telling and memory mechanisms;
- (2) Improved capacity of the GOC to design and implement an awareness and positive messaging strategy supporting reconciliation;
- (3) Strategic alliances fostered among the public sector at all levels, the private sector, civil society organizations and other donors, in order to support local level reconciliation initiatives.

The first two objectives will be focused on providing technical assistance to the GOC to enhance its capacity. In the first, to assist the Government in the design and implementation process of

¹⁸ Reconciliation after violent conflict: A handbook. International IDEA publications, Sweden, 2003, pg. 25

effective mechanisms to ensure truth-telling; and in the second, to design and implement effective communication strategies to create awareness about the past and to promote positive messaging around the concept of reconciliation.

The third component is focused on support to civil society reconciliation initiatives through public private strategic alliances.

Partner government agencies for these efforts may include the National Center for Historical Memory, the Victims Unit, the Colombian Agency for Reintegration, the Ministry of Education, the Ministry of Technologies for Information and Communication, the Department for Social Prosperity and the National Agency to Overcome Extreme Poverty (ANSPE), as well as regional and local governments.

OBJECTIVE 1: Improved capacity of the GOC for truth-telling and memory mechanisms.

Objective 1 Problem Statement:

For the past 50 years Colombia has been suffering the consequences of an internal conflict that has resulted in more than 7.2 million victims of the conflict. There has been progress to assist all of these victims through the implementation of the Victims Law. As of March 2015, reparations in the form of financial compensation have been provided to almost 500,000 people; more than 100 collective reparation cases have been identified and registered so as to initiate their processes; a comprehensive health attention protocol was issued for victims of the conflict and psychosocial attention has been provided to more than 100,000 people;¹⁹ and a comprehensive report on historical truth, “Basta ya!”,²⁰ was published by the National Center of Historical Memory in June 2013. All of these efforts, framed under a broader transitional justice process, contribute to paving the road to peace and reconciliation.

However, victims throughout the country are still eager to know the truth about their individual cases as a first step to letting go of the past and being able to move forward.²¹ Additionally, much of Colombia has managed to remain blind and unaware of the depth of the conflict and its brutal consequences. This is the result of many factors: the passage of very narrow public policies simply did not acknowledge the conflict and the fact that the war has largely been waged in remote rural areas keeping it far away from urban centers and its populations. Moreover, generation after generation living daily with the armed conflict and its impacts developed mechanisms of resilience, which included turning away from the reality of the conflict.²² Now that political conditions have changed and peace seems to be a real possibility, the role of truth-telling for both victims and society at large has become crucial. As best practices from other countries have shown, “...truth is at the heart of reconciliation: the stronger need to find out the truth about the horrors of the past, the better to ensure that they never happen again.”²³

The legal framework for peace mandates the creation of a truth commission if an agreement between the FARC and GOC is signed.²⁴ Truth commissions are a fairly recent tool implemented in at least 30 countries since 1974, resulting in valuable lessons learned. The challenge ahead lies

¹⁹ <https://www.dnp.gov.co/Paginas/Presupuesto-para-reparaci%C3%B3n-integral-de-v%C3%A1ctimas-aumenta-en-un-6-en-el-2015.aspx>

²⁰ <http://www.centrodehistoriahistorica.gov.co/micrositios/informeGeneral/descargas.html>

²¹ <http://www.trust.org/item/20140610090414-frz2g/>

²² <http://www.economist.com/news/americas/21614157-government-and-farc-grapple-victims-truth-justice-and-mechanics-ending>

²³ <http://www.centrodehistoriahistorica.gov.co/noticias/noticias-cmh/colombia-tiene-que-saber-donde-est%C3%A1n-los-archivos-de-las-guerrillas-y-paramilitares>

²⁴ Reconciliation after Violent Conflict: A handbook. International IDEA publications, Sweden, 2003, pg. 32

²⁵ Acto legislativo No. 1, Julio 31 de 2012. The law amends the National Constitution to include transitory article no. 66 that mandates, amongst other transitional justice mechanism, the creation of a truth commission.

in the delicate balance of designing an instrument to address the particularities of the Colombian context while at the same time incorporating lessons learned and best practices from other countries.

Therefore, one of the components of this first objective should be technical assistance to the GOC for the design and implementation of a truth commission. Economic constraints will most likely affect the design and implementation of this tool. Financial resources will need to be juggled between reintegration programs for demobilized ex-combatants, reparation and attention to more than seven million victims, reconciliation efforts and implementation of provisions of the peace accord. As an international donor in Colombia, USAID hopes to play an important, supportive role but will also have limited resources compared to the scope of the challenges ahead. With this understanding, the role of this activity should be to strategically allocate funding for:

- Introducing lessons learned and best practices from comparative experiences of truth commissions around the world to the design and implementation of specific activities related to reconciliation;
- Supporting the GOC in developing a realistic funding strategy for the truth commission in partnership with key actors and other donors, the private sector, as well as alternative national sources such as royalties;
- Supporting active engagement of civil society in the design process;
- Developing clear criteria for choosing members of the truth commission that are independent, capable and trustworthy for all parties;
- Developing regional chapters to address the differentiated impact of the conflict in every region;
- Including a gender and social inclusion approach that considers the different impacts on men, women, children and the LGBTI population, persons with disabilities and other marginalized groups;
- Including an approach particularly sensitive to Afro-Colombian and indigenous communities;
- Having in place a psychosocial program that effectively addresses the needs of those who participate in the truth commission procedures; and
- Ensuring that a self-care strategy for the truth commission's staff is implemented.

On the other hand, it is foreseeable that due to the breadth of the conflict in Colombia in terms of time, geographical location, type of violations and number of victims, the truth commission will not, and should not, be able to focus on all atrocities committed. Therefore, another component of this objective should be to enhance the capacity of the Center for Historical Memory (CHM) to reach communities and support truth-telling and memory initiatives that fall outside of the scope of the truth commission. In this regard, the activity should support interventions such as:

- Development of effective methodologies to guarantee geographical coverage of the CHM in rural communities that are difficult to access but who want to conduct truth-telling and memory exercises;
- Provision of technical assistance to the national as well as local memory museums and/or truth-telling initiatives; and

- Development of a strategy that allows the local level initiatives to have a fluid dialogue, feedback and interaction with national level initiatives and entities.

Conflict considerations:

Any effort to both build the technical capacity of a truth commission and support the Center for Historical Memory to engage local communities in truth-telling processes should be accompanied by a communication strategy led by the GOC to add transparency and equity to these efforts. For example, if the staffing of the truth commission is not gender balanced or favors one party to the conflict over another, this could harm the overall legitimacy of reconciliation efforts from the start. Additionally, if community level truth-telling activities are not inclusive²⁵ in their initial designs, they may further exacerbate tensions instead of mitigating historical grievances.

Objective 1 Expected Results

- (1) The GOC's technical capacity to establish a truth commission that incorporates both lessons learned from other cases and a contextual approach to the particular needs of the country is enhanced;
- (2) The process to launch the truth commission with adequate staff, a comprehensive work plan, and a clear sustainability strategy, is supported; and
- (3) The Center for Historical Memory's capacity to support community-based truth-telling initiatives is enhanced.

Measure of success for Objective 1: The GOC will have the capacity to address truth and memory issues and put in place adequate and effective mechanisms and strategies.

Illustrative indicators

OBJECTIVE 1: Improved capacity of the GOC for truth-telling and memory mechanisms

- Degree of progress towards the establishment of the truth commission (disaggregated in phases).
 - Number of community-based truth-telling initiatives supported.
 - Change in CHM institutional capacity to support regional initiatives.
 - Change in community perceptions on historical memory as a satisfaction measure.²⁶
-

OBJECTIVE 2: Improved capacity of the GOC to design and implement an awareness and positive messaging strategy supporting reconciliation

Objective 2 Problem Statement:

²⁶ Satisfaction measures provide wellbeing and contribute to mitigating the pain of victims through the reestablishment of his/her dignity and the diffusion of truth. <http://www.umadecristal.gov.co/gestion-gobierno/abecc-ley-de-victimas>

As mentioned in the Background section of this document, Colombians are not inclined to make compromises in exchange for peace. This aligns with other experiences around the world, which have shown that reconciliation is not necessarily prioritized, even when there is a strong desire for political stability and peace. The natural inclination is to resist the difficult process and, instead, resort to more familiar narratives of believing that someone else (usually ex-combatants) needs to pay the price for peace.²⁷

However, studies have shown that it is easier for victims to understand that any price for peace will be more affordable than the one already paid in war, which will therefore make them more open to reconciliation.²⁸ On the other hand, it is more difficult for members of society who have not been directly exposed to the conflict to agree to and actively seek reconciliation rather than opposing or remaining passive in the process.

This natural process that the society at large undergoes can be altered when people become more aware of the atrocities committed during the conflict, and as a result, feelings such as compassion and indignation are raised.²⁹ This is where media and communication outreach become crucial: there is a growing awareness that responsible media can help repair and even strengthen a post-conflict society while irresponsible media can tear apart a fragile one. Therefore, “the role of the media can be both negative and positive. Success stories like the UN-sponsored Radio Okapi, have helped foster a feeling of national unity in the shattered Democratic Republic of the Congo, resulting in a growing awareness that responsible media can help repair and even strengthen a post-conflict society.”³⁰ Another possible media outreach initiative is a TV series to raise awareness on the importance of reconciliation. For example, in 2006, a USAID Regional Development Mission for Asia signed a co-operative agreement with MTV³¹ for a comprehensive media campaign to educate young people both from source and destination countries about trafficking in persons, which in turn increased awareness and created behavior changes towards trafficking in persons.

Additionally, promoting awareness of younger generations of the consequences of the conflict and the importance of reconciliation should be increased through the inclusion of these subjects in school activities and curriculum throughout the country. Technical assistance towards this particular goal is expected.

For this Objective, USAID aims to support the GOC and partner with the private sector that has the know-how, expertise, interest and assets to promote messaging and awareness initiatives. Through this collaborative approach, an effective nation-wide communication and media strategy to raise awareness of the consequences of the conflict and the importance of reconciliation could be created.

²⁷ The unforgiving: Reflections on the resistance to forgiveness after atrocity. Thomas Brudholm and Valérie Rosoux. 72 *Law* (Spring 2009)
Available at: <http://scholarship.law.duke.edu/lcp/vol72/iss2/4>

²⁸ Vanderbilt's University Latin American Public Opinion Project (LAPOP) on political culture in Colombia (2014) found that 51% nationwide approve the peace process

Additionally, during field trip visits victims in the regions have repeatedly expressed their desire for “violence to end” and their willingness to work towards reconciliation as they have shown in many successful cases around the country: <http://www.reconciliacioncolombia.com/>

²⁹ Never Again: Reflections on Human Values and Human Rights. Paul Farmer. The Tanner Lectures on Human Values
http://tannerlectures.utah.edu/_documents/a-to-z/ff/Farmer_2006.pdf

³⁰ <http://www.crisisgroup.org/en/publication-type/commentary/an-overview-of-media-development-and-post-conflict-transition.aspx>

³¹ http://pdf.usaid.gov/pdf_docs/PDACT220.pdf

Conflict considerations:

The activity should develop two components for this objective: the first one is directly linked to the communication and outreach strategy related to the interim and/or final conclusions and findings from both the truth commission and the work of the CHM. The more serious and thorough the information society has about the pain suffered by victims, the easier to step into their shoes, reject the armed conflict and commit to a “never again” process.³² However, if these messages are not delivered through a conflict sensitive approach that asks all parties associated with the conflict to accept responsibility for their actions, then reconciliation will not be seen as a transparent or fair process.

The second component of raising awareness and positive messaging on reconciliation will also need to be implemented in a conflict sensitive way. Taking into account existing public perceptions on key issues associated with reconciliation will need to precede any messaging efforts in order to avoid further exacerbating established conflict narratives.

Objective 2 Expected Results:

- (1) An effective dissemination strategy for findings and conclusions of the truth commission and the work of the CHM is put in place.
- (2) A national and local level communication strategy to promote positive messaging on reconciliation is designed and implemented.

Measure of success for Objective 2: Through strategic alliances with the private sector, the GOC has in place effective communication strategies to create awareness of the consequences of the conflict and the importance of reconciliation.

Illustrative Indicators

OBJECTIVE 2: Improved capacity of the GOC to design and implement an awareness and positive messaging strategy supporting reconciliation

- Index to assess progress towards reconciliation.
 - Level of receptivity to reconciliation messages.
 - Change in the community perceptions on the conflicts’ consequences and truth processes.
 - Change in the community perceptions on reconciliation processes.
-

OBJECTIVE 3: Strategic alliances fostered among the public sector at all levels, the private sector, civil society organizations and other donors, in order to support local level reconciliation initiatives

³² <http://www.sahistory.org.za/topic/truth-and-reconciliation-commission-trc>:
http://www.un.org/en/preventgenocide/adviser/pdf/framework%20of%20analysis%20for%20atrocities%20crimes_en.pdf

Objective 3 Problem Statement:

The role of public authorities in planning and implementing reconciliation efforts is crucial, but community-based initiatives are also key for citizens to own the process and perceive it as legitimate. Since it is at the local level where trust needs to be reconstructed and reconciliation needs to occur, it is also there where activities should be conceived and implemented. While both top-down and bottom-up processes should be undertaken, they should also be pursued in a complementary fashion rather than at the expense of one another.³³

Reconciliation can (and should) take many shapes and forms but needs to happen at the local level as something to be owned by communities rather than imposed by authorities.³⁴ However, communities do not always have the implementation capacity. For this reason, the ability to quickly respond and support community-based initiatives becomes crucial.³⁵

The role of the activity in this objective is to identify key initiatives in targeted zones, provide technical support to communities (through community organizations) and establish strategic alliances to fund the initiatives. Therefore, USAID would not be the prime funding source but rather serve as catalyzer by leveraging funds from other key actors: the public sector at national, regional and/or local levels, the private sector, civil society organizations, and other donors.

Extensive private sector engagement must be expected in the program. Private sector resources leveraged must meet the 1:1 requirement. See section Cost Sharing or Matching for more information on this requirement.

For this objective, USAID is interested in partnering with the private sector (defined as private businesses, financial institutions, industry associations, foundations, entrepreneurs, investors, philanthropists and other organizations) to foster strategic alliances and partnerships that leverage expertise and resources with results focused on market-driven solutions that are sustainable and complementary with USAID's objectives.

Conflict considerations: When reconciliation initiatives are supported in post-conflict scenarios, ownership must come from the community and the individuals directly involved. Reconciliation cannot be imposed or imported from other experiences; it should be tailored to the specific needs and desires of each community and based on an analysis of the specific drivers of conflict within those communities. Additionally, there should be a clear methodology articulated for each type of reconciliation activity that has buy-in from all relevant stakeholders. A differentiated approach will also be required based on gender, sexual orientation, disabilities, age, and ethnicity. Lastly, local reconciliation activities should coordinate with other complimentary activities (such as the new Reintegration Program, the forthcoming Inclusion Program, the Regional Governance Program, the Human Rights Program and the Civil Society Strengthening Program) to ensure that all development initiatives maximize the potential to build stronger community relations and follow a “do no harm” approach.

Objective 3 Expected Results:

³³ <http://www.csvr.org.za/old/wits/articles/artchh.htm>

³⁴ http://www.gmu.edu/programs/icar/ijps/vol5_2/lerche.htm

³⁵ Van Der Merwe <http://www.issafrica.org/uploads/Paper269-9Oct2014.pdf>

- (1) Community-based initiatives for reconciliation identified and supported.
- (2) Strategic alliances to support locally-based initiatives established with a broad variety of partners. Strategic alliances fostered between the public and private sectors to fund both national and local level reconciliation initiatives.
- (3) Funding leverage of at least 1:1 secured for each initiative to support long-term sustainability.

Measure of success for Objective 3: As a result of strategic alliances with key partners, communities are empowered to lead their own reconciliation processes tailored to their needs.

OBJECTIVE 3: Strategic alliances fostered among the public sector at all levels, the private sector, civil society organizations and other donors, in order to support local level reconciliation initiatives

- Number of local initiatives implemented recognized by the communities as reconciliation activities.
 - Public funds leveraged attributable to the new USG Reconciliation Activity
 - Private funds leveraged attributable to the new USG Reconciliation Activity
-

Place of performance:

In determining the geographic scope for the Reconciliation Activity, USAID used the following criteria:

- Municipalities where adult and child ex-combatants are concentrated;
- Municipalities where victims are concentrated;
- Conflict-affected areas in need of community conflict mitigation programs with historic presence of illegal armed groups.
- Municipalities where the Latin American Public Opinion Project survey for 2014 has shown the least reconciliation prone environments.³⁶

It is therefore expected that the project will work in maximum of 20 municipalities where at least 25% are considered urban centers. The following might be considere

- Bogota
- Medellin
- Santa Marta
- Quibdó
- Tumaco
- Buenaventura
- Apartadó

³⁶ http://www.vanderbilt.edu/lapop/ab2014/AB2014_Comparative_Report_English_V3_revised_011315_W.pdf

The Activity will work in those municipalities jointly selected with USAID. Upon the launch of the Activity, USAID will communicate to the implementing partner those municipalities designated as high priority, medium priority, and low priority.

The recipient will provide ongoing, on-site technical assistance at the national level and in the municipalities identified for intervention. It is expected that cooperation with other key stakeholders such as departmental governments (*departamentos*), local governments (*alcaldes*), central government entities, private sector companies, and civil society organizations will also be critical to achieving results.

Other considerations

Gender and social inclusion approach

Taking into account that women have been disproportionately affected by the conflict,³⁷ a gender differentiated perspective should be included in all three objectives. This approach also entails an examination of how men have been affected. Establishing trustful and respectful relationships between men and women and between particularly vulnerable groups of men and women is essential for reconciliation.

In line with USAID's Gender Equality and Female Empowerment Policy,³⁸ USAID's LGBT Vision for Action and policies regarding Persons with Disabilities, it is required that gender and social inclusion-based interventions be integrated into the Reconciliation Activity including employing the services of a Specialist(s) and the inclusion of a Gender/Social Inclusion Strategy as part of work plans, reports, communication materials, and other activity documents. This goes beyond the segregation of data by sex. It includes the development of gender and social inclusion-oriented objectives, activities, and initiatives that will work to close existing gaps between men and women, boys and girls, and among the LGBTI community, persons with disabilities, and the elderly, while working to actively include these populations in community-based reconciliation plans.

Having a strategic discussion of gender and social inclusion during every step of implementation of the Reconciliation Activity is key given that the end goal of this award is to enhance local level and nationwide reconciliation among all citizens.

The ongoing negotiations between FARC and the GOC and the possible implementation of an agreement will also pose new challenges to the GOC, particularly in regard to gender-based violence and women's participation in the peace implementation.

For these reasons, the Reconciliation Activity can play an important role in sensitizing the GOC, academia, civil society organizations and citizens in general, on the need to address gender and social inclusion concerns and guarantee respect and inclusion for women, men, boys, and girls, the LGBTI community, and persons with disabilities.

Psychosocial approach

All components of the Activity must be reinforced by strong psychosocial support. Lessons and best practices learned from other experiences world-wide have confirmed that the introduction of psychosocial support for all participants is essential in truth and reconciliation initiatives. For those who have experienced, directly or indirectly, human rights violations, psychosocial support

³⁷ Colombian Constitutional Court, Auto 008, 2009

³⁸ http://www.usaid.gov/sites/default/files/documents/1865/GenderEqualityPolicy_0.pdf

will be essential to mitigate the impact and damages these events have caused on the participants' lives.

Inclusion:

Through communication outreach and awareness campaigns as well as tailored psychosocial interventions to support the Truth Commission and Historical Memory components, the activity will seek to better inform Colombian citizens about the rights of victims of the conflict including people with disabilities, LGBTI persons, women and children. Over time, this should increase the participation and acceptance of these vulnerable populations in their communities, and Colombia at large. It is essential to educate the general public to encourage coexistence and a communal, shared vision with regards to the need for inclusion of all populations to achieve a durable, lasting peace.

Coordination with Other USAID activities

Other technical offices that are also implementing peace building activities, and providing support to transitional justice initiatives, may overlap in terms of territory and objectives. The Reconciliation Activity is aligned with the USAID/Colombia Mission strategy as well as the Democracy and Human Rights Office, the Office of Consolidation, Land and Livelihoods and the Environment Office. The recipient should engage with other USAID implementing partners to avoid duplication and maximize synergies.

Donor Coordination

A reconciliation project that fails to take a comprehensive approach and work with all national and local governance sectors, civil society and private sector stakeholders is unlikely to achieve optimum results. However, it is beyond USAID's and the partner's manageable interest to work with all the stakeholders to address every problem in Colombia related peace and stabilization. The project will work where USAID has a comparative advantage over other donors and on those activities identified as the most critical. USAID places great importance on maximizing linkages among local governance donors and their implementing partners.

It is expected that over the next four years other donors will also support reconciliation type activities. USAID will coordinate closely with other donors to minimize the duplication of efforts among donors and maximize the degree of coordination.

Impact Evaluation

The activity will be subject to a rigorous impact evaluation, fully compliant with the requirements of USAID's 2011 Evaluation Policy, which may be downloaded from the following web site: <http://www.usaid.gov/evaluation/>.

The evaluation purpose will be to examine whether and to what degree effects reported by the activity are actually attributable to USAID's efforts. On a more specific level, the evaluation should be focus on the activity's impact on the change of the GOC institution's capacity and the change in the community's perceptions on reconciliation processes.

The recipient will be required to cooperate with and facilitate the work of an independent contractor who will design and implement an impact evaluation. This cooperation will assist in producing a rigorous impact evaluation in accordance with USAID's Evaluation Policy capable of producing high-quality empirical evidence of project impacts and maximizing learning from

the implementation. It is expected that USAID/Colombia will complete design of an appropriate impact evaluation prior to the award of this activity.

Legal considerations

Presidential Executive Orders and U.S. law prohibit transactions with, and the provision of resources and support to, individuals and organizations associated with terrorism. This includes sanctions issued by the U.S. Department of Treasury's Office of Foreign Assets Control (OFAC) and statutory prohibitions on the provision of material support to designated terrorist groups in 18 USC sections 2339(A) and (B). Assistance to individuals, who were previously members of a terrorist organization, but have truly and completely severed all ties with the organization, will not be considered to be prohibited assistance to individuals or organizations associated with terrorism.

OFAC is responsible for enforcing economic sanctions against designated individuals, governments and entities. The following OFAC sanctions are currently applicable to the FARC:

- OFAC named the FARC a Specially Designated Global Terrorist (SDGT) in November 2001;
- OFAC named the FARC a Significant Foreign Narcotics Trafficker (SFNTK) under the Kingpin Act in May 2003;
- OFAC has also named around 100-150 individual members of the FARC as SFNTKs under the Kingpin Act.
- OFAC has the authority to grant licenses authorizing assistance that would be otherwise subject to OFAC prohibitions. There are no current, valid OFAC licenses that are applicable to the FARC at this time.

18 USC sections 2339(A) and (B) prohibit the knowing provision of "material support or resources to a foreign terrorist organization" (FTO). In October 1997, the Department of State designated the FARC as an FTO, pursuant to section 219 of the Immigration and Nationality Act. The term "material support" encompasses any assistance of value, including training, lodging and physical assets; only medicine and religious materials are excluded. The following procedural safeguards help to ensure that prospective beneficiaries of assistance have completely severed ties from the FTO:

- Formal and rigorous vetting to ensure that the individual has left and has not returned to the FTO;
- Written manifestation of voluntary renunciation of FTO membership;
- Willing cooperation with law enforcement and intelligence authorities (via debriefing and/or polygraph examination);
- Monitoring mechanisms to ensure that beneficiaries have not returned to the FTO;
- Audit mechanisms to ensure that benefits are properly disbursed; and
- Maximization of "in-kind" assistance rather than cash assistance.

References:

- Latin-American Public Opinion Project:

- http://www.vanderbilt.edu/lapop/ab2014/AB2014_Comparative_Report_English_V3_revised_011315_W.pdf
- Reconciliation index: <http://www.oim.org.co/publicaciones-oim/reconciliacion-y-reintegracion/3185-indice-de-condiciones-para-la-reconciliacion-nacional-medellin.html>
- <http://www.centrodememoriahistorica.gov.co/informes/informes-2015-1>
- <http://www.centrodememoriahistorica.gov.co/iniciativas-de-memoria/memorias-desde-la-region>
- <http://www.oim.org.co/reconciliacion-y-reintegracion.html>
- <http://www.reconciliacioncolombia.com/>
- How to Do Business with USAID
<http://www.usaid.gov/work-usaid/get-grant-or-contract/trainings-how-work-usaid>, with information on how to do business with USAID.

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SECTION B: FEDERAL AWARD INFORMATION

1. Estimate of Funds Available and Number of Awards Contemplated

Subject to funding availability, USAID intends to provide between \$50,000,000.00 and \$55,000,000.00 in total USAID funding over a 4 year period. The ceiling for this program is \$55,000,000.00. Actual funding amounts are subject to availability of funds.

USAID intends to award 1 Cooperative Agreement pursuant to this notice of funding opportunity.

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

2. Start Date and Period of Performance for Federal Awards

The period of performance anticipated herein is 4 years. The estimated start date will be upon the signature of the award, on or about.

3. Substantial Involvement

USAID will remain substantially involved over the life of the Cooperative Agreement to assist the Recipient in achieving the expected outcomes and results of the Activity. With the AO approval, on behalf of USAID, the AOR will be substantially involved in the following:

- a. **Approval of the Applicant's Implementation Plans.** Annual Implementation Plans describe the specific activities to be carried out under the Agreement, including outreach and communications strategy for the year.
- b. **Approval of Specified Key Personnel.** All key personnel changes must be submitted for AOR approval.
- c. **Agency and Applicant Collaboration or Joint Participation.** There are specific elements in the Funding Opportunity Description for which USAID's technical knowledge would benefit the Recipient's successful accomplishment of stated program objectives. In these cases, the AOR will be involved through:

- a) Concur on the selection of sub award Recipients and/or the substantive provisions of the sub awards;
- b) Approval of the recipient's monitoring and evaluation plans.
- c) Monitor to authorize specified kinds of direction or redirection because of interrelationships with other projects.
- d) Approval of the questionnaire for the national sample and special samples.

4. Monitoring and Evaluation Plan (M&E Plan)

A Monitoring and Evaluation Plan (M&E Plan) for the life-time of the project will be submitted by the Recipient for AOR approval 30 days after the work-plan for the first year has been approved with the activity indicators and the methodology to track and present them periodically; this M&E Plan will include the information to be collected, data collection

proceedings and protocols, data quality assessments, which can be developed under the USAID M&E experts' guidance. The M&E Plan might be subject to changes if deemed necessary.

5. Authority to obligate the Government

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

In the event of any inconsistency between the sections comprising this NOFO, it must be resolved by the following order of precedence:

- a) Section V - Application Review Information;
- b) Section IV - Application and Submission Information;
- c) Section I - Funding Opportunity Description;
- d) Cover Letter.

6. Title to Property

Property title under the resultant agreement shall vest with the recipient in accordance with the Requirements of the grant must require that the purchase be in accordance with 22 CFR 228, ADS 310, ADS 312, Eligibility of Commodities and any applicable waivers.

7. Authorized Geographic Code

The authorized geographic code for procurement of goods and services under this award is 937. The cooperating country 514 (Colombia) is an eligible source in accordance with the policies in 22 CFR 228.

8. Purpose of the Award

The principal purpose of the relationship with the Recipient and under the subject program is to transfer funds to accomplish a public purpose of support or stimulation of the Reconciliation Program which is authorized by Federal statute.

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

sound organization and management techniques may be necessary in order to assure proper and efficient administration of the resulting award.

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SECTION C: ELIGIBILITY INFORMATION

1. Eligible Applicants

U.S. and non-US organizations may participate under this NOFO.

USAID welcomes applications from organizations which have not previously received financial assistance from USAID.

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

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

2. Cost Sharing and Matching

USAID has established a suggested cost share of 20% percentage of projected award amount for the recipient of the award. Such funds may be mobilized from the recipient; other multilateral, bilateral, and foundation donors; host governments; and local organizations, communities and private businesses that contribute financially and in-kind to implementation of activities at the country level.

For guidance on cost sharing in grants and cooperative agreements see Code of Federal Regulations 200.306 Cost sharing or matching.

Given the current market analysis and taking into consideration recent cooperative agreements, a 20% cost share is being proposed because:

- a) It is a judicious and feasible amount, necessary and reasonable to accomplish the objectives.
- b) It will not impose an excessive burden on the implementer given the current market analysis and recent cooperative agreements.
- c) It shows commitment to the successful implementation of the various objectives.
- d) It improves program sustainability by establishing secure funding mechanisms.

- e) It promotes accountability on the part of program sponsors and implementing organization for accomplishing and completing the objectives.

3. Leverage

The Reconciliation activity will then provide technical support to communities (through community organizations) and establish strategic alliances to fund the initiatives. Therefore, USAID would not be the prime funding source but rather serve as catalyzer by leveraging funds from other key actors: the public sector at national, regional and/or local levels, the private sector, civil society organizations, and other donors.

Leverage is expected under objective 3. Extensive private sector engagement must be evident, private sector resource commitments should be clear, and the private sector resources leveraged must meet the 1:1 requirement. Given that the approximate total cost of the activity is \$50 to 55 million and that objective 3 will be allocated 40% of that, total leverage should be around \$21 million.

While the alliance between non-USAID partners does not have to be finalized prior to submitting an application, the level of partner engagement and commitment will be evaluated in the overall evaluation of objective three. Letters of support, intent or commitment from prospective resource partners are valuable indicators of such commitment, as are draft MOUs that describe the roles, responsibilities, and contributions of each of the alliance partners. USAID recognizes that alliances may change over time; indeed, discussions with USAID after an application is submitted are specifically designed to allow for further development of the proposed alliance and typically lead to important changes.

The leverage must be 1:1 (in cash and/or in-kind) of USAID resources. A common goal should be agreed by all partners as a jointly- defined reconciliation initiative identified by the communities. A grants manual should also be developed and approved by USAID with a maximum amount for each initiative.

SECTION D: APPLICATION AND SUBMISSION INFORMATION**I. Agency Point of Contact**

Name: Curtrice Dorsey
Title: Assistance Officer
Address: Cra. 45 # 24b-27
Email: cdorsey@usaid.gov
Phone number: 2754147

Name: German Gutierrez
Title: Assistance Specialist
Address: Cra. 45 # 24b-27
Email: ggutierrez@usaid.gov
Phone number: 2754135

1.1 Questions and Answers:

All questions regarding this NOFO should be submitted in writing to Curtrice Dorsey or German Gutierrez to the e-mail address above.

Questions regarding this NOFO should be submitted via e-mail to Curtrice Dorsey at cdorsey@usaid.gov and copy German Gutierrez ggutierrez@usaid.gov ; no later than the time and date in the cover letter. To provide sufficient time to address the questions and incorporate the questions and answers as an amendment to this solicitation, any information given to a prospective Applicant concerning this NOFO will be furnished promptly to all other prospective Applicants as an amendment to this NOFO, if that information is necessary in submitting applications or if the lack of it would be prejudicial to any other prospective Applicant.

1.2 Preparation of Applications:

Each Applicant shall furnish the information required by this NOFO. Applications shall be submitted in two separate parts: (a) Technical Application, and (b) Cost/Business Application.

Any erasures or other changes to the application must be initiated by the person signing the application. Applications signed by an agent on behalf of the Applicant shall be accompanied by evidence of that agent's authority, unless that evidence has been previously furnished to the issuing office.

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 purpose, should 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 {insert sheet numbers} and, mark each sheet of data it wished 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.”

Applicants should retain for their records one (1) copy of the application and all enclosures which accompany it.

1.3 Application Submission Procedures

It is the Applicant’s responsibility to ensure that all necessary documentation is complete and received on time.

Applicants may upload applications to <http://www.grants.gov>. USAID bears no responsibility for data errors resulting from transmission or conversion processes associated with electronic submissions.

Electronic Submission (e-mail) is the media for submitting the application you must send it to Curtrice Dorsey, Assistance Officer at cdorsey@usaid.gov and copy German Gutierrez, Assistance Specialist at ggutierrez@usaid.gov.

For an application sent by multiple emails, please indicate in the subject line of the email whether the email relates to the technical or cost application, and the desired sequence of multiple emails (if more than one is sent) and of attachments (e.g. "No. 1 of 4", etc.). For example, if your cost application is being sent in two emails, the first email should have a subject line which says: "[organization name], Cost Application, Part 1 of 2".

Our preference is that the technical application and the cost application be submitted as single email attachments, e.g. that you consolidate the various parts of a technical application into a single document before sending them. If this is not possible, please provide instructions on how to collate the attachments. USAID will not be responsible for errors in compiling electronic applications if no instructions are provided or are unclear. All applications received by the submission deadline will be reviewed for responsiveness to the NOFO and the application format. No addition or modifications will be accepted after the submission date.

After you have sent your applications electronically, immediately check your own email to confirm that the attachments you intended to send were indeed sent. If you discover an error in your transmission, please send the material again and note in the subject line of the email or indicate in the file name if submitted via grants.gov that it is a "corrected" submission. Do not send the same email more than once unless there has been a change, and if so, please note that it is a "corrected" email.

1.4 Merit Review Criteria Technical Application

This procurement will be conducted in two stages. Stage one will be the submission of a concept paper.

1.1 Concept paper stage:

The Concept Paper must contain the following information in accordance with Section E (1) of this NOFO located on page 42.

- Technical Approach
- Management approach

The concept paper should be no longer than 5 pages and at most 5 pages for any annexes. There is no requirement for any cost section with the concept paper.

1.2 Full application stage:

For the second-tier / Full Application Stage USAID will select the highest-ranked concept papers (In a number no greater than five (5) applicants) which will be asked to submit a Full Application. The technical application will be the most important factor for consideration in selection for award of the proposed Cooperative Agreement. The technical application should be specific, complete and presented concisely. The application should demonstrate the Applicant's capabilities and expertise with respect to achieving the goals of this program. The application should take into account the requirements of the program and the merit review criteria found in Section E (2) of this NOFO.

The Technical Application should be in English must not exceed 25 typed pages (12 font size Times New Roman Font, single spaced, typed in standard 8.5 x 11 paper size with one-inch margins both right and left and each page number consecutively). **INFORMATION SUBMITTED OVER THE PAGE LIMITATION (25 PAGES) WILL NOT BE EVALUATED.** The following will be counted as part of the page limitation:

- Cover page (not counted against page limit) ;

- Table of contents, listing all page numbers and attachments (not counted against page limit);
- Executive Summary;
- Program Description;
- Key Personnel;
- Management approach and structure;
- Illustrative Performance Monitoring and Evaluation Plan (PMEP);
- Experience

Annexes: Promotional literature and materials regarding the applicant must not be submitted as part of the annexes. The following items are not subject to the page limitation and will not be counted (a page in the technical application, which contains a table, chart, graph, etc., not otherwise excluded below, is subject to the “page” limitation):

- Resumes for Key Personnel and long-term professional staff, proposed position descriptions;
- Charts providing information on management structure, matrixes demonstrating staff skills, and organizational chart(s);
- Information related to the Illustrative Performance Monitoring and Evaluation Plan
- Letters of support, intent or commitment from prospective resource partners and draft MOUs that describe the roles, responsibilities, and contributions of each of the alliance partners related to objective three.

All other items not listed as an annex are included in the above page limitation. Please number pages as “Page # of Page #” where a page number combined indicates a page that is expected from the 25 page limitation.

Annexes can be numbered separately and should be numbered as “Annex 1: 1 of X, Annex 1: 2 of X”, etcetera. Pages must be paginated at the bottom.

1.3 Cost Application Format

There is no page limit on the Cost Application. However, unnecessarily elaborate brochures or other presentations beyond those sufficient to present a complete and effective application in response to this NOFO is not desired. Elaborate art work, expensive paper and bindings, and expensive visual and other presentation aids are neither necessary nor wanted.

If the Applicant has established a consortium or another legal relationship among its partners, the Cost/Business application must include a copy of the legal relationship between the parties. The

agreement should include a full discussion of the relationship between the Applicant and Sub-Applicant(s) including identification of the Applicant with whom USAID will work with for purposes of Agreement administration, identity of the Applicant which will have accounting responsibility, how Agreement effort will be allocated and the express agreement of the principals thereto to be held jointly and severally liable for the acts or omissions of the other.

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

- Required forms SF-424
- Pre-award certifications, Assurances and Other Statements of the Recipient
- Budget (Excel Format)
- Budget Narrative
- Cost Share

Annexes:

- Evidence of SAM Registration and DUNS Number
- Documents to support History of Past Performance
- Branding Strategy and Marking Plan (2 pages limit)

Cost Application:

Applicants should note that USAID will not reimburse pre-award costs, or costs for preparation of applications. The cost application must include the funding requested from USAID and the funding secured from other sources (Cost share see Section III B.), stating sources and amounts for the proposed program.

Required Forms: The Cost/Business application must be completely separate from the applicant's technical application. The application must be submitted using SF-424 and SF-424A "Application for Federal Assistance" as described below.

- [SF-424, Application for Federal Assistance](#),
- [SF-424A, Budget Information – Non-construction Programs](#), and
- [SF-424B, Assurances – Non-construction Programs](#).

Pre-Award Certifications, Assurances and Other Statements of the Recipient: In addition to the certifications that are included in the SF-424 (described above), all applicants must provide the following certifications, assurances and other statements with the application:

A signed copy of [ADS 303mav, Certifications, Assurances, and Other Statements of the Recipient and Solicitation Standard Provisions](#), which includes: (also included as **Attachment 1** for complete set of certifications, Assurances, Other Statements of the Recipient and Solicitation Standard Provisions).

1. Assurance of Compliance with Laws and Regulations Governing Nondiscrimination in Federally Assisted Programs (This assurance applies to Non-U.S. organizations, if any part of the program will be undertaken in the U.S.);
2. Certification on Lobbying (22 CFR 227);
3. Prohibition on Assistance to Drug Traffickers for Covered Countries and Individuals (ADS 206, Prohibition of Assistance to Drug Traffickers);
4. Certification Regarding Terrorist Financing; and
5. Certification of Recipient

Other certifications and statements found in [ADS 303mav, Certifications, Assurances, and Other Statements of the Recipient and Solicitation Standard Provisions](#):

1. A signed copy of Key Individual Certification Narcotics Offenses and Drug Trafficking, ([ADS 206.3.10](#)) when applicable;
2. A signed copy of Participant Certification Narcotics Offenses and Drug Trafficking ([ADS 206.3.10](#)) when applicable;
3. Other Statements of Recipients.

Budget (Excel Format): In addition to the above mentioned documents, the applicant must submit an Excel budget un-protected spreadsheet (attached to the Cost Application) that includes details line item information using formulas. For budget template and the budget format shown in the SF-424A.

Budget Narrative: 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 detailed budget narratives must explain the basis of estimate, such as market surveys, price quotations, current salaries, historical experience, etc. (cost realism and cost reasonableness) and supporting justification of all proposed budget line items must be included.

- A. The breakdown of all costs associated with the program according to costs of, if applicable, headquarters, regional and/or country offices.
- B. The breakdown of all costs according to each partner organization (or sub-grantee) involved in the program.
- C. The costs associated with external, expatriate technical assistance and those associated with local in-country technical assistance.
- D. The breakdown of the monetary and in-kind contributions of all organizations involved in implementing the expected Cooperative Agreement.
- E. Potential contributions of non-USAID or private commercial donors to this Cooperative Agreement.
- F. The procurement plan for commodities.
- G. Indicate the name, annual salary, and expected level of effort of each person charged to the Activity. Provide resumes showing work experience and annual salary history for at least the three most recent years for all identified and proposed long/short term key and non-key personnel.
- H. If not included in an indirect cost rate agreement negotiated with the U.S. Government, specify the applicable fringe benefit rates for each category of employees, and explain the benefits included in the rate.
- I. The same individual information for consultants must be provided as for regular personnel.
- J. Travel, per diem and other transportation expenses must be detailed in your application to include number of international trips, expected itineraries, number of per diem days and per diem rates.
- K. Specify all equipment to be purchased and the expected geographic source.
- L. Financial Plans for all proposed sub-grants and subcontracts must have the same format and level of detail as those of the Applicant. Following the Applicant's detailed budget breakdown, detailed budget breakdowns for each sub-recipient/ (sub) contractor must be

presented. Sub-recipient/ (sub) contractor budgets must not be intermingled. The first page must be a summary budget, following the same budget format and line items as are set forth above for the full term of the sub-agreement/subcontract. Detailed budget notes which explain how the subawards' proposed budget was reviewed and how a determination was made that it is fair and reasonable must be provided.

- M. Indirect Costs: The applicant should support the proposed indirect cost rate with a letter from a cognizant U.S. Government audit agency or with sufficient information for USAID to determine the reasonableness of the rates. (For example, a breakdown of labor bases and overhead pools, the method of determining the rate, etc.). A copy of the latest Negotiated Indirect Cost Rate Agreement (NICRA), if applicable and if your organization has such an agreement with the US Government;

Note: Local Institutions usually do not have a Negotiated Indirect Cost Rate Agreement (NICRA) letter with the U.S. Government.

Applicants that do not have a NICRA, have the option to submit the proposed budget including all administrative costs as direct costs; or may choose to charge up to 10% of modified total direct costs. If the prospective applicant chooses the rate, the AO must incorporate the 10% indirect cost rate in the award budget and the recipient must follow the requirements in ADS 303 and the Standard Provision for Indirect Costs and must submit the following information:

- a. Copies of the Applicant's financial reports for the previous three-year period, which have been audited by a certified public accountant or other auditor satisfactory to USAID.
 - b. Projected budget, cash flow and organizational chart, and
 - c. A copy of the organization's accounting manual.
- N. If there are any training costs, including capacity development to be charged to this Cooperative Agreement, they must be clearly identified.

The following information should also be taken into consideration when developing the budget:

Labor - Direct salaries and wages for each year of the Cooperative Agreement must be in accordance with the organization's established personnel policies, the applicable cost principles and the current salary history of proposed LT/ST employees. To be considered adequate, the policies must be in writing, applicable to all employees of the organization, is subject to review and approval at a high enough organizational level to assure its uniform enforcement, and result in costs which are reasonable and allowable in accordance with

applicable cost principles. The narrative should include a level of effort analysis specifying personnel, rate of compensation, and amount of time proposed for key and non-key personnel. Anticipated salary increases during the period of the Cooperative Agreement should be included.

Additional Requirements for Personnel Compensation

Limitations

- (1) Salaries and wages must be reflective of the “market value” for each position. Salaries and wages may not exceed the Applicant’s established policy and practice, including the Applicant’s established pay scale for equivalent classifications of employees, which must be certified by the Applicant. No individual salary or wage may exceed the employee’s current salary or wage, or the highest rate of annual salary or wage received during any full year of the immediately preceding three (3) years without the approval of the AO.

Applicants must consider an Exchange Rate of COP \$2,350 per US\$1 to estimate its costs.

- (2) Base pay, or base salary, is defined as the employee’s basic compensation (salary) for services rendered. Taxes which are a responsibility or liability of the employee are inclusive of, and not additive to, the base pay or salary. The base pay excludes benefit and allowances, bonuses, profit sharing arrangements, commission, consultant fees, extra or overtime payments, overseas differential or quarters, cost of living or dependent education allowances, etc.
- (3) This USAID-funded activity implemented under the anticipated Cooperative Agreement will be for an estimated period of performance of five (4) years; also referred to as the Award Period. Unless the Applicant demonstrates otherwise to the USAID Agreement Officer’s satisfaction, Cooperating Country Nationals (CCNs) employed by the Applicant solely to work under this Cooperative Agreement are considered by USAID as employed by the Applicant for a specified period not to exceed the Agreement Period. This provision must be interpreted in accordance with applicable cost standards as described in the Standard Provisions for Allowable Costs (December 2014).

Fringe Benefits - If accounted for as a separate item of cost, fringe benefits should be based on the Applicant’s audited fringe benefit rate, supported by a Negotiated Indirect Cost Rate Agreement (NICRA) or historical cost data. If the latter is used, the narrative should include a detailed breakdown comprised of all items of fringe benefits (e.g. Research and life insurance, etc.) and the costs of each, expressed in dollars and as a percentage of salaries. Fringe Benefits for local staff should be accounted in accordance with Colombia labor law.

Supplies and Equipment - Differentiate between expendable supplies and nonexpendable equipment (NOTE: Equipment is defined as tangible nonexpendable personal property including exempt property charged directly to the award having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit, unless the Applicant's established policy establishes nonexpendable equipment anticipated to be required to implement the Activity, specifying quantities and unit cost.)

Allowances, if any, must be broken down by specific type and by person and must be in accordance with the Applicant's established policies.

Travel and Per Diem - The narrative should indicate the purpose of trip(s), number of trips, domestic and international, and the estimated unit cost of each. Specify the origin and destination for each proposed trip, duration of travel and number of individuals traveling. Proposed per diem rates must be in accordance with the Applicant's established policies and practices that are uniformly applied to federally financed and other activities of the Applicant.

Other Direct Costs (ODC) - could include costs such as communications, office rental, utilities, report preparation costs, passports, visas, medical exams and inoculations, insurance (other than the Applicant's normal coverage), other field office operation costs, etc. The narrative, or supporting schedule, should provide a complete breakdown and support for each item of other direct costs.

Proposed (Sub) contracts/agreements - Applicants who intend to utilize subcontractors or sub recipients should indicate the extent intended and a complete cost breakdown, as well as all the information required herein for the Applicant. Extensive (sub) contract/agreement financial plans (for proposed sub-contract/sub-awards which is equal or exceeds 25% of amount proposed) should follow the same cost format as submitted by the Applicant.

An award will be made only when the AO makes a positive determination that the applicant possesses, or has the ability to obtain, the necessary management competence in planning and carrying out assistance programs and that it will practice mutually agreed upon methods of accountability for funds and other assets provided by USAID. For the organizations that are new to USAID, or organizations with outstanding audit findings, it may be necessary to perform a pre-award risk assessment.

Branding & Marking - USAID anticipates that reasonable budget is estimated in order to cover the branding and marking costs which are in accordance with the applicant's technical approach.

Communication & Outreach - USAID anticipates that a robust dissemination of the results of surveys and other information will be required. Therefore, Applicants must consider the appropriate level of budget in accordance with their proposed technical approach.

Data collection, analysis, and reporting costs - Applicants are required to include it as a separate line item in their budgets to ensure that adequate resources are available.

Audit - The recipient must have an annual audit conducted in accordance with the "Guidelines for Financial Audits Contracted by Foreign Recipients" issued by the USAID Inspector General, for any recipient fiscal year in which the recipient expends a combined total of \$300,000 or more in all USAID awards, either directly or through another USAID contractor or recipient, excluding fixed price contracts and fixed obligation grants (See Standard "Provision Accounting, Audit, and Records" (December 2012).

Translation Services - Translation costs can be included if necessary.

Cost Share: Applicants must be aware that all cash contributions and non-Federal in-kind contributions must meet all the criteria set forth in ADS 303.3.10.1 and the Standard Provision "Cost share" (June 2012). Applicant cost share may be in any combination of cash and in-kind support including, staff salaries, volunteer time; valuation of donated supplies, equipment, and other property; and use of unrecovered indirect costs (see note), which are necessary and reasonable to achieve program objectives and which are verifiable from the Applicant's records

If the Applicant decides to include as part of the cost share, Administrative Costs, make sure that these costs are not included as part of the Indirect Cost Rate (see part 3 above) to avoid duplication.

Recipients are required to include cost share expressed as a dollar figure rather than a percentage to assist in monitoring the amount after award (using the exchange rate described above). The budget notes should describe the composition of cost share (indicating the amount that will be in cash and in-kind) and a description. In-kind contributions are allowable as cost share in accordance with the Standard Provision, "Cost Share" for non-U.S. organizations.

Annexes

History of Performance: Applicants must provide a list of up to five (5) of its cost-reimbursement contracts, grants, or cooperative agreements involving similar or related programs during the past three years. The reference information for these awards must include the performance location, award number (if available), a brief description of the work performed, and a point of contact list with current telephone numbers and e-mail address.

Applicants must include up to five (5) most relevant U.S. Government and/or privately funded contracts, grants, cooperative agreements, etc. received by your organization in the last three years involving programs similar to the program proposed in your application. Each applicant must provide past performance references for itself and each proposed sub-recipient. The past performance evaluation will be part of USAID's level of risk assessment and will be focused on the applicant's record of complying with agreement requirements and to standards of good workmanship, record of forecasting and controlling costs, adherence to agreement schedules, including administrative aspects of performance, history of reasonable and cooperative behavior and commitment and concern for the interest of the customer, and the competency of personnel who worked on the agreement. Include the following for each award listed:

- a. Name of awarding organization or agency
- b. Address of awarding organization or agency
- c. Place of performance of services or program
- d. Award number
- e. Amount of award
- f. Term of award (start and end dates of services/program)
- g. Name, current telephone number and e-mail address of a responsible technical representative of that organization or agency. This information is REQUIRED.
- h. Brief description of the program.

Applicants must also include up to three (3) most relevant U.S. Government and/or privately funded contracts, grants, cooperative agreements, etc. received by each major sub-grantee proposed. A major sub-grantee is one whose proposed cost exceeds 25% of the Applicant's total proposed cost. Include the same information as listed above. 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 U.S. Government.

Evidence of Responsibility:

Applicants must have established financial management, internal control systems, and policies and procedures that comply with established U.S. Government standards, laws, and regulations governing the specific award mechanism. The successful potential awardee will be subject to a financial responsibility determination issued by a warranted AO in USAID that may include a pre-award risk assessment and/or an audit. The successful applicant will be required to submit additional documents necessary for the AO as described in ADS 303.3.9.

Branding Strategy and Marking Plan: It is a Federal statutory and regulatory requirement that all overseas programs, projects, activities, public communications, and commodities that USAID partially or fully funds under an assistance award or sub-award must be appropriately marked with the USAID identity. USAID requires the submission of a Branding Strategy and a Marking Plan by the “apparently successful applicant.” The apparently successful applicant’s proposed Marking Plan may include a request for approval of one or more exceptions to the marking requirements in accordance with ADS 320.3.3 and 2 CFR 700.348. The AO reviews and approves the apparently successful applicant’s Branding Strategy and Marking Plan (including any requests for exceptions), consistent with the provisions “Branding Strategy,” “Marking Plan,” contained in the Certifications, Assurances, Other Statement of the Recipient and Solicitation Standard Provisions, and “Marking and Public Communications Under USAID-funded Assistance” contained in [ADS 303mab, Standard Provisions for Non-U.S. Nongovernmental Organizations](#).

Although points will not be assessed for evaluation purposes, applicants must briefly describe (not to exceed two pages) how they will promote USAID identity, U.S. Government’s support for this Activity and the Activity’s achievements in Colombia. A full Branding Strategy and a Marking Plan will be requested to the “Apparent Successful Applicant” only.

More information on Branding Strategy and Marking Plan is included in Attachment 4 and the following link <http://www.usaid.gov/sites/default/files/documents/1868/320.pdf>

Pursuant to 2 CFR 200 Contract means a legal instrument by which the Applicant purchases property or services needed to carry out the project or program under a resulting award. The term does not include a legal instrument when the substance of the transaction meets the definition of a Federal award or sub-award (see § 200.92 Sub-award), even if the Applicant considers it a contract. The Applicant must describe the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting proposed by the contractor, and the quality of its record of past performance for similar work. For-profit contract organizations that work under the award and do not meet the above definition of a sub-awardee are eligible for profit/fee.

The cost/business application should contain the budget categories: as shown on the SF-424A

The Applicant and/or Major Sub-Applicant should also provide the organization’s negotiated indirect cost agreement if it has one.

Potential Request for Additional Documentation

Upon consideration of award or during the negotiations leading to an award, Applicants may be required to submit additional documentation deemed necessary for the Agreement Officer to make an affirmative determination of responsibility. Applicants should not submit the information below with their applications! The information in this section is provided so that Applicants may become familiar with additional documentation that may be requested by the Agreement Officer:

The information requested may include:

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

Unique Entity Identifier and System for Award Management

USAID may not award to an applicant until the applicant has complied with all applicable unique entity identifier 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.

Dun and Bradstreet and SAM.gov Requirements

Applicants (unless the applicant is an individual or Federal awarding agency that is exempted from those requirements under 2 CFR §25.110(b) or (c), or has an exception approved by the Federal awarding agency under 2 CFR §25.110(d)) are required to:

- (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.

USAID may not 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 USAID is ready to make an award, USAID may determine that the

applicant is not qualified to receive an award and use that determination as a basis for making an award to another applicant.

To begin the registration process, please visit the following websites:

DUNS number: <http://fedgov.dnb.com/webform>

SAM registration: <http://www.sam.gov>

The registration process may take many weeks to complete. Therefore, Applicants are encouraged to obtain them early so that, if selected, the award will not be delayed. Completion of an early registration does not constitute any commitment on the part of the U.S. Government to make an award.

Attachment 3 provides additional information on acquiring DUNS number.

Funding Restrictions

USAID policy is not to award profit under assistance instruments. However, all reasonable, allocable and allowable expenses, both direct and indirect, which are related to the agreement program and are in accordance with applicable cost principle under 2 CFR 200 Subpart E. of the Uniform Administrative Requirements may be paid under the anticipated award.

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SECTION E: APPLICATION REVIEW INFORMATION

USAID will conduct a merit review all concept papers and applications received that complies with the instructions in this NOFO. Applications will be reviewed and evaluated in accordance with the following criteria.

1. Concept Paper Merit Review Criteria

- **Technical Approach 50 points**

- **Understanding:** USAID will evaluate the extent to which the applicant understands reconciliation issues in the Colombian context. 10/50 points
- **Strategy:** USAID will evaluate the quality of the strategy to achieve project objectives and results. 40/50 points

- **Management approach 50 points**

- **Management structure:** USAID will evaluate how the management structure will support the strategy to achieve results. 25/50 points
- **Monitoring and evaluation strategy:** USAID will evaluate quality of the applicant's plans to measure program impact, its monitoring and evaluation plan, and its example of possible social indicators. 25/50 points

**Concept Papers will be reviewed and ranked for technical merit. The organizations with the highest ranked concept papers will be invited to submit full applications.*

1. Second-Tier Application - Merit Review Criteria

Program Description – 30 points

USAID will evaluate the quality of the applicant's program description especially:

- Its strategy to achieve expected results. How clearly it explains the technical strategy that will meet the expected results of each objective, including lessons learned and best practices from other national and international experiences that entail advanced ways to address challenges and the use of technology. Its tailored approach for vulnerable groups, its psychosocial approach and its coordination strategy with other activities, and its justification for the municipalities proposed under the criteria included in the NOFO.

- Its description of the activities that will lead to the results in each of the objectives.
- The results the applicant believes it can achieve during each phase of the program.
- Its strategy for local partners including its transition strategy to a local partner, its mentoring plan, and its proposed local partners for each objective that add value for achieving the expected results.

Key Personnel 25 Points

USAID will evaluate the qualifications and relevant experience of proposed technical personnel. USAID will evaluate the management experience, the relevant technical skills with experience working with reconciliation processes, the interpersonal relations, the ability to work under difficult circumstances, the chief of party's English skills, and the ability to establish and maintain productive relationships with host country counterparts at all levels.

Management approach and structure 10 Points

USAID will evaluate how the management structure will support the technical approach to achieve results. USAID will also evaluate whether the management approach demonstrates a majority of Colombian professionals and limited international experts who bring lessons learned from reconciliation in other parts of the world. USAID will evaluate whether the management approach demonstrates staff diversity in gender, ethnicity, and culture. USAID will evaluate the quality and realism of the rapid program start-up plan that describes how a home office will be established within the first forty-five days and the regional offices will be established in the first sixty days of the award.

Illustrative Performance Monitoring and Evaluation Plan (PMEP) 10 Points

USAID will evaluate the clarity, appropriateness, soundness, feasibility and specificity of the illustrative PMEP. The PMEP will be evaluated based on the degree to which indicators reliably, validly, and feasibly measure project progress and impact.

Experience 25 Points

USAID will evaluate the applicant's experience and past performance in the following areas:

- Truth telling and memory.
- Communication and outreach with massive and alternative media.
- Private public alliances.

- Community-level interventions with tailored approach for vulnerable populations.
- Results- based and impact- based monitoring and evaluation.
- Individual and community-based psychosocial attention.

Cost

While Cost is less important than technical and is not weighted, however, the cost applications of the apparently successful technical applications will be evaluated for cost effectiveness including the level of proposed cost share. Other considerations are the completeness of the application, adequacy of budget detail and consistency with elements of the technical application.

Cost Sharing

USAID has established a suggested cost share of 20% of the Award's projected value of for the recipient of the award. USAID requires applicants to demonstrate their commitment to the Activity's success by addressing the requirement for cost sharing. Applications that do not meet the minimum cost share requirement, when applicable, **are not eligible** for award consideration. Cost sharing, will be evaluated for cost effectiveness and cost realism.

[END OF SECTION IV]

SECTION F: FEDERAL AWARD ADMINISTRATION INFORMATION

1. Federal Award Notices

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

2. AGREEMENT AWARD

1. The Government plans to award one cooperative agreement resulting from this NOFO to the responsible Applicant whose application conforming to this NOFO offers the greatest value in terms of the merit review criteria (see Section V. of this NOFO). The Government may (a) reject any or all applications, (b) accept other than the lowest cost application, (c) accept more than one application, (d) accept alternate applications, and (e) waive informalities and minor irregularities in applications received.
2. The Government may award a cooperative agreement on the basis of initial applications received, without discussions or negotiations. Therefore, each initial application must contain the Applicant's best terms from a cost and technical standpoint. As part of its evaluation process, however, USAID may elect to discuss technical, cost or other pre-award issues with one or more Applicants. Alternatively, USAID may proceed with award selection based on its evaluation of initial applications received and/or commence negotiations solely with one Applicant.
3. Neither financial data submitted with an application nor representations concerning facilities or financing, will form a part of the resulting cooperative agreement unless explicitly stated otherwise in the agreement.
4. Following selection for award and successful negotiations, a successful applicant will receive an electronic copy of the notice of the award signed by the AO which serves as the authorizing document. The AO will only do so after making a positive responsibility

determination that the applicant possesses, or has the ability to obtain, the necessary management competence in planning and carrying out assistance programs and that it will practice mutually agreed upon methods of accountability for funds and other assets provided by USAID.

5. An award will be made only by the USAID Agreement Officer upon his/her signature to incur costs. He/she will only do so after making a positive responsibility determination that the applicant possesses, or has the ability to obtain, the necessary management competence in planning and carrying out assistance programs and that it will practice mutually agreed upon methods of accountability for funds and other assets provided by USAID.
6. The reporting requirements indicated in this section will be incorporated as part of the award made under this NOFO.
7. Unsuccessful applications will not be returned to the Applicant.
8. Pre-award Risk Assessments

For organizations that are new to working with USAID or for organizations with outstanding audit findings, USAID may perform a pre-award risk survey to assess the applicant's management and financial capabilities. If notified by USAID that a pre-award risk assessment is necessary, applicants must prepare, in advance, the required information and documents. Please note that a pre-award risk assessment does not commit USAID to make any award (See Section IV. D).

3. Administrative & National Policy Requirements

For U.S. organizations, this section must state that 2 CFR 700, 2 CFR 200, and ADS 303maa, Standard Provisions for U.S. Non-governmental Organizations are applicable.

For non-U.S. organizations, this section must state that ADS 303mab, Standard Provisions for Non-U.S. Non-governmental Organizations will apply.

USAID prefers that, instead of attaching complete copies of 2 CFR 200 and 2 CFR 700 to the NOFO, the NOFO directs applicants to the source (see 303.4 and 303.5). However, the applicable standard provisions will be attached to the final award document.

4. Reporting Requirements.

The successful Applicant will use the standard form Performance Progress Report (SF-PPR) to report performance progress for the program under the award when the program exceeds \$100,000 or more per project/grant period.

All written documentation (correspondence, reports, information sheets, etc.) for submission under this cooperative agreement must be written in English. USAID/Colombia will provide guidance on reporting standards related to the reporting schedule. At a minimum, all documents must be provided in MS Word (or MS Excel or MS PowerPoint) and PDF (unlocked) formats. All written documentation and distribution must be done with prior consultation with USAID/Colombia.

The Recipient must submit one electronic copy via e-mail of all reports to the AOR for his/her approval, no later than each deadline specified below. In addition, one copy must be submitted to:

(a) Online: <http://www.usaid.gov/results-and-data/information-resources/development-experience-clearinghouse-dec>

(b) By mail (for pouch delivery):

USAID Development Experience Clearinghouse

M/CIO/ITSD/KM/DEC

RRB M.01-010

Washington, DC 20523-6100

For questions on DEC submissions, contact

M/CIO/ITSD/KM/DEC

Telephone: +1 202-712-0579

E-mail: DocSubmit@usaid.gov

5. Annual Work Plan

The work plan serves as a detailed guide to Activity implementation and, once approved, represents an agreement as to the nature and timing of discrete tasks and interventions. Discreet tasks may include workshops and seminars, outreach events, and information dissemination activities such as publications and reports. It is essential that the document be concise so as to ensure that it will be a simple reference tool for the implementer to track progress against the approved implementation schedule, and for USAID to monitor and evaluate performance through the work plan year and to ensure that award objectives are accomplished on time, on

budget, and in accordance with expectations. Each annual plan will form the basis for an annual management review conducted by USAID and the AOR to assess program directions, priorities, achievements, and prior year implementation results, as well as management and implementation impediments, and to make recommendations for revisions, as appropriate.

Work Plan Standards: Work plans will identify a logical sequence of steps to be undertaken to implement each program component and must include an associated timetable. The Recipient's annual work plan will describe how the Recipient intends to organize the year's work including setting Activity priorities and how the Recipient will organize responsibilities amongst Recipient staff to ensure accomplishment of the tasks. The work plan will address how the Recipient will make effective use of any time during which counterparts are not readily accessible or actively engaged such as holidays.

The work plans will include proposed activities for the given year, time frame for implementation of annual activities, detailed budget, review of previous year's accomplishments (if applicable), problems, and progress towards achieving award results and proposed annual accomplishments and progress towards achieving results. The annual work plan budget should be consistent with the detailed budget estimate submitted and approved by the AO. The work plan will include the communications & outreach strategy for the year.

All work plan activities must be within the program description and must fully integrate gender considerations. Work plan activities must not alter the cooperative agreement program description or terms and conditions in any way; such changes may only be approved by the AO, in advance and in writing. Thereafter, if there are inconsistencies between the work plan and the program description or other terms and conditions of the agreement, the agreement will take precedence over the work plan.

Additionally the work plan must include a communications and outreach strategy, carried out during the life of the Activity identifying the different audiences, convincing and creative channels to reach these audiences through both formal and informal ways and how the data the strategies to make the data and analyses available for public consumption.

Due date: Within 60 days following award, the Recipient must submit the first annual work plan. USAID will provide written comments to the Recipient within 30 days after receipt of the draft work plan. The Recipient will revise and submit the revised work plan no later than 15 days after receipt of comments. If acceptable, the USAID AOR will provide a written approval of the final work plan to the Recipient. Failure to have an approved work plan in place may be viewed as a failure to comply with essential terms and conditions of the award. Significant revisions to the approved work plan will require the additional written approval of the AOR and may require a revision to the approved Performance Monitoring and Evaluation Plan (PMEP). For subsequent years, 60 days before the end of each Activity year, the Recipient will submit an annual work plan for the following year.

6. Performance Monitoring and Evaluation Plan (PMEP)

The PMEP must cover the life of the Activity and will outline key program activities, indicators of achievement, and associated annual and life-of-activity targets. The plan will include indicators, mid-term milestones/benchmarks and end of activity results. For each indicator, the PMEP should provide interim and final targets, data sources, collection sources, collection methods and baselines information or a timeline for collecting baseline information. Routine data quality assessments are also required. During the initial planning period, the Recipient will work closely with the AOR to develop the PMEP, including establishing a final list of indicators, baseline data and performance targets for each indicator. The PMEP Plan should demonstrate understanding related indicators and reporting requirements, including a logical framework that explains how data will be collected, verified and reported to document activity/program progress. Data quality is critical, therefore the recipient must develop systems to ensure data quality and be prepared for data quality audits. The plan will be revised as appropriate on an ongoing basis in collaboration with USAID/Colombia. The recipient will ensure that indicators are aligned with the Mission's development objectives and intermediate results framework.

Due date: Within 60 days of award

7. Performance reports

Based on the PMEP, and as part of USAID/Colombia's Performance Review and Annual Report process, the Recipient must submit quarterly and Annual Progress Reports, describing major Activity results towards achieving expected results, success stories, any problems encountered, and plans for the following quarter and year. Performance Management Progress Reports will consist of both narrative and quantitative sections (indicator tables).

Quarterly Progress Report: The Recipient will submit quarterly reports that give insight into the progress of planned activities. The narrative report will include qualitative and quantitative information describing activities carried out and specific results achieved during the quarter. In addition, the narrative report will indicate key implementation challenges encountered and how they were or are planned to be resolved. To the extent that the PMEP includes quarterly targets, this should be reflected in the narrative report.

Due date: Reporting periods will coincide with USAID fiscal year quarters, with reports due no later than thirty (30) days after the end of each quarter, e.g. (or by any other schedule agreed upon with the AOR):

USG Fiscal Year Q1: October 1 to December 31 Quarterly Report due January 31

USG Fiscal Year Q2: January 1 to March 31 Quarterly Reports due April 30

USG Fiscal Year Q3: April 1 to June 30 Quarterly Report due July 31

USG Fiscal Year Q4: July 1 to September 30 Quarterly Report due October 31

The report should also include budgeted versus actual expenditures (along with a brief analysis of any variance) and estimated accruals for the quarter.

Annual Report: The Recipient must submit an annual report covering activities of the previous USG fiscal year. The Recipient must provide a succinct presentation of Activity achievements, objectives, and targets in the previous year, with supporting discussion to explain any shortfalls. The Recipient must summarize progress, provide an analysis of impact based on activities completed or in progress, identify success stories, and suggest resolution of any outstanding issues. Annual reports must provide data for incorporation into USAID's annual reporting, as relevant. In this context, annual reports must include a performance indicator data table presenting the baseline, targets established for each fiscal year, and the actual annual performance data using indicators from the PMEP, and illustrate how the results were achieved. This should include the monitoring of and reporting on milestone events that would help demonstrate progress towards achieving the Activity's long-term results. Additional information to be addressed in performance reports includes: a comparison of actual accomplishments with the goals and objectives established for the period, reasons why established goals were not met, if appropriate, and other pertinent information including, when appropriate, analysis and explanation of cost overruns or high unit costs.

Due date: By October 15 every year.

Final Report: The final report must include, at a minimum the information required by ADS 303.3.18. The Final Report must contain the following information covering the full period of the Award: an executive summary of the accomplishments and results achieved; an overall description of the activities and accomplishments; a summary of problems/obstacles encountered during implementation; an assessment of the performance in accomplishing the Activity's objectives; significance of these activities; findings; comments and recommendations; other pertinent information.

This report should eliminate politically sensitive or proprietary information. Reports should incorporate as many graphics (maps, photos, charts, etc.) as possible and should include all Activity and evaluation tools and materials, in annex.

This report must contain a summary and discussion of all activities conducted under the award, the results achieved, complete data from the performance monitoring and evaluation plan, and the impact of the Activity. The Recipient must submit the monitoring of and reporting on significant milestone events that would help demonstrate progress towards the description of program success, including the final targets, data sources, collection methods, and baseline

information or a timeline for collecting it. This should include narrative descriptions of success at the Activity end. This report must not exceed 60 pages, although Annexes may be appended.

Due date: A draft final report must be submitted 30 days prior to the end of the award. Once comments are provided by the AOR, final report will be submitted within 90 calendar days after the completion date of the Award.

Closeout Plan: The Recipient will submit a demobilization plan to the AOR for approval. The demobilization plan must include a) draft property disposition plan, b) plan for the phase-out of Activity operations, (c) delivery schedule for all reports or other deliverables required under the agreement, and (d) timetable for completing all required actions in the demobilization plan, including the submission date of the final property disposition plan to the AO.

Due date: Six months prior to the completion date of the Award.

8. Financial reports

Financial Reports must be in keeping with ADS 303 and the Standard Provisions for Non-U.S. Nongovernmental Organizations.

Quarterly Financial Report: The Recipient must submit on a quarterly basis a Financial Report as part of the Progress Report (see above).

Quarterly Accrual Report: The Recipient must submit accrual information. **Due date:** Within 20 days before the end of each quarter (i.e., March 10, June 10, September 10, and December 10).

STANDARD PROVISIONS

1. Branding Strategy – Assistance (June 2012)

a. Applicants recommended for an assistance award must submit and negotiate a "Branding Strategy," describing how the program, project, or activity is named and positioned, and how it is promoted and communicated to beneficiaries and host country citizens.

b. The request for a Branding Strategy, by the Agreement Officer from the applicant, confers no rights to the applicant and constitutes no USAID commitment to an award.

c. Failure to submit and negotiate a Branding Strategy within the time frame specified by the Agreement Officer will make the applicant ineligible for an award.

d. The applicant must include all estimated costs associated with branding and marking USAID programs, such as plaques, stickers, banners, press events, materials, and so forth, in the budget portion of the application.

These costs are subject to the revision and negotiation with the

Agreement Officer and will be incorporated into the Total Estimated Amount of the grant, cooperative agreement or other assistance instrument.

e. The Branding Strategy must include, at a minimum, all of the following:

(1) All estimated costs associated with branding and marking USAID programs, such as plaques, stickers, banners, press events, materials, and so forth.

(2) The intended name of the program, project, or activity.

(i) USAID requires the applicant to use the “USAID Identity,” comprised of the USAID logo and brandmark, with the tagline “from the American people” as found on the USAID

Web site at <http://www.usaid.gov/branding>, unless Section VI of the NOFO 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 NOFO or APS will state if an Administrator approved the use of an additional or substitute logo, seal, or tagline.

(3) The intended primary and secondary audiences for this project or program, including direct beneficiaries and any special target segments.

(4) Planned communication or program materials used to explain or market the program to beneficiaries.

(i) Describe the main program message.

(ii) Provide plans for training materials, posters, pamphlets, public service announcement, billboards, Web sites, and so forth, as appropriate.

(iii) Provide any plans to announce and promote publicly this program or project to host country citizens, such as media releases, press conferences, public events, and so forth.

Applicant must incorporate the USAID Identity and the message, “USAID is from the American People.”

- (iv) Provide any additional ideas to increase awareness that the American people support this project or program.
- (5) Information on any direct involvement from host-country government or ministry, including any planned acknowledgement of the host-country government.
- (6) Any other groups whose logo or identity the applicant will use on program materials and related materials. Indicate if they are a donor or why they will be visibly acknowledged, and if they will receive the same prominence as USAID.
- e. The Agreement Officer will review the Branding Strategy to ensure the above information is adequately included and consistent with the stated objectives of the award, the applicant's cost data submissions, and the performance plan.
- f. If the applicant receives an assistance award, the Branding Strategy will be included in and made part of the resulting grant or cooperative agreement.

(END OF PROVISION)

2. Marking Plan – Assistance (June 2012)

- a. Applicants recommended for an assistance award must submit and negotiate a “Marking Plan,” detailing the public communications, commodities, and program materials, and other items that will visibly bear the “USAID Identity,” which comprises of the USAID logo and 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 NOFO 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 and the applicant's identity.

(v) Events financed by USAID, such as training courses, conferences, seminars, exhibitions, fairs, workshops, press conferences and other public activities. If the USAID Identity cannot be displayed, the recipient is encouraged to otherwise acknowledge USAID and the support of the American people.

(2) A table on the program deliverables with the following details:

(i) The program deliverables that the applicant plans to mark with the USAID Identity;

(ii) The type of marking and what materials the applicant will use to mark the program deliverables;

(iii) When in the performance period the applicant will mark the program deliverables, and where the applicant will place the marking;

(iv) What program deliverables the applicant does not plan to mark with the USAID Identity , and

(v) The rationale for not marking program deliverables.

(3) Any requests for an exemption from USAID marking requirements, and an explanation of why the exemption would apply. The applicant may request an exemption if USAID marking requirements would:

(i) Compromise the intrinsic independence or neutrality of a program or materials where independence or neutrality is an inherent aspect of the program and materials. The applicant must identify the USAID Development Objective, Interim Result, or program goal furthered by an appearance of neutrality, or state why an aspect of the award is presumptively neutral. Identify by category or deliverable item, examples of material for which an exemption is sought.

(ii) Diminish the credibility of audits, reports, analyses, studies, or policy recommendations whose data or findings must be seen as independent. The applicant must explain why each particular deliverable must be seen as credible.

(iii) Undercut host-country government "ownership" of constitutions, laws, regulations, policies, studies, assessments, reports, publications, surveys or audits, public service announcements, or other communications. The applicant must explain why each particular item or product is better positioned as host-country government item or product.

(iv) Impair the functionality of an item. The applicant must explain how marking the item or commodity would impair its functionality.

(v) Incur substantial costs or be impractical. The applicant must explain why marking would not be cost beneficial or practical.

(vi) Offend local cultural or social norms, or be considered inappropriate. The applicant must identify the relevant norm, and explain why marking would violate that norm or otherwise be inappropriate.

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

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

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

(END OF PROVISION)

3. Prohibition on Providing Federal Assistance to Entities that Require Certain Internal Confidentiality Agreements – Representation (April 2015)

(a) In accordance with section 743 of Division E, Title VII, of the Consolidated and further Continuing Resolution Appropriations Act, 2015 (Pub. L. 113-235), Government agencies are not permitted to use funds appropriated (or otherwise made available) under that or any other Act for providing federal assistance to an entity that requires employees, subawardees or contractors of such entity seeking to report fraud, waste, or abuse to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such employees, subawardees, or contractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.

(b) The prohibition in paragraph (a) of this provision does not contravene requirements applicable to Standard Form 312, Form 4414, or any other form issued by a Federal department or agency governing the nondisclosure of classified information.

(c) By submission of its application, the prospective recipient represents that it does not require employees, subawardees, or contractors of such entity seeking to report fraud, waste, or abuse to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such employees, subawardees, or contractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.

(END OF PROVISION)

4. Payment terms for the Award

Payment method will be established based on the results of the pre-award responsibility requirements in ADS Chapter 303 (Section IV of this NOFO), either Advance or Reimbursement payments in accordance with the Standard Provisions for "Advance Payments" or "Cost Reimbursement" and "Accounting, Audit, and Records." The Award Budget will be made in Dollars, and payments will be made to the Recipient in Colombian Pesos (COP \$), at the U. S. official exchange rate at the time of process.

The recipient must submit to the payment office at USAID/Colombia, a fully completed and signed SF-1034, Public Voucher for Purchases and Services Other Than Personal and SF 1034A including the supporting documents for payment.

SECTION G: FEDERAL AWARDING AGENCY CONTACT(S)

The Agreement Officer for this Award is:

Ms. Curtrice Dorsey
Agreement Officer
U.S. Agency for International Development
Carrera 45 No. 24B - 27, Gate 2 (Post 2)
Bogotá, Colombia
E-Mail: cdorsey@usaid.gov

The Acquisition and Assistance Specialist for this Award is:

Mr. German Gutierrez
Acquisition and Assistance Specialist
U.S. Agency for International Development
Carrera 45 No. 24B - 27, Gate 2 (Post 2)
Bogotá, Colombia
E-mail: ggutierrez@usaid.gov

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SECTION H: OTHER INFORMATION

ATTACHMENT 1: CERTIFICATIONS, ASSURANCES, OTHER STATEMENTS OF THE RECIPIENT AND FUNDING OPPORTUNITY STANDARD PROVISIONS

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

Part I – Certifications and Assurances

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

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

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

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

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

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

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

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

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

2. Certification Regarding Lobbying

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

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

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

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

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

Statement for Loan Guarantees and Loan Insurance

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

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

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

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

3.1 Certification Regarding Terrorist Financing, Implementing Executive Order 13224

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

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

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

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 is maintained by the U.S. Treasury’s Office of Foreign Assets Control (OFAC), or (ii) is not included in any supplementary information concerning prohibited individuals or entities that may be provided by USAID to the Recipient. 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, Osama bin Laden, or the Al-Qaida Organization]. To determine whether there has been a published designation of an individual or entity by the 1267 Committee, the Recipient should refer to the consolidated list available online at the Committee’s Web site:

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

- 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.
- 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, safe houses, 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.

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

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

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

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

4. Certification of Recipient

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

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

assignees, and the person or persons whose signatures appear below are authorized to sign these assurances on behalf of the recipient.

Request for Application or

Annual Program Statement No. _____

Application No. _____

Date of Application _____

Name of Recipient _____

Typed Name and Title _____

Signature _____

Date _____

Part II – Key Individual

Certification Narcotics Offenses and Drug Trafficking

I hereby certify that within the last ten years:

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

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

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

Signature: _____

Date: _____

Name: _____

Title/Position: _____

Organization: _____

Address: _____

Date of Birth: _____

NOTICE:

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

If you make a false Certification you are subject to U.S. criminal prosecution under 18 U.S.C. 1001.9

Part III – Participant Certification Narcotics Offenses and Drug Trafficking

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

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

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

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

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

Signature: _____

Name: _____

Date: _____

Address: _____

Date of Birth: _____

NOTICE:

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

Part IV – Other Statements of Recipient

1. Authorized Individuals

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

Name Title Telephone No. Facsimile No.

2. Taxpayer Identification Number (TIN)

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

TIN: _____

3. Data Universal Numbering System (DUNS) Number

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

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

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

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

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

DUNS: _____

4. Letter of Credit (LOC) Number

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

LOC: _____

5. Procurement Information

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

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

\$ _____

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

TYPE/DESCRIPTION (Generic) _____

QUANTITY _____

ESTIMATED UNIT COST _____

(d) Source If the recipient plans to purchase any goods/commodities which are not in accordance with the Standard Provision “USAID Eligibility Rules for Procurement of

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

TYPE/DESCRIPTION _____

QUANTITY _____

ESTIMATED GOODS _____

PROBABLE GOODS _____

PROBABLE (Generic) _____

UNIT COST _____

SOURCE _____

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

TYPE/DESCRIPTION _____

QUANTITY _____

ESTIMATED _____

PROBABLE _____

INTENDED USE (Generic) _____

UNIT COST _____

SOURCE _____

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

TYPE/DESCRIPTION _____

QUANTITY _____

ESTIMATED _____

PROBABLE SUPPLIER _____

NATIONALITY _____

RATIONALE (Generic) _____

UNIT COST (Non-US Only) _____

FOR NON-US _____

6. Past Performance References

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

7. Type of Organization

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

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

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

[End of Attachment 1]

ATTACHMENT 2 - GUIDANCE FOR OBTAINING A DUNS NUMBER (DATA UNIVERSAL NUMBERING SYSTEM)

A Data Universal Numbering System (DUNS) number, is a nine-digit number assigned by Dun and Bradstreet Information Services to an establishment, is the Contractor Identification Number for Federal recipients.

All recipients (including foreign organizations, businesses and individuals) receiving USAID awards over the monetary threshold established in the FAR must obtain the DUNS number themselves. In addition, all vendors doing business with the Federal Government must maintain a current registration in the Central Contractor Registration (CCR) database (<http://www.ccr.gov/>), unless they qualify for one of the exemptions set forth at the Standard Provision or Agency regulations or directives. In order to register in the CCR, a DUNS number is required.

Contractors/Vendors Obtaining a DUNS Number: Contractors located within the United States can obtain their DUNS number (at no charge) by calling Dun and Bradstreet (D&B) at 1-866-705-5711, or via the internet at <http://www.dnb.com>.

For contractors located outside the United States, D&B has Information Service offices worldwide. To obtain the location and contact information of the local D&B office, those recipients can also visit <http://www.dnb.com>. See FAR 52.204-6.

As required by FAR 4.6, if the successful Applicant does not provide its number, the contracting officer must contact the Applicant and assist them in obtaining the DUNS number.

Please note: M/OAA/CAS no longer maintains an account with Dun & Bradstreet to cover the costs of obtaining DUNS numbers and is no longer able to assist COs or vendors to obtain a DUNS number. Although the USAID Library

<http://ppc.usaid.gov/library/> remains the resource for obtaining D&B Company reports, the USAID Library is also not able to assist COs in obtaining DUNS numbers.

NEW AGENCY CODES: For future reference, please be advised that the Agency Code for USAID is 7200. The Contracting Office Code is 72000.

POINT OF CONTACT: Should you need further information on DUNS numbers, please visit the M/OAA Solutions Center at

<http://inside.usaid.gov/M/OP/SolutionsCenter/other/duns.htm> or contact dunsdorequest@usaid.gov. Please direct any questions regarding DUNS numbers to Judy Britt, M/OAA/CAS, at (202) 712-0397.

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¹ See also <http://inside.usaid.gov/M/OP/SolutionsCenter/other/duns.html>

[End of Attachment 2]

ATTACHMENT 3 – GUIDANCE ON BRANDING AND MARKING UNDER ASSISTANCE INSTRUMENTS

(a) USAID policy is that all programs, projects, activities, public communications, and commodities, specified further at paragraphs (c)-(f) of this section, partially or fully funded by a USAID grant or cooperative agreement or other assistance award or subaward must be marked appropriately overseas with the USAID Identity, of a size and prominence equivalent to or greater than the recipient's, other donor's or any other third party's identity or logo.

(1) USAID reserves the right to require the USAID Identity to be larger and more prominent if it is the majority donor, or to require that a cooperating country government's identity be larger and more prominent if circumstances warrant; any such requirement will be on a case-by-case basis depending on the audience, program goals and materials produced.

(2) USAID reserves the right to request pre-production review of USAID funded public communications and program materials for compliance with the approved Marking Plan.

(3) USAID reserves the right to require marking with the USAID Identity in the event the recipient does not choose to mark with its own identity or logo.

(4) To ensure that the marking requirements “flow down” to subrecipients of subawards, recipients of USAID funded grants and cooperative agreements or other assistance awards are required to include a USAID-approved marking provision in any USAID funded subaward, as follows: As a condition of receipt of this subaward, marking with the USAID Identity of a size and prominence equivalent to or greater than the recipient's, subrecipient's, other donor's or third party's is required. In the event the recipient chooses not to require marking with its own identity or logo by the subrecipient, USAID may, at its discretion, require marking by the subrecipient with the USAID Identity.

(b) Program, project, or activity sites funded by USAID, including visible infrastructure projects (for example, roads, bridges, buildings) or other programs, projects, or activities that are physical in nature (for example, agriculture, forestry, water management), must be marked with the USAID Identity. Temporary signs or plaques should be erected early in the construction or implementation phase. When construction or implementation is complete, a permanent, durable sign, plaque or other marking must be installed.

(c) Technical assistance, studies, reports, papers, publications, audio-visual productions, public service announcements, Web sites/Internet activities and other promotional, informational, media, or communications products funded by USAID must be marked with the USAID Identity.

(1) Any “public communications”, funded by USAID, in which the content has not been approved by USAID, must contain the following disclaimer:

This study/report/audio/visual/other information/media product (specify) is made possible by the generous support of the American people through the United States Agency for International Development (USAID). The contents are the responsibility of [insert recipient name] and do not necessarily reflect the views of USAID or the United States Government.

(2) The recipient must provide the Agreement Officer's Representative (AOR) or other USAID personnel designated in the grant or cooperative agreement with at least two copies of all program and communications materials produced under the award. In addition, the recipient must submit one electronic and/or one hard copy of all final documents to USAID's Development Experience Clearinghouse.

(d) Events financed by USAID such as training courses, conferences, seminars, exhibitions, fairs, workshops, press conferences and other public activities, must be marked appropriately with the USAID Identity. Unless directly prohibited and as appropriate to the surroundings, recipients should display additional materials such as signs and banners with the USAID Identity. In circumstances in which the USAID Identity cannot be displayed visually, recipients are encouraged otherwise to acknowledge USAID and the American people's support.

(e) All commodities financed by USAID, including commodities or equipment provided under humanitarian assistance or disaster relief programs, and all other equipment, supplies and other materials funded by USAID, and their export packaging, must be marked with the USAID Identity.

(f) After technical evaluation of applications for USAID funding, USAID Agreement Officers will request apparently successful applicants to submit a Branding Strategy. The proposed Branding Strategy will not be evaluated competitively. The Agreement Officer will review for adequacy the proposed Branding Strategy, and will negotiate, approve and include the Branding Strategy in the award. Failure to submit or negotiate a Branding Strategy within the time specified by the Agreement Officer will make the apparently successful applicant ineligible for award.

(g) After technical evaluation of applications for USAID funding, USAID Agreement Officers will request apparently successful applicants to submit a Marking Plan. The Marking Plan may include requests for approval of Presumptive Exceptions, paragraph (h) of this section. All estimated costs associated with branding and marking USAID programs, such as plaques, labels, banners, press events, promotional materials, and the like, must be included in the total cost estimate of the grant or cooperative agreement or other assistance award, and are subject to revision and negotiation with the Agreement Officer upon submission of the Marking Plan. The Marking Plan will not be evaluated competitively. The Agreement Officer will review for

adequacy the proposed Marking Plan, and will negotiate, approve and include the Marking Plan in the award. Failure to submit or negotiate a Marking Plan within the time specified by the Agreement Officer will make the apparently successful applicant ineligible for award. Agreement Officers have the discretion to suspend the implementation requirements of the Marking Plan if circumstances warrant. Recipients of USAID funded grant or cooperative agreement or other assistance award or subaward should retain copies of any specific marking instructions or waivers in their project, program or activity files. Agreement Officer's Representatives will be assigned responsibility to monitor marking requirements on the basis of the approved Marking Plan.

(h) Presumptive exceptions:

- (1) The above marking requirements may not apply if marking 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, such as election monitoring or ballots, and voter information literature; political party support or public policy advocacy or reform; independent media, such as television and radio broadcasts, newspaper articles and editorials; public service announcements or public opinion polls and surveys.
 - (ii) Diminish the credibility of audits, reports, analyses, studies, or policy recommendations whose data or findings must be seen as independent.
 - (iii) Undercut host-country government “ownership” of constitutions, laws, regulations, policies, studies, assessments, reports, publications, surveys or audits, public service announcements, or other communications better positioned as “by” or “from” a cooperating country ministry or government official.
 - (iv) Impair the functionality of an item, such as sterilized equipment or spare parts.
 - (v) Incur substantial costs or be impractical, such as items too small or other otherwise unsuited for individual marking, such as food in bulk.
 - (vi) Offend local cultural or social norms, or be considered inappropriate on such items as condoms, toilets, bed pans, or similar commodities.
 - (vii) Conflict with international law.

(2) These exceptions are presumptive, not automatic and must be approved by the Agreement Officer. Apparently successful applicants may request approval of one or more of the presumptive exceptions, depending on the circumstances, in their Marking Plan. The Agreement Officer will review requests for presumptive exceptions for adequacy, along with the rest of the Marking Plan. When reviewing a request for approval of a presumptive exception, the Agreement Officer may review how program materials will be marked (if at all) if the USAID identity is removed. Exceptions approved will apply to subrecipients unless otherwise provided by USAID.

(i) In cases where the Marking Plan has not been complied with, the Agreement Officer will initiate corrective action. Such action may involve informing the recipient of a USAID grant or cooperative agreement or other assistance award or subaward of instances of noncompliance and requesting that the recipient carry out its responsibilities as set forth in the Marking Plan and award. Major or repeated non-compliance with the Marking Plan will be governed by the uniform suspension and termination.

(j) (1) USAID Principal Officers, may at any time after award waive in whole or in part the USAID approved Marking Plan, including USAID marking requirements for each USAID funded program, project, activity, public communication or commodity, or in exceptional circumstances may make a waiver by region or country, if the Principal Officer determines that otherwise USAID required marking would pose compelling political, safety, or security concerns, or marking would have an adverse impact in the cooperating country. USAID recipients may request waivers of the Marking Plan in whole or in part, through the AOR. No marking is required while a waiver determination is pending. The waiver determination on safety or security grounds must be made in consultation with U.S. Government security personnel if available, and must consider the same information that applies to determinations of the safety and security of U.S. Government employees in the cooperating country, as well as any information supplied by the AOR or the recipient for whom the waiver is sought. When reviewing a request for approval of a waiver, the Principal Officer may review how program materials will be marked (if at all) if the USAID Identity is removed. Approved waivers are not limited in duration but are subject to Principal Officer review at any time due to changed circumstances. Approved waivers “flow down” to recipients of subawards unless specified otherwise. Principal Officers may also authorize the removal of USAID markings already affixed if circumstances warrant. Principal Officers' determinations regarding waiver requests are subject to appeal to the Principal Officer's cognizant Assistant Administrator. Recipients may appeal by submitting a written request to reconsider the Principal Officer's waiver determination to the cognizant Assistant Administrator.

(2) *Non-retroactivity.* Marking requirements apply to any obligation of USAID funds for new awards as of January 2, 2006. Marking requirements also will apply to new obligations under existing awards, such as incremental funding actions, as of January 2, 2006, when the total estimated cost of the existing award has been increased by USAID or the scope of effort is changed to accommodate any costs associated with marking. In the event a waiver is rescinded, the marking requirements will apply from the date forward that the waiver is rescinded. In the event a waiver is rescinded after the period of performance, but before closeout, the USAID mission or operating unit with initial responsibility to administer the marking requirements must make a cost benefit analysis as to requiring USAID marking requirements after the date of completion of the affected programs, projects, activities, public communications or commodities.

(k) The USAID Identity and other guidance will be provided at no cost or fee to recipients of USAID grants, cooperative agreements or other assistance awards or subawards. Additional costs associated with marking requirements will be met by USAID if reasonable, allowable, and allocable. The standard cost reimbursement provisions of the grant, cooperative agreement,

other assistance award or subaward must be followed when applying for reimbursement of additional marking costs.

[End of Attachment 3]

[End of Section VIII]

[End of NFO 514-15-000012]

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