



USAID
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COLOMBIA

Issue Date: May 25, 2016
Deadline for Questions: June 1, 2016 - 3:00 pm Local Bogota time
Closing Date & Time for Concept Paper: June 15, 2016 - 3:00 pm Local Bogota time
Closing Date & Time for Full Application: July 26, 2016 - 3:00 pm Local Bogota time

Subject: Notice of Funding Opportunity Number: RFA-514-16-000005

Program Title: Inclusion for Peace 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. organizations to fund an Activity entitled Inclusion for Peace. 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 whose application 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. 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 activity 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 www.grants.gov.

Note. This procurement will be conducted in two stages. Stage one will require the submission of a concept paper. Only applicants that pass the concept paper review stage will be asked for a full application. See Section D – Application and Submission Information.

If you decide to submit a concept paper or you are invited to submit a full application, it must be received by the closing date and time indicated at the top of this cover letter and must be sent to the point(s) of contact identified in section D.

Issuance of this notice of funding opportunity does not constitute an award commitment on the part of the Government nor does it commit the Government to pay for any costs incurred in preparation or submission of comments/suggestions or an application. Applications are submitted at the risk of the applicant. All preparation and submission costs are at the applicant's expense.

Thank you for your interest in USAID programs.

Sincerely,

Curtrice Dorsey
Agreement Officer

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Abbreviations and Acronyms

CDCS	Country Development Cooperation Strategy
OVP	Office of Vulnerable Populations
USAID	United States Agency for International Development in Colombia
LGBTI	Lesbian, Gay, Bisexual, Transexual, Inter-sex
GOC	Government of Colombia
CONPA	Afro-Colombian National Peace Council
AECID	Spanish International Development Agency
IADB	Inter-American Development Bank
FARC	Revolutionary Armed Forces of Colombia
ELN	National Liberation Army
ANDI	Colombian National Business Association
PMEP	Performance Monitoring and Evaluation Plan
MONITOR	USAID Colombia Information System
ADS	Automated Directive System
AO	Agreement Officer
AOR	Agreement Officer Representative
NOFO	Notice of Funding Opportunity

SECTION A - PROGRAM DESCRIPTION

Introduction

The Inclusion for Peace Activity is proposed by the United States Agency for International Development in Colombia (USAID/Colombia). The authorizing legislation for this Activity is the Foreign Affairs Act and the resulting award will be subject to 2 CFR 700 and 2 CFR 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

The Activity is driven by USAID/Colombia’s Country Development Cooperation Strategy (CDCS) goal of “Creating the conditions for a sustainable and inclusive peace in Colombia.” The activity stems from Development Objective 2, which seeks to “advance reconciliation among victims, ex-combatants and other citizens” and is built upon lessons learned from previous and ongoing USAID programs working with Afro-Colombian and Indigenous populations, marginalized groups, and victims of the conflict.

Through this activity, USAID’s Office of Vulnerable Populations (OVP) seeks to support the efforts of an organization to foster social and economic inclusion of Afro-Colombian and Indigenous communities that have been severely affected by conflict, with a special emphasis within that community on people with disabilities, LGBTI population, and women victims of gender-based violence by:

- 1) Enhancing government capacity to respond to ethnic communities affected by conflict and increasing the communities’ engagement in peacebuilding efforts;
- 2) Reducing vulnerability to income poverty by increasing access to economic opportunities; and
- 3) Increasing awareness and respect for ethnic diversity.

Theory of Change

USAID/Colombia’s theory of change linking this activity to the three proposed objectives is:

If through inclusive processes, formal and informal institutions appropriately respond to the needs of ethnic communities affected by conflict, and support awareness raising activities that promote cultural heritage and understanding of the challenges these communities have faced, then ethnic communities will be empowered to become active participants in the reconciliation process and Colombian society will be more aware and respectful of ethnic diversity.

This theory of change is built upon the assumptions that:

1. The security situation in the country remains stable, allowing for activity presence and implementation.
2. The social and political situation remains stable.
3. Target institutions and organizations remain open to receiving USAID assistance.
4. USAID and the Government of Colombia (GOC) funding levels remain stable.
5. The GOC desires additional assistance in addressing issues faced by ethnic communities.

6. A more inclusive environment for ethnic communities is critical to addressing past grievances and ensuring Colombia achieves a sustainable peace.

The following section details the background considerations relating to the Colombian context, defines the activity's main objectives, territorial scope, expected results, suggests performance indicators for monitoring and evaluation purposes, and identifies a few considerations related to peace building and conflict dynamics in the targeted regions.

Background

With approximately one fifth of its population self-identifying as Afro-Colombian or indigenous,¹ Colombia is a diverse and culturally-rich nation. However, despite significant constitutional, legal, and policy advances, the country faces challenges in embracing its multi-cultural heritage and responding to the concrete needs of its ethnic communities.

Basic living conditions for Afro-Colombians and indigenous peoples are generally lower than those of the rest of the population. Afro-Colombians experience lower access to public services; including natural gas (20 percent lower than the rest of the population), sewage (22.4 percent lower), and potable water (14.4 percent lower).² They also have lower enrollment levels in social security (12.2 percent vs. 17.1 percent³), and lower incomes (20 percent less than non-Afro-Colombian population⁴). More than half of the Afro-Colombian population considers itself poor (55.5 percent vs. 42.7 percent⁵), and 44.2 percent believe their income is insufficient to cover their expenses.⁶

Indigenous peoples face similar conditions: 63 percent of the population lives below the poverty line and 47.6 percent of indigenous peoples in Colombia do not have enough income to cover daily dietary needs.⁷ Access to basic services is scarce: 60 percent of the indigenous population does not have access to water services, 80 percent lacks access to sanitation, and 40 percent does not have access to electricity.⁸

Exclusion and discrimination of ethnic communities continue to be realities in Colombia. Afro-Colombians are three times as likely to feel discriminated against because of the color of their skin,⁹ especially in public offices such as education and health institutions.¹⁰ Such discrimination is felt more in urban centers along the central region and the Pacific Coast, where there is a significant Afro-Colombian population.¹¹

¹ World Bank, The Gap that Matters – Poverty and Well-Being of Afro-Colombians and Indigenous Peoples. July 20, 2005.

² Mesa de Organizaciones Afrocolombianas, Estado de los Derechos Humanos de la Población Afrocolombiana – Informe Anual 2013. Pg. 21

³ Ibid. Pg. 27.

⁴ Ibid. Pg. 30.

⁵ Ibid. Pg. 31.

⁶ Ibid. Pg. 32.

⁷ Konrad Adenauer Stiftung (KAS), Situación de los Pueblos Indígenas de Colombia, KAS Papers No. 4, 2009, Pg. 7

⁸ Ibid.

⁹ García, Miguel. Cultura Política de la Democracia en Colombia – Actitudes Democráticas de la Población Afrocolombiana. Latin American Public Opinion Survey. Universidad de Los Andes. 2011. Pg. 19

¹⁰ Ibid. Pg. 21.

¹¹ Ibid. Pg. 20.

The armed conflict has taken a heavy toll on Colombia's ethnic communities. Indigenous peoples, for example, are 3.28 times more likely to be displaced than the rest of the population¹² and 45.8 percent of Afro-Colombians have suffered at least one form of victimization, most notably displacement or loss of a relative (14 percent higher than non-Afro-Colombian population).¹³

Afro-Colombians and indigenous have also suffered the consequences of land mines; together, they represent ten percent of people wounded by land mines and 20 percent of the casualties over the past ten years. Of the total number of Afro-Colombian and indigenous wounded or killed by land mines, 93 percent of those wounded were indigenous, and 94 percent of those killed were indigenous. The department with the highest number of Afro-Colombian and indigenous land mine victims is Nariño (39 percent), followed by Cauca (17 percent), and Guaviare (13 percent). Children are particularly vulnerable, constituting 34 percent of Afro-Colombian or indigenous victims of land mines.¹⁴

The situation of Afro-Colombian and indigenous women merits special attention: between 2012 and 2013, 1,163 indigenous women¹⁵ and 722 Afro-Colombian women¹⁶ reported being victims of gender-based violence. As gender-based violence is often dramatically underreported, the actual numbers are likely much higher. For both populations, most victims were between the ages of 10 and 14.¹⁷ In the case of Afro-Colombian women, 51 percent of sexual violence cases were against girls aged 14 or younger;¹⁸ this number rose to 76 percent for indigenous girls.¹⁹ Physical and sexual violence are the two most common forms of violence suffered by Afro-Colombian and indigenous women. For both populations, additional factors of vulnerability, including displacement, increased the risks of victimization. However, for both populations, the vast majority of perpetrators were acquaintances of the victims: 62.3 percent of perpetrators of indigenous women were either a current or former partner or a family member.²⁰ This number rose to 83.6 percent for Afro-Colombian victims.²¹

Stemming from the Colombian Constitution of 1991, there are national level and institutional regulations, processes, and protocols that consider the specific needs of ethnic communities. For example, recent normative developments grant greater autonomy to indigenous collective territories. Additionally, there are specific government initiatives for the Pacific Coast corridor that seek to bring greater investment in the region. Despite the policy level advances, these significant challenges remain throughout the county.

¹² Rodríguez, Cesar, et. al., *Pueblos indígenas y desplazamiento forzado. Evaluación del cumplimiento del Gobierno colombiano del auto 004 de la Corte Constitucional colombiana*, in *Justicia Global* 3. Universidad de los Andes, 2009. Pg. 17

¹³ García, Miguel, *op. cit.*, Pg. 66

¹⁴ USAID calculations based on information from Dirección para la Acción Integral contra Minas Antipersonal. <http://www.accioncontraminas.gov.co/estadisticas/Paginas/Bitacora-de-victimas.aspx>. Visited on September 14, 2015.

¹⁵ Presidencia de la República, *Consejería Presidencial para la Equidad de la Mujer, Algunos Factores Asociados a la Violencia Contra las Mujeres Indígenas 2012-2013*, 2013, Pg. 19

¹⁶ Presidencia de la República, *Consejería Presidencial para la Equidad de la Mujer, Algunos Factores Asociados a la Violencia Contra las Mujeres Afrodescendientes, Negras, Raizales y Palenqueras (ANRP) 2012-2013*, 2013, Pg. 27

¹⁷ Presidencia de la República (*Violencia Mujeres Indígenas*), Pg. 19 and Presidencia de la República (*Violencia Mujeres ANRP*), Pg. 35

¹⁸ Presidencia de la República (*Violencia Mujeres ANRP*), *op. cit.* Pg. 23

¹⁹ Presidencia de la República (*Violencia Mujeres Indígenas*), *op. cit.* Pg. 20

²⁰ *Ibid.* Pgs. 26-27

²¹ Presidencia de la República (*Violencia Mujeres ANRP*), *op. cit.* Pgs. 31-32

Afro-Colombian and indigenous civil society organizations and traditional authorities have made great strides in engaging with public entities, advocating for their needs, demanding respect for their rights, strengthening their capacity to manage their own territories, and increasing participation of women and youth into decision-making processes.

The ongoing peace negotiations between the FARC and the GOC mark a unique opportunity for the government, ethnic communities, and the country as a whole to recognize and value the country's diversity, and respond to the effects of the armed conflict in these communities. Existing initiatives from civil society, such as the Afro-Colombian National Peace Council (CONPA) and the Ethnic Commission for Peace and the Defense of Territorial Rights both of which seek to present an Afro-Colombian and indigenous perspective within the process, and the "Plan Pazcífico", which reflects joint proposals from Pacific Coast leaders for a possible postaccord era, have the potential to foster ethnic inclusion in a decisive moment for Colombian history.

Over the past 15 years, USAID has increasingly worked with ethnic communities in Colombia through its various technical areas (human rights, alternative development, justice, etc.), and most recently, through the Afro-Colombian and Indigenous Program.

Other donors, including the Canadian Government, the Spanish International Development Agency (AECID), the European Union, the United Nations system, the World Bank and the Inter-American Development Bank (IADB) have also worked with government agencies and civil society to advance the rights of Afro-Colombian and indigenous peoples on issues such as governance, access to education and income generation.

General Program Description

The United States Agency for International Development in Colombia (USAID/Colombia) is issuing a Notice of Funding Opportunity to request applications for an Activity to be designed, proposed, implemented, and managed by the recipient that will contribute to the achievement of USAID CDCS Development Objective 2.

The purpose of the four-year activity is to support the recipient's efforts to advance ethnic inclusion in Colombia with the GOC, civil society and the private sector.

Objectives

The activity has three objectives:

OBJECTIVE 1: Enhanced government capacity to respond to ethnic communities affected by conflict and greater engagement of these communities in peacebuilding.

Objective 1 Problem Statement:

There is a wealth of norms and regulations in Colombia that address the needs of ethnic communities affected by conflict, from general principles in the 1991 Constitution to special provisions within the National Development Plan to specific norms and stipulations within the Victims' Law. These norms are complemented by a wealth of jurisprudence from Colombia's Constitutional Court, which, over the years, has issued key rulings to expand and explain the linkages between the Constitution and the rights of ethnic communities affected by conflict.

These developments are partially the result of an increased dialogue between the GOC and civil society. Despite continuing challenges, especially within the Afro-Colombian population, greater and better avenues for dialogue have evolved into more legitimate and tailored policies from the GOC. One of the factors leading to this dialogue is civil society's increased capacity to advocate for and access government resources directed at ethnic populations affected by conflict.

Implementation of such norms, however, continues to be challenging. For example, in 2010 the GOC included 115 special provisions for Afro-Colombian communities and 96 for Indigenous Peoples within its 2010-2014 National Development Plan. By 2014, however, only 45 percent of such provisions had been fully executed, 46 percent were under implementation, and the remaining eight percent were yet to begin.²²

Tailored responses are required for ethnic communities that face additional layers of marginalization, including victims of land mines, victims of gender-based violence and LGBTI populations. For each of these populations, and building upon previous USAID experience, it is important to work with the GOC to adapt its existing government programs and train government officials to provide relevant and differentiated responses to the communities' specific needs.

Governmental responses must be complemented with active, empowered, and capable civil society organizations and traditional authorities that are able to constructively engage with and interact with government agencies at all levels; understand government processes, norms, and opportunities; access available public funding; govern their territories; and demand implementation of existing policies. Through this activity, USAID will continue to support Afro-Colombian and indigenous civil society organizations and traditional authorities to develop such capacity. Special attention is necessary for organizations advancing the rights of Afro-Colombian and indigenous women and men who have been victims of gender-based violence, the Afro-Colombian and indigenous LGBTI population, people with disabilities and organizations and initiatives advocating for ethnic inclusion in a post-accord scenario.

Special considerations on access to higher education – an exemplification of the limited reach of existing GOC initiatives in Afro-Colombian and indigenous populations is the recent Ministry of Education initiative *Ser Pilo Paga*, which provides higher education opportunities in select universities to under privileged students who demonstrate high academic capacity. Out of a total pool of 10,000 beneficiaries throughout the country, only 3.5 percent come from municipalities with a high Afro-Colombian and/or indigenous population.²³ The department of Chocó, for example, while representing one percent of the total country population,²⁴ only represented 0.1 percent of the number of *Ser Pilo Paga* beneficiaries;²⁵ by contrast, the city of Bogotá which represents 16 percent²⁶ of the total country population, had 22 percent of the beneficiaries.²⁷

²² Departamento Nacional de Planeación, Seguimiento al cumplimiento de los compromisos de consulta previa con pueblos indígenas al Plan Nacional de Desarrollo 2010-2014 “Prosperidad para Todos” and Seguimiento al cumplimiento de los compromisos de la consulta previa con las comunidades negras, afrocolombianas, palenqueras y raizales al Plan Nacional de Desarrollo 2010-2014 “Prosperidad para Todos.”

²³ USAID calculations based on data from Ministry of Education

<http://ceroasiempre.mineducacion.gov.co/10millbecas/index.html>. Visited September 14, 2015

²⁴ 2005 Census. www.dane.gov.co

²⁵ USAID calculations based on data from Ministry of Education

<http://ceroasiempre.mineducacion.gov.co/10millbecas/index.html>. Visited September 14, 2015

²⁶ 2005 Census. www.dane.gov.co

Access to the program partially depends upon results of the standardized state exams taken by all students at the end of secondary school (*Pruebas Saber 11*). Challenges in access and quality of education during the last years of secondary school in regions with Afro-Colombian and indigenous populations have resulted in poor test results and hence, an impossibility to access *Ser Pilo Paga*.

A solution to this inequity would require partnering with academia, civil society organizations, and the GOC to enhance the capacity of secondary school students in targeted institutions to improve *Pruebas Saber* results for targeted Afro-Colombian and indigenous organizations, and enable them to access state or private sector-supported initiatives for access to higher education.

Conflict considerations:

The ongoing negotiations between the GOC and the FARC and the plausible negotiations with the ELN generate an opportunity for civil society organizations to voice the effects of the armed conflict on marginalized populations, and advocate for their inclusion in the entire process, from the discussions to the implementation of the possible agreement. Afro-Colombian and indigenous women and girls have been particularly vulnerable and their specific needs must be taken into account.

While under this objective USAID/Colombia will support the recipient's effort to improve the GOC's ability to respond to specific needs of marginalized groups and individuals, it will be important to ensure that assistance activities follow a *do no harm* approach and do not exclude other community members that fall outside of target populations, and potentially further exacerbate already existing tensions.

Objective 1 Expected Results:

- (1) Targeted GOC agencies have increased capacity to respond to the needs of Afro-Colombian and indigenous persons affected by conflict;
- (2) Increased Afro-Colombian and indigenous civil society capacity to advocate for their needs and constructively engage with the GOC;
- (3) Increased implementation of targeted government initiatives that respond to the needs of ethnic communities affected by conflict through a *do no harm* approach that engages the entire community.
- (4) Improved *Pruebas Saber* results in targeted education institutions.

Measure of success for Objective 1:

The GOC will increase effective implementation of policies benefitting ethnic communities affected by conflict and Afro-Colombian and indigenous civil society organizations will be greater engaged in peacebuilding.

²⁷ USAID calculations based on data from Ministry of Education
<http://ceroasiempre.mineducacion.gov.co/10milbecas/index.html>. Visited September 14, 2015

Illustrative Indicators (Objective 1):

GOC capacity	✓ Average percent change of state institutional capacity for attention to ethnic community needs among targeted state institutions
Civil society empowerment	✓ Amount of public resources accessed by Afro-Colombian or indigenous civil society organizations ✓ Increase in organizational capacity index
Policy implementation	✓ GOC investment in ethnic communities affected by conflict increased ✓ Increased number of Afro-Colombian and indigenous beneficiaries of targeted state-supported initiatives

OBJECTIVE 2: Reduced vulnerability to income poverty by increasing access to economic opportunitiesObjective 2 Problem Statement:

The majority of Afro-Colombians and a growing number of indigenous live in urban centers. However, limited access to education and discriminatory practices hinder their ability to access the formal job market. A USAID-supported survey reflected that within a sample of 98 companies in seven Colombian cities, Afro-Colombians constituted less than three percent of the formal job market; that number fell to less than one percent for indigenous peoples.²⁸ With limited access to the formal job market, informal employment becomes the norm for the Afro-Colombian and indigenous populations, with informal employment levels being 11 percent and nine percent, respectively, higher than the rest of the country.²⁹

In rural areas, poverty levels in regions where Afro-Colombian and indigenous communities reside are higher than those in the rest of the country. The armed conflict has brought displacement from, or, in the case of several indigenous communities, confinement within their territories, which has led to the loss of traditional agricultural practices.

The situation of Afro-Colombian and indigenous women is particularly grim; almost 60 percent of Afro-Colombian women live in poverty.³⁰ While there is no data available for indigenous women, the level of basic unsatisfied needs for indigenous peoples in departments with high indigenous population such as La Guajira stands at 65.1 percent,³¹ and is even higher for women.

²⁸ El Tiempo, El 6% de directivos de empresas son afros, published on February 25, 2014.

<http://www.eltiempo.com/archivo/documento/CMS-13553556> Visited on September 14, 2015.

²⁹ Departamento para la Prosperidad Social, Implementación Instrumento de Atención Integral para Población Desplazada con Enfoque Diferencial Étnico, 2011. Pg. 4

³⁰ Mesa de Organizaciones Afrocolombianas, op. cit. Pg. 19.

³¹ Presidencia de la República, Programa Presidencial Indígena, ODM e Indígenas – Una aproximación a los primeros cuatro objetivos, 2013. Pg. 21.

Significant advances have been made recently to improve workforce diversity in private sector companies and provide job placement opportunities for urban Afro-Colombians and indigenous. Tailored training responding to the specific needs of the job market has translated into more than 1,000 companies providing formal jobs for Afro-Colombian and indigenous individuals living in urban centers. Psycho-social support to populations affected by the armed conflict has proven to be an essential tool for beneficiaries entering the formal job market for the first time.

Under an inclusive business approach, urban Afro-Colombian or indigenous-owned small enterprises have the potential to generate formal employment for ethnic communities. These enterprises also have the potential to safeguard ethnic identity and continued linkages to original territories, where those linkages are at risk.

The Colombian private sector is increasingly aware of the opportunities and improved competitiveness brought by inclusion; the Colombian National Business Association (ANDI), for example, has been actively engaged in promoting inclusion – through employment, value chains, and purchases – among its member companies.

Building upon lessons learned from previous and ongoing programs, USAID will support partnerships between the private sector and Afro-Colombian and indigenous communities affected by conflict to increase access to formal employment and promote inclusive business opportunities in urban areas.

In rural settings, USAID will support efforts to increase families' incomes by strengthening value chains and producer associations of traditional agricultural or fishing products that have commercial potential. There are existing investment initiatives in target regions, such as Invest in Chocó, which can provide a platform for producers and buyers to build commercial partnerships.

Conflict considerations:

The impact of displacement, confinement, gender-based violence, and physical or mental disabilities as a result of conflict are conditions that have made Afro-Colombians and indigenous populations particularly vulnerable to loss of income and poverty. Therefore, it is important to engage beneficiaries and private sector partners alike in understanding, adapting to, and responding to the unique conditions that characterize these populations. In particular, these vulnerable populations have unique psycho-social needs that demand conflict sensitive approaches to job placement initiatives and other livelihood activities.

Objective 2 Expected Results:

- (1) Targeted urban Afro-Colombian and indigenous receive vocational training and formal job placement opportunities through an inclusive process.
- (2) Inclusive business initiatives developed between urban and rural Afro-Colombian and indigenous communities affected by conflict and private sector companies.

Measure of success:

Conditions of income poverty will decrease in targeted populations as a result of greater access to economic opportunities.

Illustrative Indicators (Objective 2):

Job placement	<ul style="list-style-type: none"> ✓ Persons gaining formal employment ✓ Private sector companies engaging in inclusive hiring practices ✓ Private sector companies or GOC agencies including psycho-social support and conflict-sensitive approaches to hiring programs
Inclusive business	<ul style="list-style-type: none"> ✓ Rural households benefitting from inclusive business initiatives

OBJECTIVE 3: Increased awareness and respect for ethnic diversityObjective 3 Problem Statement:

Racism and discrimination continue to affect Colombian society. Afro-Colombians are three times more likely to feel discriminated against due to the color of their skin.³² Additionally, Afro-Colombians and indigenous who have been affected by conflict, including women, people with disabilities and the LGBTI population, face different types of discrimination.

Previous experiences with media outlets at the local, regional, and national level, ethnic communities, and opinion makers, have been invaluable in strengthening pride and self-identity within ethnic communities and in promoting awareness of cultural and ethnic diversity.

Cultural heritage initiatives are a means to preserve or rescue traditional practices and enhance ethnic identity.

Therefore, partnerships with local, regional, and national media outlets, including those that stem from Afro-Colombian and Indigenous communities, will be supported to highlight the important contributions ethnic diversity has made to the country, but also to highlight the continued challenges faced by Afro-Colombian and indigenous communities affected by conflict. Raising awareness on the specific challenges faced by Afro-Colombian and indigenous women victims of gender-based violence, people with disabilities, and the LGBTI population is particularly important.

Conflict considerations:

The internal armed conflict has brought displacement, confinement, and new physical or mental disabilities to indigenous and Afro-Colombian populations. As a result of this, their livelihoods have been affected and they have had to forcefully adapt to new living conditions. In addition to racial discrimination, Afro-Colombians and indigenous often also face displacement, poverty and the influences of powerful armed groups. These issues not only lead to decreased access to economic opportunities, but also risk the loss of ethnic and cultural identities within these communities. Therefore, awareness-raising activities not only highlight the challenges that

³² García, Miguel. Op. Cit. pg. 19

indigenous and Afro-Colombian face, but also promote positive aspects of their cultural heritage. There are many existing traditions or customs within indigenous and Afro-Colombian culture that promote peaceful co-existence or peacebuilding, and can be used to strengthen community cohesion and overcome some of the legacies of the conflict.

Objective 3 Expected Results:

- (1) Cultural heritage initiatives identified and supported.
- (2) Awareness of indigenous and Afro-Colombian cultures and contributions promoted.

Measure of success:

Increase in positive perception of ethnic inclusion in targeted areas.

Illustrative Indicators (Objective 3)

Cultural heritage	✓ Cultural heritage protection initiatives supported
Awareness raising	✓ Inclusion-enhancing messages promoted in partnership with media outlets

Place of performance:

Consistent with the Mission’s goals, USAID/Colombia is prepared to support program initiatives within several of the following departments:

- Chocó
- Cauca
- Nariño
- Putumayo
- Guajira
- Guaviare

Additionally, USAID is also willing to support activities in areas that fall under the following criteria:

- Municipalities with over 15 percent Afro-Colombian or indigenous populations;
- Departments with high levels of unsatisfied basic needs within Afro-Colombian and indigenous populations;
- Departments with highest numbers of registered Afro-Colombian or indigenous victims;
- Departments with highest numbers of Afro-Colombian or indigenous victims of land mines.

Municipalities which have been high receptors of Afro-Colombian and Indigenous victims of conflict, such as Cali, Medellín, Bogotá, Buenaventura, and Cartagena, may also be considered. The activity will work in the municipalities selected with USAID approval at the implementation plan stage. USAID and the implementing partner will determine the municipalities designated as high priority, medium priority, and low priority.

Other considerations:Coordination with Other USAID Activities:

This activity builds upon previous and ongoing USAID assistance provided to the GOC for social and economic inclusion of ethnic groups, a key area of USAID/Colombia's Office of Vulnerable Population (OVP) portfolio. Other USAID technical offices that are also implementing inclusion activities may overlap in terms of territory and objectives. The Inclusion for Peace Activity is aligned with the USAID/Colombia Mission strategy including the Democracy, Human Rights and Governance Office, the Consolidation, Land and Livelihoods Office and the Environment Office. The Inclusion Activity will benefit and contribute to synergies of other USAID funded programs that are operating in the same municipalities, such as the Regional Governance Activity, the Reconciliation Activity, the Human Rights Program, and others.

Coordination with Other Donors:

It is expected that over the next several years, other donors will continue to support the GOC efforts on racial and ethnic inclusion. USAID will coordinate closely with other donors to minimize the duplication of efforts among donors and maximize the degree of coordination and program effectiveness.

Partnerships:

Cooperation with key stakeholders such as departmental governments, local governments, national government entities, private sector companies, civil society organizations, media outlets, advocacy groups, think tanks and academia will be critical to achieving results in so far as sustainable inclusion requires their cooperation, commitments and resources.

SECTION B - FEDERAL AWARD INFORMATION

1. Estimate of Funds Available and Number of Awards Contemplated

Subject to funding availability, USAID intends to provide between \$45,000,000.00 and \$50,000,000.00 in total USAID funding over a 4 year period. The ceiling for this Activity is \$50,000,000.00. Actual funding amounts are subject to availability of funds.

USAID intends to award one 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 on the date of signature of the award.

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 Recipient's Implementation Plans
- b. Approval of Key Personnel: (1) Chief of Party, (2) Deputy Chief of Party, (3) Senior Contracts/Grants Manager, (4) *To be determined upon award depending on the selected application* and (5) *To be determined upon award depending on the selected application.*
- c. Agency and Applicant Collaboration or Joint Participation. *Will be determined based on the selected application and coordinated with the recipient prior to award.*

4. Title to Property

Property title under the resultant agreement will vest with the recipient in accordance with the Requirements of **2 CFR 200, Property Standards.**

5. Authorized Geographic Code

The geographic code for this Activity is 937. The cooperating country 514 (Colombia) is an eligible source in accordance with the policies in 22 CFR 228.

6. Purpose of the Award

The principal purpose of the relationship with the Recipient under the subject Activity is to support its efforts to foster social and economic inclusion of Afro-Colombian and Indigenous communities that have been severely affected by conflict, with a special emphasis within that community on people with disabilities, LGBTI population, and women victims of gender-based violence. Support for the Inclusion for Peace Activity is authorized by Federal statute.

The successful Recipient will be responsible for ensuring the achievement of the Activity 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.

SECTION C- ELIGIBILITY INFORMATION

1. Eligible Applicants

U.S. and non-U.S. 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 Recipient must be a responsible entity. The successful applicant will be subject to a responsibility determination by the Agreement Officer (AO). The AO may determine a pre-award survey is required to determine whether the prospective recipient has the necessary experience, technical skills, and accounting and operational controls – or the ability to obtain them – in order to achieve the objectives of the activity and comply with the terms and conditions of the award.

2. Cost Sharing or Matching

Cost sharing is required for the applicant to be eligible. Applicants must propose a cost share of minimum 25%. Applications that do not meet the minimum cost share requirement are not eligible for award consideration.

Cost share refers to the resources a recipient contributes to the total cost of an agreement. Cost share will become a condition of the resulting award and will be included in the approved award budget. Cost share may be audited and must be verifiable from the recipient's records. U.S. organizations are subject to the requirements of 2 CFR 200.306, and non-U.S. organizations are subject to the Standard Provision, "Cost Share." If a recipient does not meet its cost share requirement, the AO may apply the difference between the actual cost share and the agreed upon cost share to reduce the amount of USAID funding for the following funding period, require the recipient to refund the difference to USAID when the award expires or is terminated, or reduce the amount of cost share required under the award.

3. Facilitation of Private Sector Resources

The Inclusion for Peace Activity is heavily focused on building partnerships. While alliances do not have to be finalized prior to submitting an application, the level of partner engagement and commitment will be reviewed. Letters of support or intent from prospective resource partners that describe the roles, responsibilities, and contributions of each of the alliance partners are valuable indicators of such commitment. 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. However, applications must demonstrate extensive private and public sector engagement and collaboration.

SECTION D - APPLICATION AND SUBMISSION INFORMATION

This procurement will be conducted in two stages. Stage one will require the submission of one (1) concept paper per organization. Applicants who pass stage one will be invited to submit one (1) full application during the second stage.

1. Agency Points of Contact

Name: Paula Cubillos Olano
 Title: Acquisition & Assistance Specialist
 Street Address: Carrera 45 No. 24B-27
 Email: pcubillos@usaid.gov

Name: German Gutierrez
 Title: Acquisition & Assistance Specialist
 Street Address: Carrera 45 No. 24B-27
 Email: ggutierrez@usaid.gov

Questions, concept papers or full applications (if invited to submit one) must be sent to **both** points of contact identified above and **no later than** the date and time specified in the cover letter.

Questions and Answers:

All questions regarding this NOFO must be submitted via e-mail to provide sufficient time to address them and prepare the Questions and Answers (Q&A) document to be publicized in ww.grants.gov. Any information given to a prospective applicant concerning this NOFO will be furnished promptly to all other prospective applicants, if that information is necessary in submitting applications or if the lack of it would be prejudicial to any other prospective applicant.

2. Preparation of Concept Papers/Applications

Each applicant must furnish **all** the information required by this NOFO.

Applicants are expected to review, understand, and comply with all aspects of the NOFO.

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 concept paper/application includes data that shall not be disclosed outside the U.S. Government and must not be duplicated, used, or disclosed – in whole or in part – for any purpose other than to evaluate this concept paper/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 concept paper/application and all enclosures which accompany it.

3. Stage 1 - Concept Paper:

a. Concept Paper Submission Procedures

It is the applicant’s responsibility to ensure that all necessary documentation is complete and received by USAID/Colombia on time.

Electronic Submission (e-mail) is the media for submitting the concept paper. The official points of contact are listed in section D.1 above. The deadline to submit the concept paper is on the cover page of this NOFO.

After you have sent your concept paper 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. Do not send the same e-mail more than once unless there has been a change, and if so, please note that it is a "corrected" e-mail.

b. Content and Form of Concept Paper Submission

The concept paper must be no longer than 5 pages (3 pages for the technical approach and 2 pages for the management approach). Applicants must clearly mark each section as such and not exceed the page limitation for each. The concept paper must be written in Times New Roman Font size 12, single spaced, typed in standard 8.5 x 11 paper size with one-inch margins both right and left and each page number consecutively. There is no need to include any cost information in the concept paper. However, applicants that do meet the 25% minimum cost share requirement are not eligible for award consideration.

Technical Approach:

In order to evaluate the proposed technical approach, the applicant must present a case study. The applicant must select a municipality or region with a high population of Afro-Colombian and/or indigenous communities affected by conflict and describe illustrative activities that it would undertake in that region to incorporate the different activity elements and fulfill the goals of this Activity. The case study must demonstrate the understanding of ethnic and racial inclusion issues in the Colombian context and must be succinct, but provide sufficient detail to evaluate the components set forth in the Program Description. There is a three-page limit for this case study. Submissions longer than three pages will not be considered.

Management approach:

The applicant must describe the management structure that would support the strategy presented in the case study to achieve results. The submission must also include an organizational chart as well a description of the proposed regional office structure. There is a two-page limit for this portion of the concept paper submission.

4. Stage 2 – Full Application:

a. Application Submission Procedures

It is the Applicant's responsibility to ensure that all necessary documentation is complete and received by USAID/Colombia on time.

Electronic Submission (e-mail) is the media for submitting the application. The official point of contact is listed in section D.1 above. The deadline to submit the concept paper is on the cover page of this NOFO.

Applications must be submitted in two separate parts: (a) Technical Application, and (b) Cost/Business Application. Please indicate in the subject line of the e-mail whether the e-mail relates to the technical or cost application, and the desired sequence of multiple e-mails (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 e-mails, the first e-mail should have a subject line which says: "[organization name], Cost Application, Part 1 of 2".

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 e-mail 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. Do not send the same e-mail more than once unless there has been a change, and if so, please note that it is a "corrected" e-mail.

b. Content and Form of Application Submission

b.1 Technical Application Format

The technical application must be specific, complete and presented concisely. The application must take into account the requirements of the program and merit review criteria found in this NOFO.

The Technical Application must be in English (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). The Technical Application must be divided in two sections: core and annexes. There is a 27 page limitation for the core section and a 33 page limitation for the annexes. Therefore, the entire technical application must not exceed 60 pages. INFORMATION SUBMITTED OVER THE PAGE LIMITATION WILL NOT BE REVIEWED.

The core technical application **must** contain:

- Cover page (1 page)
- Table of contents (1 page listing all page numbers and annexes)
- Executive Summary

- Proposed Technical Approach that contains:
 - Assumptions and constraints and how the latter would be addressed per Activity component
 - The strategy to achieve each of the Activity’s objectives including a description of the proposed activities under each one and a justification and analysis for the proposed municipalities that considers minimum parameters that would allow for effective implementation and explains the involvement of local actors and the strategic approach to strengthen them. The strategy must also include a discussion of the rationale for proposed partnerships and alliances, the potential for facilitating funds from governmental and non-governmental entities and the private sector.
 - A description of the characteristics that are unique to the specific areas and/or particular ethnic groups and a differentiated approach to working with proposed target beneficiaries. In its strategy, the applicant must articulate how its proposed approach would differ by geographic area, ethnicity, culture, gender, rural vs. urban, age, etc. The proposed target areas and population size must be consistent with the four-year time frame and available resources.
- Management Structure and Key Personnel
 - The proposed management structure that will support the technical approach to achieve the objectives of the Activity. The applicant must include qualifications and relevant work experience for proposed staff that are not key personnel but that consistent with the applicant’s specific approach are essential personnel³³ whose role will be critical to activity success.
 - Qualifications and relevant work experience of key personnel to include: (1) Chief of Party, (2) Deputy Chief of Party, (3) Senior Contracts/Grants Manager, (4) To be proposed by the applicant and (5) To be proposed by the applicant.
- Organizational Capacity
 - A list of up to five (5) projects and a description that show the applicant’s and its proposed partners’ relevant experiences and key achievements during the past three years in developing and implementing programs with ethnic communities similar to the program proposed in the application. 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 addresses. The Government reserves the right to obtain information from any and all sources inside or outside the U.S. Government.

³³ Essential personnel are different from Key Personnel. In the context of this NOFO, essential personnel are defined as those individuals that consistent with the applicant’s specific approach are essential personnel whose role will be critical to activity success.

Annexes are strictly limited to the following documents:

- Cost share: In this portion of the technical application applicants must include the proposed cost share expressed as a percentage and specify the sources of such resources, and the basis of calculation. In accordance with 2 CFR 200.306, cost sharing will not be used as a separate factor during the merit review of applications but will be considered as further described in section E.
- Key Personnel resumes
- At least five references for proposed key personnel. The references must include the project name, project description, date of project, reference name, e-mail address and phone number. The Government reserves the right to obtain information on key personnel from any and all sources inside or outside the U.S. Government.
- Essential Personnel resumes and position descriptions
- Charts providing information on management structure, matrixes demonstrating staff skills, and organizational chart(s);
- Information related to the Illustrative Activity Monitoring and Evaluation Plan
- Letters of support, intent or commitment from prospective resource partners that describe the roles, responsibilities, and contributions of each of the alliance partners. USAID discourages applicants from seeking exclusive letters of commitment.

b.2 Cost Application Format

The Cost or Business application is to be submitted separately from the Technical application. 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 and expensive visual and other presentation aids are neither necessary nor wanted.

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, stating sources and amounts for the proposed program.

If the Applicant has established a consortium³⁴ or another legal relationship among its partners, the Cost/Business application must include a copy of the legal relationship between the parties. The agreement must 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 is the cost application documentation that invited Applicants must submit to USAID at the full application stage:

³⁴ For this NOFO, a consortium is defined as a legal entity created by several organizations to exclusively apply for the Inclusion for Peace Activity. This is completely different from the traditional prime/sub relationship in which there is a prime Applicant who has the potential to become the recipient and during implementation would have partners in a sub recipient/sub-contractor capacity.

- **Cost application standard form number SF-424 and SF-424A signed.** Standard Forms can be accessed electronically at www.grants.gov.
- **Budget** broken down by program years in Microsoft Excel unlocked spreadsheets, including detailed line item information. The detailed budget must contain the same budget categories as shown on the SF-424A plus a complete cost breakdown.
- **Detailed budget narrative** in Word which must explain in detail the total costs for implementation of the Activity your organization is proposing. The detailed budget narrative must explain the basis for the proposed budget line items, which will allow USAID/Colombia to conduct cost realism and cost reasonableness analysis.

Applicants must consider the following when developing the budget and corresponding budget narrative:

- For budgeting purposes, please use an Exchange Rate of COP \$2,800 per US dollar.
- The estimated period of performance of the activity is four (4) years.
- Cost share is required and in the cost application it must be expressed as a dollar figure rather than a percentage to assist in monitoring the amount after award (using the exchange rate described above). Applicants must include the breakdown of the monetary and in-kind contributions of all organizations that will constitute the cost share. If the Applicant decides to include Administrative Costs as part of the cost share, it must make sure that these costs are not included as part of the Indirect Cost Rate to avoid duplication. In the budget narrative, Applicants must include the amount of cost-sharing resources to be mobilized over the life of the agreement, specify the sources of such resources, and the basis of calculation.
- Include a breakdown of all costs associated with the implementation of the activity including if applicable, headquarters, regional and/or country offices.
- Include a breakdown of all costs for each partner organization (sub-grantee/subcontractor³⁵) involved in the program which are equal or exceed 25% of the amount proposed by the Applicant. The information must follow the same cost format as submitted by the Applicant.
- Labor - Direct salaries and wages for each year of the Cooperative Agreement must be in accordance with the organization's established personnel policies and be reflective of the "market value" for each position. The budget must specify the name of the position (and of the individual if identified prior to submitting the application), annual salary, and expected level of effort of each position proposed for the Activity.

³⁵ 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.

- Fringe Benefits – include the rates for each category of employees expressed in dollars and as a percentage of salaries. If accounted for as a separate item of cost, fringe benefits must be based on the Applicant's audited fringe benefit rate, supported by a Negotiated Indirect Cost Rate Agreement (NICRA) or historical cost data. The narrative must include a detailed breakdown comprised of all items of fringe benefits and the costs of each, and explain the benefits included in the rate. Fringe Benefits for local staff must be accounted in accordance with Colombia labor law.
- 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 - 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.
- 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.)
- 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.
- Branding & Marking – applicants must estimate a reasonable amount to cover the branding and marking costs in accordance with the applicant's proposed technical approach.
- Communication & Outreach - USAID anticipates that a robust dissemination of communication materials and resources will take place. 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 in their budgets and as a separate line item resources for reporting, monitoring and evaluation to ensure that adequate resources are available.
- Environmental Compliance costs - Applicants are required to include it as a separate line item in their budgets to ensure that adequate resources are available.
- Audit – Non-US recipients 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”. Therefore, non US recipients must consider this cost when preparing the budget. This requirement also applies to sub-contractors and sub-grantees.

- Other costs as applicable to the proposed approach (i.e. translation services, training costs, etc.) or that could be necessary for the applicant to comply with standard provisions. Please see Section F.2. It is the applicant’s responsibility to review applicable provisions and budget accordingly.
- **The organization’s Negotiated Indirect Cost Agreement (NICRA)** if it has such an agreement with an Agency or Department of the U.S. Government. If the organization does not have a NICRA the Applicant must submit the following:
 - Reviewed Financial Statements Report: a report issued by a Certified Public Account (CPA) documenting the review of the financial statements was performed in accordance with Statements on Standards for Accounting and Review Services; that management is responsible for the preparation and fair presentation of the financial statements in accordance with the applicable financial reporting framework and for designing, implementing and maintaining internal control relevant to the preparation. The account must also state the he or she is not aware of any material modifications that should be made to the financial statements; or
 - Audited Financial Statements Report: An auditor issues a report documenting the audit was conducted in accordance with Generally Accepted Auditing Standards (GAAS), the financial statements are the responsibility of management, provides an opinion that the financial statements present fairly in all material respects the financial position of the company and the results of operations are in conformity with the applicable financial reporting framework (or issues a qualified opinion if the financial statements are not in conformity with the applicable financial reporting framework).

Note: Local Institutions usually do not have a Negotiated Indirect Cost Rate Agreement (NICRA) letter with the U.S. Government and therefore 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 this rate, the AO will 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:

- 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.
- Projected budget, cash flow and organizational chart, and
- A copy of the organization’s accounting manual.

- **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 (<https://www.usaid.gov/ads/policy/300/303mav>)
- **Evidence of SAM Registration and valid DUNS Number:** USAID will not make a Federal award to an applicant until the applicant has complied with all applicable DUNS and SAM requirements. If an applicant has not fully complied with the requirements by the time the agency is ready to make a Federal award, the AO can determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another applicant.

To 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. Completion of an early registration does not constitute any commitment on the part of the U.S. Government to make an award.

- **Branding Strategy and Marking Plan:** 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. 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.

Note: A full Branding Strategy and a Marking Plan will be requested to the "Apparent Successful Applicant" only. 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 will review and approve 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.

Potential Request for Additional Documentation:

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.

Certain documents are required to be submitted by an Applicant in order for the Agreement Officer to make that determination of responsibility. However, it is USAID policy not to burden Applicants with undue reporting requirements if that information is readily available through other sources or if it is needed only from the “apparently successful applicant.” The information in this section is provided so that Applicants may become familiar with additional documentation that may be requested by the Agreement Officer. Applicants must not submit the information below with their applications, and the Agreement Officer reserves the right to request additional information if deemed necessary:

- 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. The Applicant would provide copies of the same.
- Audited financial statements

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.

SECTION E - APPLICATION REVIEW INFORMATION

This procurement will be conducted in two stages. Therefore there will be a review process at the concept paper and full application stages.

Stage 1 - Concept Paper:

1. Merit Review Criteria and Selection Process:

Concept Papers will be reviewed and ranked for technical merit in accordance with the criteria listed below. The organizations with the highest ranked concept papers will be invited to submit full applications.

Criteria 1: Technical Approach – 70 points

Through the case study, USAID will review the applicant's understanding of ethnic and racial inclusion issues in the Colombian context and how the proposed illustrative activities incorporate the different elements described in the Program Description in a feasible way.

Criteria 2: Management approach - 30 points

USAID will review the management structure that will support the strategy to achieve the results described in the Program description.

Stage 2 – Full Application:

1. Merit Review Criteria and Selection Process:

USAID will conduct merit reviews of all applications received that comply with the instructions in this NOFO. Applications will be scored using an adjectival evaluation scale (exceptional, very good, satisfactory, marginal and unsatisfactory). In accordance with 2 CFR 200.306, cost sharing will not be used as a separate factor during the merit review of applications. However, as Technical scores become closer cost sharing increases in importance.

Applications will be reviewed based on the following criteria listed in descending order of importance:

Criteria 1: Technical Implementation

USAID will review the technical quality, responsiveness, and feasibility of the applicant's proposed approach and the extent to which it would contribute to achieve each of the activity's objectives.

USAID will review the likelihood of sustainability of the intervention beyond the life of the Activity. Specifically sustainability will be reviewed through the proposed involvement of local actors and partners that have a context-specific capacity in terms of knowledge and understanding of local systems, awareness of existing conditions and barriers, social capital, credibility, and/or political skills. Further, USAID will review the applicant's strategic approach to strengthen the capacity of local actors to maintain, contribute to and elevate

solutions to Colombia's development challenges related to ethnic communities affected by conflict.

USAID will also review the extent to which target populations are integrated into activity design and their concerns, needs and priorities are addressed in the proposed approach. Additionally, the review will examine the identification of constraints for target populations to access public services and the extent to which the application presents a strategy to mitigate these constraints.

Criteria 2: Management Structure and Key Personnel

USAID will review the responsiveness, realism, diversity, overall efficiency and appropriateness of the proposed staffing structure, including essential personnel³⁶ relative to the activity components and the applicant's approach, including representation by a diverse team of Colombian professionals in key positions.

USAID will also review the qualifications and relevant work experience of proposed Key Personnel to include: (1) Chief of Party, (2) Deputy Chief of Party, (3) Senior Contracts/Grants Manager, (4) To be proposed by the applicant and (5) To be proposed by the applicant. Key personnel will be assessed on the appropriateness of their academic background, knowledge, expertise and experience working on project activities with ethnic communities affected by conflict similar to their designated duties and responsibilities for this activity and on their success in managing those, as well as on their experience with the unique context of ethnic communities in Colombia. Key personnel must be fluent in oral and written Spanish and ideally would possess some level of comfort with the English language. The COP, however, will be assessed on his/her English language abilities to ensure effective communication with USAID and other USG entities.

Criteria 3: Organizational Capacity

USAID will review the extent to which the applicant and its proposed partners demonstrate an ability to fulfill the objectives of this Activity by describing relevant experience, current capacities, expertise, and key achievements in developing and implementing on-going or prior programs with ethnic communities affected by conflict that have a direct relationship to the activities proposed in the Program Description.

Cost

While Cost is less important than technical and is not weighted, the cost application of the apparently successful applicant will be evaluated for cost effectiveness and realism, completeness of the application, adequacy of budget detail and consistency with elements of the technical application.

As part of the analysis of the applicant's proposed budget, the AO will review the applicant's proposed cost share contributions for cost realism. The AO will verify that the proposed contributions meet the standards set in 2 CFR 200.306 for U.S. organizations or the Standard Provision "Cost Share" for non-U.S. organizations. USAID does not apply its

³⁶ Essential personnel are different from Key Personnel. In the context of this NOFO, essential personnel are defined as those individuals that consistent with the applicant's specific approach are essential personnel whose role will be critical to activity success.

source and nationality requirements or the restricted goods provision established in the Standard Provision "USAID Eligibility Rules for Commodities and Services" to cost share contributions.

SECTION F - FEDERAL AWARD ADMINISTRATION INFORMATION

1. Federal Award Notices

A notice of award signed by the AO is the authorizing document. USAID will provide it to the selected recipient electronically. Unsuccessful applicants will also be notified.

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. Administrative & National Policy Requirements

For U.S. organizations, this award will be administered in accordance with 2 CFR 700, 2 CFR 200, and ADS 303maa. Standard Provisions for U.S. Non-governmental Organizations are applicable.

For non-U.S. organizations, ADS 303mab, Standard Provisions for Non-U.S. Non-governmental Organizations will apply.

Applicants must check ADS 303.4 and 303.5 for direct links to 2 CFR 200, 2 CFR 700 and direct applicable standard provisions.

This NOFO only contains provisions that are required at this stage. Final provisions will be incorporated in the final award as applicable to the selected applicant

3. Reporting Requirements.

Financial Reporting:

The Recipient must submit an electronic version of quarterly financial reports via e-mail to the Agreement Officer Representative and to the Agreement Officer summarizing expenditures against the approved budget, accruals and projected expenditures. Financial Reports must be in accordance with 2 CFR 200.327 Financial reporting. The format for the reports will be provided by USAID.

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:

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

Performance Reporting

- a. Annual Implementation Plan (AIP): This document serves as a detailed guide to Activity implementation and, once approved, represents an agreement as to the nature and timing of interventions and becomes a reference tool for the implementer and USAID to track progress on achieving the award objectives. Each annual implementation plan will form the basis for an annual management review conducted by USAID and the AOR to assess Activity directions, priorities, achievements, and prior year implementation results, as well as management and implementation impediments, and to make recommendations for revisions, as appropriate.

The Annual Implementation Plans will include proposed activities for the given year, time frame for implementation, detailed budget, review of previous year's accomplishments (if applicable), problems, and progress towards achieving the Activity's objectives.

All Annual Implementation Plans must be within the program description and 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 AIP and the program description or other terms and conditions of the agreement, the agreement will take precedence over the AIP.

Due date: Within 60 days following award, the Recipient must submit the first Annual Implementation Plan which will cover the award until the end of the Fiscal Year. For subsequent years, the deadline for submission is 30 days before the end of the Fiscal Year. USAID will provide written comments to the Recipient within 30 days after receipt of the draft. The Recipient will revise and submit the revised AIP no later than 15 days after receipt of comments. If acceptable, the USAID AOR will provide a written approval of the final AIP to the Recipient. Failure to have an approved AIP in place may be viewed as a failure to comply with essential terms and conditions of the award. Significant revisions to the approved AIP will require the additional written approval of the AOR and may require a revision to the approved Activity Monitoring and Evaluation Plan (AMEP).

- b. Quarterly Progress Reports: The Recipient will submit quarterly reports that give insight into the progress of planned activities. The 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. The report must also include budgeted versus actual expenditures (along with a brief analysis of any variances). To the extent that the AMEP 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:

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

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

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

USG Fiscal Year Q4: The annual report replaces the 4th Quarterly progress report.

- c. Annual Report: The Recipient must submit an annual report covering activities of the previous USG fiscal year. The report must include 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, analysis and explanation of cost overruns or high unit costs. Also, the report must 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 AMEP, 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.

Due date: By October 30 every year.

- d. Final Report: The Final Report must cover the full period of the Award and contain 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, recommendations and other pertinent information. This report must eliminate politically sensitive or proprietary information and include all Activity and evaluation tools and materials in an annex.

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, the final report will be submitted within 90 calendar days after the completion date of the Award.

- e. Activity Monitoring & Evaluation Plan (AMEP): The AMEP will include, but not be limited to, indicators used to measure the impact of the activity, end of program and annual indicators and targets, performance measures, activity milestones and means of verification, and collection methodologies for each indicator as well as any other indicator that USAID might need to track in relation to this activity. If deemed appropriate an assessment activity will be performed.

Due date: Within 90 days following award

- f. Monitor - Mission-wide Monitoring Management Information System (MIS): The recipient will provide high level Development Objective (DO) indicator results information to the Monitor MIS. All performance data must be reported ensuring data quality standards (see ADS Chapter 578: Information Quality Guidelines).

Due date: 20 days after the end of each USG fiscal year quarter.

- g. Sub award Manual: In order to ensure compliance and efficient management of sub awards (sub grants and sub contracts), the recipient must develop and submit for approval by the Agreement Officer a sub award manual. The document must include an activity cycle flowchart outlining the development, approval and implementation process for sub awards (in compliance with US law and USAID policies and regulations), including key roles and responsibilities of the individuals within the organization involved in the process. This flowchart must demonstrate the applicant's ability to process and implement sub awards in a timely manner and in accordance with guidelines and procedures. Additionally, the manual must include all required forms and templates to be used during Activity implementation. AOR's and AO's approval thresholds will be defined prior to award and included in the

substantial involvement section of the award.

Due Date: 60 days after contract award.

- h. USAID weekly highlights: The recipient will send to the AOR highlights related to program activities, region-specific developments or ethnic minority issues that may affect program implementation since these are sent to USAID/Washington every week and widely distributed within the Embassy.

Due date: Weekly every Thursday by COB

- i. Program and regional briefers: The recipient will prepare Activity briefers broken down in two categories: regional and programmatic. The first will describe the general conditions and specific activities being implemented in a given region and the latter, the programmatic approach under each one of the program components. These briefers will be updated on a yearly basis.

Due date: Annually. Specific date to be coordinated with the AOR

4. Program Income

If generated during award implementation, the Recipient must account for Program Income in accordance with 2 CFR 200.80. Program Income will be used in accordance with 2 CFR 200.307(e)(2) added to funds committed by USAID and the recipient to the Activity, and used to further eligible Activity objectives.

5. Environmental Compliance

1a) The Foreign Assistance Act of 1961, as amended, Section 117 requires that the impact of USAID's activities on the environment be considered and that USAID include environmental sustainability as a central consideration in designing and carrying out its development programs. This mandate is codified in Federal Regulations (22 CFR 216) and in USAID's Automated Directives System (ADS) Parts 201.5.10g and 204 (<http://www.usaid.gov/policy/ADS/200/>), which, in part, require that the potential environmental impacts of USAID-financed activities are identified prior to a final decision to proceed and that appropriate environmental safeguards are adopted for all activities. The recipient's environmental compliance obligations under these regulations and procedures are specified in the following paragraphs.

1b) In addition, the recipient must comply with host country environmental regulations unless otherwise directed in writing by USAID. In case of conflict between host country and USAID regulations, the latter will govern.

1c) No activity funded under this cooperative agreement will be implemented unless an environmental threshold determination, as defined by 22 CFR 216, has been reached for that activity, as documented in a Request for Categorical Exclusion (RCE), Initial Environmental Examination (IEE), or Environmental Assessment (EA) duly signed by the Bureau Environmental Officer (BEO). (Hereinafter, such documents are described as "approved Regulation 216 environmental documentation.")

2) An Initial Environmental Examination (IEE) [LAC-IEE-15-60] has been approved for the Peace and Reconciliation Project covering the “Inclusion for Peace” Activity. The IEE covers activities expected to be implemented under this award.

A **Categorical Exclusion** was issued to the Peace and Reconciliation Project’s Capacity development activities aiming at building capacity of the GOC to formulate and implement policies, support to policy consultation processes, support to institutional reform, training of staff are actions are not subject to the procedures set forth in 216.3, except to the extent provided herein, in accordance with 22 CFR 216.2(c)(2):

- (i) Education, technical assistance, or training programs except to the extent such training programs includes activities directly affecting the environment (such as construction of facilities, etc.);
- (ii) Controlled experimentation exclusively for the purpose of research and field education which are confined to small areas and carefully monitored;
- (iii) Analyses, studies, academic or research workshops and meetings;
- (xiv) Studies, projects or programs intended to develop the capability of recipient countries to engage in development planning, except to the extent designed to result in activities directly affecting the environment (such as construction of facilities, etc.).

USAID has determined that a **Negative Determination** with conditions applies to the activities below. This indicates that if these activities are implemented subject to the specified conditions, they are expected to have no significant adverse effect on the environment. The recipient will be responsible for implementing all IEE conditions pertaining to activities to be funded under this award.

A **Negative Determination with Conditions** is issued to the Peace and Reconciliation Project for activities related to technical assistance to producing or processing crops and for small productive infrastructure. The Mission Environmental Officer (MEO) and the Contracting Officer's Representative -COR/ Agreement Officer's Representative AOR will oversee the implementation of appropriate environmental guidelines. Reports on these matters will be submitted by the Mission to LAC/BEO in Washington periodically.

A **Negative Determination with Conditions** is issued to the Peace and Reconciliation Project for the use of pesticides in the agricultural production, being the condition the full use and application of the approved PERSUAP (LAC-IEE-09-19 or most recent). Any modification of the PERSUAP will have to be approved before the implementation of the program. The MEO and the COR/AOR will oversee the implementation of the PERSUAP. Reports on these matters will be submitted by the Mission to LAC/BEO periodically.

A **Negative Determination with Conditions** is issued to the Peace and Reconciliation Project for activities needing small-scale infrastructure and small-scale construction. The condition is that the relevant USAID Environmental Guidelines for Development Activities in Latin America and Caribbean will be used in the implementation of these activities. The MEO, COR/AOR, and implementing partners will oversee the use of these Guidelines and their implementation. Reports on these matters will be submitted by the Mission to the LAC/BEO on an annual basis.

The IEE contains a Positive Determination for the activities below. This indicates that these activities have the potential for significant adverse effects on the environment. Accordingly, the recipient is required to comply with the terms of the Environmental Assessment (EA) addressing the environmental concerns raised by these activities. No activity identified under this Positive

Determination can proceed until Scoping as described in §216.3(a)(4) and an EA as described in §216.6 are completed and approved by USAID.

A **Positive Determination** is issued to the Peace and Reconciliation Project for other infrastructure or activities that may cause significant environmental impacts. Following the present determination, the Mission will take special care to follow the Environmental Review (ER) procedures established in the Programmatic Environmental Assessment (PEA) approved by LAC/BEO on April 28, 2003 and the ones coming up under the PEA currently being developed. Based on these procedures, the MEO will determine which activities/projects may use the ER process and which activities will require the preparation of an EIA. Conditions include:

- The environmental impacts of waste disposal are analyzed in the different environmental guidelines developed by the Colombia Ministry of Environment. These environmental guidelines make a full analysis of the waste disposal and processing steps and indicate clear and affordable management measures. This specific intervention will be registered in Monitor and its environmental management plan will be implemented.
- As the other sub-activities do not have a significant negative effect on the environment, the technical assistance and training to be provided under this activity fall under the categorical exclusion. If additional activities that may directly affect the environment are later considered, an amended IEE will be submitted, as appropriate.

4a) As part of its initial Implementation Plan, and all Annual Implementation Plans thereafter, the recipient, in collaboration with the USAID Agreement Officer Representative (AOR) and Mission Environmental Officer or Bureau Environmental Officer, as appropriate, must review all ongoing and planned activities under this cooperative agreement to determine if they are within the scope of the approved Regulation 216 environmental documentation.

4b) If the recipient plans any new activities outside the scope of the approved Regulation 216 environmental documentation, it must prepare an amendment to the documentation for USAID review and approval. No such new activities will be undertaken prior to receiving written USAID approval of environmental documentation amendments.

4c) Any ongoing activities found to be outside the scope of the approved Regulation 216 environmental documentation will be halted until an amendment to the documentation is submitted and written approval is received from USAID.

5. When the approved Regulation 216 documentation is (1) an IEE that contains one or more Negative Determinations with conditions and/or (2) an EA, the recipient must:

5a) Unless the approved Regulation 216 documentation contains a complete environmental mitigation and monitoring plan (EMMP) the recipient must prepare an EMMP or an Environmental Review (ER) generated through the Monitor System describing how the recipient will, in specific terms, implement all IEE and/or EA conditions that apply to proposed project activities within the scope of the award. The EMMP or ER must include monitoring the implementation of the conditions and their effectiveness.

5b) Integrate a completed EMMP or ER into the initial Implementation plan.

5c) Integrate an EMMP or ER Plan into subsequent Annual Implementation Plans, making any necessary adjustments to activity implementation in order to minimize adverse impacts to the environment.

6a) Sub-grants are allowed under this award; therefore, the recipient will be required to use an Environmental Review Form (ERF) or Environmental Review (ER) checklist using impact assessment tools to screen grant proposals to ensure that these will result in no adverse environmental impact, to develop mitigation measures, as necessary, and to specify monitoring and reporting. Use of the ERF or ER checklist is called for when the nature of the grant proposals to be funded is not well enough known to make an informed decision about their potential environmental impacts, yet due to the type and extent of activities to be funded, any adverse impacts are expected to be easily mitigated. Implementation of sub-grant and investment activities cannot go forward until the ERF or ER checklist is completed and approved by USAID. The Recipient is responsible for ensuring that mitigation measures specified by the ERF or ER checklist process are implemented. In cases where the nature of the investment is not well known enough to make an informed decision about potential environmental impacts, the final impact assessment can be deferred to a later stage in consultation with the AOR.

7a) The recipient will be responsible for periodic reporting to the USAID Agreement Officer Representative.

6. Executive Order -- Climate-Resilient International Development:

The applicant/recipient must take into consideration the threat that climate change poses to program implementation and must incorporate President Obama's Executive Order: ([http://www.whitehouse.gov/the-press-office/2014/09/23/executive-order-climate-resilientinternational-](http://www.whitehouse.gov/the-press-office/2014/09/23/executive-order-climate-resilientinternational-development) development) requiring all Federal agencies to make climate resilience programming a part of their international development programs and investments. The grantee must assess climate-related risks and vulnerabilities for the program, ensuring the work is sustainable and successes endure.

7. USAID Legal and Policy Considerations

The applicant/recipient must be aware of USAID legal and policy requirements that apply to agricultural development when proposing activities. Some considerations include, but are not limited to, the following:

1) USAID Implementation of Construction Activities in assistance programs, available at <http://inside.usaid.gov/ADS/300/303maw.pdf>

2) FY 2014 section 7081 states that no funds can be expended to provide "any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States if such incentive or inducement is likely to reduce the number of employees of such business enterprise in the United States because United States production is being replaced by such enterprise outside of the United States." ADS 225 provides guidance on the kinds of trade and investment promotion activities that are clearly prohibited by FY 2014 FOAA section 7081, on the kinds of activities that are clearly permitted by the legislation, and on the kinds of activities that fall within a gray area which require further review and consideration of policy and legal issues before they can be funded.

3) Policy Determination 15 states that "AID does not intend to support production of agricultural commodities for export that are likely to have a significant impact on competing U.S. exports." PD-15 outlines the relevant factors to be taken into account:

- export potential of the commodity in question;
- magnitude of production likely to result from the project;
- likely export markets;
- volume of U.S. exports of the commodity in question and similar commodities;
- U.S. share of the world or regional market that could reasonably be expected to be affected by increased exports of the commodity

4) FY 2014 FOIA section 7025(a) prohibits USAID from providing assistance to establish or expand production of any commodity for export if the commodity is likely to be in surplus on world markets and substantial injury will be caused to U.S. producers of the same, similar, or competing commodities.

5) Under FAA Sec. 604(e), and ADS 312, agricultural commodities and products thereof must be procured within the U.S. unless the commodity or product could not be reasonably produced in the U.S. in fulfillment of the particular assistance program. Waivers can be requested on a case by case basis, and must be approved prior to the purchase of such restricted commodities.

SECTION G - FEDERAL AWARDING AGENCY CONTACT(S)

The Agreement Officer for this Award is:

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

The Acquisition and Assistance Specialists for this Award are:

Paula Cubillos Olano
Acquisition and Assistance Specialist
U.S. Agency for International Development
Carrera 45 No. 24B - 27
Bogotá, Colombia
E-mail: pcubillos@usaid.gov

German Gutierrez
Acquisition & Assistance Specialist
U.S. Agency for International Development
Carrera 45 No. 24B-27
Bogotá, Colombia
Email: ggutierrez@usaid.gov

**SECTION H - OTHER INFORMATION
NOFO STANDARD PROVISIONS**

1. LIMITING CONSTRUCTION ACTIVITIES (AUGUST 2013)

a) Construction is not eligible for reimbursement under this award unless specifically identified in paragraph d) below.

b) Construction means —construction, alteration, or repair (including dredging and excavation) of buildings, structures, or other real property and includes, without limitation, improvements, renovation, alteration and refurbishment. The term includes, without limitation, roads, power plants, buildings, bridges, water treatment facilities, and vertical structures.

c) Agreement Officers will not approve any subawards or procurements by recipients for construction activities that are not listed in paragraph d) below. USAID will reimburse allowable costs for only the construction activities listed in this provision not to exceed the amount specified in the construction line item of the award budget. The recipient must receive prior written approval from the AO to transfer funds allotted for construction activities to other cost categories, or vice versa.

d) Description

[Type of construction and location(s)]

e) The recipient must include this provision in all subawards and procurements and make vendors providing services under this award and subrecipients aware of the restrictions of this provision.

2. USAID IMPLEMENTING PARTNER NOTICES (IPN) PORTAL FOR ASSISTANCE (JULY 2014)

(a) Definitions

“USAID Implementing Partner Notices (IPN) Portal for Assistance (“IPN Portal)” means the single point where USAID posts proposed universal bilateral amendments for USAID awards, which can be accessed electronically by registered USAID recipients. The IPN Portal is located at <https://sites.google.com/site/usaidipnforassistance/>. Universal amendments are those which affect all assistance awards or a designated class of awards as specified in each amendment by the IPN Portal Administrator.

“IPN Portal Administrator” means the USAID official designated by the Director, M/OAA, who has overall responsibility for managing the USAID Implementing Partner Notices Portal for Assistance.

“Universal bilateral amendment” means those amendments with revisions or new requirements or provisions that affect all awards or a designated class of awards, as specified in the Agency notification of such revisions or new requirements.

(b) By submission of an application and execution of an award, the Applicant/Recipient acknowledges the requirement to:

- (1) Register with the IPN Portal if awarded an assistance award resulting from this solicitation, and
 - (2) Receive universal bilateral amendments to this award and general notices via the IPN Portal.
- (c) Procedure to register for notifications.

Go to <https://sites.google.com/site/usaidipnforassistance/> and click the “Register” button at the top of the page. Recipient representatives must use their official organization email address when subscribing, not personal email addresses.

(d) Processing of IPN Portal Amendments

The Recipient may access the IPN Portal at any time to review all IPN Portal amendments; however, the system will also notify the Recipient by email when the USAID IPN Portal Administrator posts a universal bilateral amendment for Recipient’s review and signature. Proposed USAID IPN Portal amendments distributed via the IPN Portal are applicable to all awards, unless otherwise noted in the proposed amendment.

Within 15 calendar days from receipt of the notification email from the IPN Portal, the Recipient must do one of the following:

- (1)(a) verify applicability of the proposed amendment for their award(s) per the instructions provided with each amendment; (b) download the amendment and incorporate the following information on the amendment form: award number, organization name, and organization mailing address as it appears in the basic award; (c) sign the hardcopy version; and (d) send the signed amendment (by email or hardcopy) to the AO for signature. The Recipient must not incorporate any other changes to the IPN Portal amendment. Bilateral amendments provided through the IPN Portal are not effective until the both the Recipient and the AO sign the amendment;
- (2) Notify the AO in writing if the amendment requires negotiation of additional changes to terms and conditions of the award; or
- (3) Notify the AO that the Recipient declines to sign the amendment.

Within 30 calendar days of receipt of a signed amendment from the Recipient, the AO must provide the fully executed amendment to the Recipient or initiate discussions with the Recipient.

3. STANDARDS FOR ACCESSIBILITY FOR THE DISABLED IN USAID ASSISTANCE AWARDS INVOLVING CONSTRUCTION (SEPTEMBER 2004)

- a. One of the objectives of the USAID Disability Policy is to engage other U.S. Government agencies, host country counterparts, governments, implementing organizations, and other donors in fostering a climate of nondiscrimination against people with disabilities. As part of this policy USAID has established standards for any new or renovation construction project funded by USAID to allow access by people with disabilities (PWDs). The full text of the policy paper can be found at the following Web site: pdf.usaid.gov/pdf_docs/PDABQ631.pdf
- b. USAID requires the recipient to comply with standards of accessibility for people with disabilities in all structures, buildings or facilities resulting from new or renovation construction or alterations of an existing structure.

c. The recipient will comply with the host country or regional standards for accessibility in construction when such standards result in at least substantially equivalent accessibility and usability as the standard provided in the Americans with Disabilities Act (ADA) of 1990 and the Architectural Barriers Act (ABA) Accessibility Guidelines of July 2004. Where there are no host country or regional standards for universal access or where the host country or regional standards fail to meet the ADA/ABA threshold, the standard prescribed in the ADA and the ABA will be used.

d. New Construction. All new construction will comply with the above standards for accessibility.

e. Alterations. Changes to an existing structure that affect the usability of the structure will comply with the above standards for accessibility unless the recipient obtains the Agreement Officer's advance approval that compliance is technically infeasible or constitutes an undue burden or both. Compliance is technically infeasible where structural conditions would require removing or altering a load-bearing member that is an essential part of the structural frame or because other existing physical or site constraints prohibit modification or addition of elements, spaces, or features that are in full and strict compliance with the minimum requirements of the standard. Compliance is an undue burden where it entails either a significant difficulty or expense or both.

f. Exceptions. The following construction related activities are excepted from the requirements of paragraphs a. through d. above:

(1) Normal maintenance, reroofing, painting or wall papering, or changes to mechanical or electrical systems are not alterations and the above standards do not apply unless they affect the accessibility of the building or facility; and

(2) Emergency construction (which may entail the provision of plastic sheeting or tents, minor repair and upgrading of existing structures, rebuilding of part of existing structures, or provision of temporary structures) intended to be temporary in nature. A portion of emergency construction assistance may be provided to people with disabilities as part of the process of identifying disaster and crisis-affected people as "most vulnerable."

4. UNIVERSAL IDENTIFIER AND SYSTEM OF AWARD MANAGEMENT (July 2015)

a. Requirement for System of Award Management (SAM). Unless you are exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in SAM until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration and more frequently, if required by changes in your information or another award term.

b. Requirement for Data Universal Numbering System (DUNS) numbers. If you are authorized to make subawards under this award, you:

(1) Must notify potential subrecipients that no entity (see definition in paragraph c. of this award term) may receive a subaward from you unless the entity has provided its DUNS number to you.

(2) May not make a subaward to an entity unless the entity has provided its DUNS number to you.

c. Definitions. For purposes of this award term:

(1) System of Award Management (SAM) means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the SAM Internet site (currently at www.sam.gov).

(2) Data Universal Numbering System (DUNS) number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D&B) to uniquely identify business entities. A DUNS number may be obtained from D&B by telephone (currently 866-705-5711) or the Internet (currently at fedgov.dnb.com/webform).

(3) Entity, as it is used in this award term, means all of the following, as defined at 2 CFR 25, subpart C:

- (i) A governmental organization, which is a State, local government, or Indian tribe;
- (ii) A foreign public entity;
- (iii) A domestic or foreign nonprofit organization;
- (iv) A domestic or foreign for-profit organization; and
- (v) A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

(4) Subaward:

- (i) This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
- (ii) The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR 200 Subpart F Audit Requirements)
- (iii) A subaward may be provided through any legal agreement, including an agreement that you consider a contract.

(5) Subrecipient means an entity that:

- (i) Receives a subaward from you under this award; and
- (ii) Is accountable to you for the use of the Federal funds provided by the subaward.

ADDENDUM (JUNE 2012):

a. Exceptions. The requirements of this provision to obtain a Data Universal Numbering System (DUNS) number and maintain a current registration in the System of Award Management (SAM) do not apply, at the prime award or subaward level, to:

- (1) Awards to individuals
- (2) Awards less than \$25,000 to foreign recipients to be performed outside the United States (based on a USAID determination)
- (3) Awards where the Agreement Officer determines, in writing, that these requirements would cause personal safety concerns.

b. This provision does not need to be included in subawards.

5. REPORTING SUBAWARDS AND EXECUTIVE COMPENSATION (DECEMBER 2014)

a. Reporting of First-Tier Subawards.

- (1) Applicability. Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this award term).
- (2) Where and when to report.
 - (i) You must report each obligating action described in paragraph a.(1) of this award term to www.fsrs.gov.
 - (ii) For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)
- (3) What to report. You must report the information about each obligating action that the submission instructions posted at www.fsrs.gov specify.

b. Reporting Total Compensation of Recipient Executives.

- (1) Applicability and what to report. You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if –
 - (i) The total Federal funding authorized to date under this award is \$25,000 or more;
 - (ii) In the preceding fiscal year, you received—
 - (A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
 - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
 - (iii) The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at www.sec.gov/answers/excomp.htm.)
- (2) Where and when to report. You must report executive total compensation described in paragraph b.(1) of this award term:
 - (i) As part of your registration profile at www.sam.gov
 - (ii) By the end of the month following the month in which this award is made, and annually thereafter.

c. Reporting of Total Compensation of Subrecipient Executives.

(1) Applicability and what to report. Unless you are exempt, as provided in paragraph d. of this award term, for each first-tier subrecipient under this award, you must report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if –

(i) In the subrecipient's preceding fiscal year, the subrecipient received—

- (A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
- (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and

(ii) The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at www.sec.gov/answers/execomp.htm.)

(2) Where and when to report. You must report subrecipient executive total compensation described in paragraph c.(1) of this award term:

(i) To the recipient.

(ii) By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (for example, between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

d. Exemptions.

If in the previous tax year you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

(1) Subawards, and

(2) The total compensation of the five most highly compensated executives of any subrecipient.

e. Definitions.

For purposes of this award term:

(1) Entity means all of the following, as defined in 2 CFR 25:

- (i) A governmental organization, which is a State, local government, or Indian tribe;
- (ii) A foreign public entity;
- (iii) A domestic or foreign nonprofit organization;
- (iv) A domestic or foreign for-profit organization;

(v) A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

(2) Executive means officers, managing partners, or any other employees in management positions.

(3) Subaward:

(i) This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.

(ii) The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR 200 subpart F Audit Requirements).

(iii) A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.

(4) Subrecipient means an entity that:

(i) Receives a subaward from you (the recipient) under this award; and

(ii) Is accountable to you for the use of the Federal funds provided by the subaward.

(5) Total compensation means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):

(i) Salary and bonus.

(ii) Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.

(iii) Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.

(iv) Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.

(v) Above-market earnings on deferred compensation which is not tax-qualified.

(vi) Other compensation, if the aggregate value of all such other compensation (for example, severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

6. PROHIBITION ON PROVIDING FEDERAL ASSISTANCE TO ENTITIES THAT REQUIRE CERTAIN INTERNAL CONFIDENTIALITY AGREEMENTS - REPRESENTATION (APRIL2015)

(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.

7. PROHIBITION ON PROVIDING FEDERAL ASSISTANCE TO ENTITIES THAT REQUIRE CERTAIN INTERNAL CONFIDENTIALITY AGREEMENTS (APRIL 2015)

(a) The recipient must not require employees, subawardees, or contractors seeking to report fraud, waste, or abuse to sign or comply with internal confidentiality agreements or statements prohibiting or otherwise restricting such employees, subawardees, or contractor 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 recipient must notify employees that the prohibitions and restrictions of any internal confidentiality agreements covered by this provision are no longer in effect.

(c) The prohibition in paragraph (a) of this clause 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.

(d) (1) In accordance with section 7 43 of Division E, Title VI I, of the Consolidated and Further Continuing Resolution Appropriations Act, 2015 (Pub. L. 113-235), use of funds appropriated (or otherwise made available) under that or any other Act may be prohibited, if the Government determines that the recipient is not in compliance with the requirements of this provision.

(2) The Government may seek any available remedies in the event the recipient fails to comply with the requirements of this provision.