



USAID | WEST BANK/GAZA

FROM THE AMERICAN PEOPLE

June 9, 2010
2010-WBG-11

To: All USAID/West Bank and Gaza Contractors, Grantees and Recipients

Subject: Coordination prior to construction in, or the importation of construction materials or equipment into, the West Bank (Areas A, B, and C).

Dear Implementing Partners,

On September 21, 2009, this Mission issued Contractor and Grantee Notice 2009-WBG-12 in response to costly delays and cancellation of projects where materials had been brought to West Bank crossings without all necessary clearances or where construction had begun on land that was identified as "Area C" and where proper clearances had not been requested from COGAT. In order to reflect lessons learned and changes in procedures that have taken place in the past nine months the Mission is issuing this Notice with the following guidelines which supersedes and replaces Contractor and Grantee Notice 2009-WBG-12:

I. IMPORTATION OF CONSTRUCTION MATERIALS INTO THE WEST BANK

- A. Early in a project, each partner should discuss with its COTR/AOTR and PSU the need for, the procurement of, and the cross-border shipping and delivery of construction materials including, but not limited to, pipes (especially metal pipes), which COGAT often considers "dual use" materials.
- B. For materials requiring COGAT approval, it is critical that this approval be obtained in writing and as early in the process as possible. Failure to obtain needed approvals in advance can lead to delays in shipping materials into the West Bank. While the PSU will assist with obtaining these approvals, the implementing partner is responsible for ensuring the obtaining of approvals and delivery to the destination point specified in the award or subaward documents. (Please refer to the most recent version of "PSU Guidelines", attached below.)
- C. When requesting written confirmation from COGAT that the construction materials may be brought into the West Bank, be aware that COGAT requires documentation that provides the following information: (1) the name of the project; (2) where and when the materials were or will be purchased (ex: name of the factory, city, country); (3) who is the intended recipient; (4) who actually paid for the materials; (5) where the materials will be used; and (6) for what purpose. It is also important to identify who will have custody over the construction materials imported by the implementing partner and how

Tel Aviv: American Embassy
71 Hayarkon Street
Tel: 972-3-511-4848
Fax: 972-3-511-4888

Jerusalem: American Consulate General
P.O. Box 290
Tel: 972-2-622-7230
Fax: 972-2-625-9484

the materials will be secured from theft or misuse.

- D. Delivery and shipping construction-related materials through a border or check point requires close coordination between the implementing partner, shipping agent, COTR/AOTR and PSU. As early in the process as possible, implementing partners should consult with their COTR/AOTR and PSU on how and when delivery and shipment is to take place and what additional documentation and permissions (beyond the written confirmation described in paragraph B above) are required.

II. CONSTRUCTION ACTIVITIES:

- A. Partners should inform in writing USAID COTRs/AOTRs who will then inform the Mission's Program Support Unit (PSU, email: psu-permit@usaid.gov) of any new construction projects or selection of a project site.
- B. In Area C:
1. Implementing partners are required to obtain written permission from COGAT and local municipal authorities prior to proceeding with the proposed project.
 2. In addition, the written permission from COGAT should include whether COGAT considers the intended project a "structure."
 3. When asking COGAT for approvals for construction, it is essential to obtain COGAT's approval in writing. COGAT acknowledges only written agreements and permission that its officers have issued.
 4. For every project in Area C, the implementing partner should arrange a coordination meeting with COGAT, the COTR/AOTR and the PSU before construction begins.
 5. In such meetings, be aware that COGAT frequently requests the exact location of "construction" sites. Implementing partners should be prepared to show locations on local maps or share GPS coordinates with COGAT.
 6. When working with PA officials who report that COGAT has approved a project, the implementing partner must still obtain a copy of the written approval directly from COGAT.

C. In Areas A and B:

Implementing partners are required to obtain written permission from local municipal authorities prior to proceeding with the proposed project.

7. Partners should verify and document that the proposed construction is not in Area C by obtaining an official letter from the PA Ministry of Local Governance stating in which area the project will take place. The letter from the Ministry of Local Governance will include the exact location of the land and the land registration number.
8. For construction sites that are within 100 meters of an Area C border or have special circumstances that might allow the location of the site to be contested for any reason, the implementing partners should obtain written confirmation from COGAT that the proposed construction is not located in Area C prior to beginning construction.

III. General Guidance:

- A. All implementing partners' or sub-awardees' correspondence with COGAT and local municipalities should be copied to the COTR/AOTR and the PSU at psu-permit@usaid.gov.
- B. Prime contractors, grantees and recipients are expected to inform their subcontractors (brokers, truckers, and builders) or sub-grantees of these procedures, as applicable.

If you have any questions about these guidelines, please contact the Program Support Unit (USAID/WBG/OCM/PSU) at psu-permit@usaid.gov and your COTR/AOTR. The PSU staff consists of Frank Ward (fward@usaid.gov), Fouad Salman (fsalman@usaid.gov), and Jessica Hanania (jhanania@usaid.gov).

Sincerely,



Roy Plucknett
Director, Office of Contracts Management
USAID West Bank and Gaza

Attachment: PSU Guidelines, June 1, 2010.

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TO: COTRS and Implementing Partners.

SUBJECT: Guidelines for working with USAID Program Support Unit

These guidelines are intended to help you understand the formal procedures you need to follow in regards to receiving Visas, Permits and Customs Clearance. A discussion of Identification Card (ID) follows.

Please note:

This notice is dated June 1, 2010. Changes are often made to regulations and COTRs and partners are encouraged to refer to only the most recent guidelines.

In order to assure equitable prioritization of Program Support Unit (PSU) services throughout the Mission, all communication with the PSU should take place through the Partner's COTR who will forward to Frank Ward (Program Support Specialist) for action.

Permits and visas may be delayed or denied for a variety of reasons. Do not make plans assuming that a permit will be issued on a particular day.

I. Israeli Visas:

Visas fall into three categories: B-1, B-2, and Entry Visa.

A. B-1 Visa:

This work visa permits you to work on projects in Israel as well as the West Bank and Gaza. Complete the same steps as for a B-2 visa described below, but in addition, you must get a letter from the Israeli Ministry of Social Affairs authorizing a B-1 visa. The fee for the B-1 visa is NIS 330.

B. B-2 Visas:

This is a multiple entry visa that can be valid for up to one year. It allows a person to stay in Israel but NOT TO WORK in any Israeli registered company.

Some of our projects are joint Israeli/Palestinian projects. (If you want to work on one of them you will require a B-1 visa).

Here is how to apply for a B-2 visa:

- Complete the application form (we can send it to you by Email or regular mail)

- Attach two recent passport photos
- Attach a photo-copy of the first page of your passport
- Attach photocopies of the entry-into-Israel forms (small white forms from the Ministry of the Interior)
- Enclose NIS 245 fee, for each application (this amount may change, so please check in advance)
- Attach a letter from our Mission stating where you are working and your job title

All the above can be sent by Email or fax

Visas for contractors who live in the West Bank:

The Ministry of Interior has changed the regulations for renewing the B-2 visa category for **contractors who physically reside** in the West Bank or **foreigners who are married to Palestinians**. The new procedures are as follows:

- Complete the application form
- Provide a recent passport photograph
- Provide a clear copy of the first page of your passport
- Provide photocopies of entry forms into Israel (the small white forms from the Ministry of the Interior).
- Enclose the receipt form, Ask your COTR for originals. Currently the fee for each application (no matter the age) is NIS 245. Please note that this amount is subject to change so please check with PSU in advance for the correct amount to be paid.
- Provide a letter from the COTR of your project approving your request.
- Provide a letter from the Mission stating your title and the contract you will be working under.
- The visa will be renewed up to six month only not including the three months you get when you enter the country.

As soon as you have all of the documents, please send them to the PSU by fax or email. As soon as we have all documents we will send them to the IDF at Beit El for consideration. As soon as we receive their adjudication, we will inform you of their decision. If your visa application was approved then we will coordinate your trip to Beit El. There you will have to submit all the documents to the representative from the Ministry of Interior. He will collect your Passport and provide you with a visa stamp the next day.

C. Entry visa:

Anyone planning to enter Israel should first check with the nearest Israeli embassy to determine if a visa is required. The answer will vary with the passport they carry. Some nationalities can receive visas on entry at the airport with others an entry visa is required. This has been the case for persons who want to work with our mission and have passports from countries that do not have fully normalized diplomatic relations with Israel, such as Jordan, Egypt, Philippines, and Turkey.

Here is how to apply for an Entry Visa:

- Complete an application form (we can send it to you by Email or regular mail).
- Attach a letter from the Mission or your company explaining what you will be doing and for how long.
- Attach a recent passport photo.
- Complete the security form.
- Enclose NIS 80 fee, for each application (this amount may alter so please check in advance).
- Processing of the Israeli security check can take up to 30 or 40 days.

However, if you are only coming for a short visit our mission can send you an invitation letter. Take it to the Israeli embassy in your country and ask for a visa. Sometimes this is the best arrangement.

II. Permits:

A permit allows a Palestinian or Israeli to enter and leave Gaza or the West Bank.

The Program Support Unit obtains and renews these travel permits (daily and monthly

Name	ID Number	Cell Phone #	Organization	Title	Destination	Duration	Time Limit
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permits) for USAID staff and the 400 Palestinian staff of USAID's partner organizations. The permits are required for travel to Jerusalem and Tel Aviv as well as between the West Bank and Gaza. We are in daily contact with key officials in the Israeli Defense Forces (IDF). On average, 150 permit requests are sent to the IDF every month.

The process for obtaining permits:

- The organization (contractor/grantee) sends a request by E-mail or Fax with the following information: full name, ID number, cell phone number, title, place of birth, destination, purpose, specific date and hours when the permit is needed and whether the employee has a USAID card and/or a Magnetic Card.
- The information should be sent in an excel sheet with the following format:

Name of employee	Please specify if Gaza or West Bank ID			If Israel, please specify where in Israel.	For how long do you need the permit?	5AM-7PM or 5AM-10PM(with justification from your COTR)
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- Each request will need up to eight working days in order to receive a reply; Request for staff members with a security file must be submitted at least ten working days in advance.
- When a permit is refused, we refer the matter to the IDF Captain and sometimes to the General Officer in charge.
- Normal hours to cross checkpoints with permits are 0500-1900, if you apply for hours later than normal (i.e. until 2200 PM) please send PSU a justification for the additional hours from your Chief of Party.
- Civil Administration (COGAT) issues only one permit per person. Staff members who already hold a permit (family reunion, merchants, etc.) will not be able to receive an additional permit.
- Internal movement (in the West Bank) for private vehicles (mainly for Nablus checkpoints) – All West Bank citizens, except citizens who are registered with their ID for Nablus City or Nablus district, are able to travel with their private (Pal. license plate) vehicle across the West Bank, including Nablus checkpoints. Nablus residents should apply for a special permit for their vehicle through USAID, which will be issued by the Beit-El office according to the needs and criteria.
- Permit requests should be sent by the Contracting Officer's Technical Representative (COTR) only or with their approval. Therefore, if you are sending the requests directly to the PSU permit account, it is critical to copy the COTR on the email (cc: COTR's name).we will not be able to continue with the process otherwise.
- Permit Collection - Permits can be collected Sunday through Wednesday from the public reception desk of the Civil Administration located in Beit El, between the hours of 1400 to 1500 PM. On Thursday, permits can be collected between the hours 1000-1100 AM.
- Permit requests should be submitted by email to our email account: psu-permit@usaid.gov

The process of obtaining approval for a foreigner to enter Gaza:

- The organization (contractor) sends a request (the completed COGAT form) by E-mail or Fax with the following information: full name (where possible four-part name including the names of father and grandfather), ID number, Nationality and date of birth. A copy of the Passport is also required.
- Each request will need up to 10 working days in order to receive a reply – whether approved or denied.

- As soon as we receive the reply we notify our contactor.
- An approval is valid for six months. After that our partner needs to send us a new request for renewal.
- The State Department has issued (August 14, 2009) a Travel Warning discouraging American citizens from entering Gaza. For this reason, the USAID Mission can not facilitate American Citizens' or Permanent Residents' entry into Gaza.

III. Customs Clearance

All materials procured for USAID projects in the West-Bank/Gaza must enter via Israel's ports, via the Allenby Bridge, or via the Airport. Any application should include the following:

- **The donation number. This is a very important issue because without it bringing materials into Israel will be almost impossible.**

How to obtain a Donation number?

A donation number involves the joint cooperation of the Palestinian Authority, Ministry of Finance (**Mr. Fouad Shobaki**) and the Israeli Customs and VAT office (**Mr. Eli Mor**, Coordinator and Liaison with the Palestinian Authority, Dep. Jerusalem). Therefore you need an official letter from the Project's COTR (USAID) and the Chief of Party, and from the Palestinian ministry that will eventually receive the donation (EX: pipes and water pumps would need a letter from the Palestinian Water Authority). Attach all documents to a detailed description of the goods that you want to transport to the West Bank. Documentation should include a comprehensive list of all the items being imported, the total value of the items, the point of entry into Israel or the West Bank, the name, address, contact numbers and registry number of the institution receiving the donation and the name and contact numbers of the shipping agent. The more detailed and informative the description of the items, the quicker will be the clearance process. Many partners include photographs and the details or specifications included in commercial catalogues marketing these materials.

The request for a donation number should go to the National Coordinator for Exemptions, Ministry of Finance, Customs and Excise Dept, Palestinian Authority (P.O. Box 795, Nablus St., Al Bireh, Tel/Fax: +972-2-297-8738).

After a donation number is allocated, you must give it to your clearing agent, with one copy for the Program Support Unit at USAID/WBG. We require a copy because most of the materials entering the West Bank/Gaza need approval from the Israeli Ministry of Defense. **You should not begin the shipping of imported equipment or materials until you have the approval in writing.** Once you have the approval in

writing, give the approval to your clearing agent to release the goods. **The process usually takes between 30-45 days.**

A donation number is an approval to release the goods without paying VAT and customs fees; **it does not waive any other fees at the port/airport (Demurrage, Transportation, Port fees...etc).**

Clearing agent

- It is the contractor's responsibility to select a clearing agent.

Standards institute

- Sometimes materials brought into Israel need to be checked by the Israeli Standards Institute. For example, all medical products, chemicals, electrical items, trucks, etc. need to be checked by the Standards Institute office. The clearing agent should be familiar with this process.

Materials and Equipment Purchased in Israel

- COGAT will require a letter for coordination of the transport of materials or equipment purchased in Israel.
- Contractors must provide a list of all items and the names and contact numbers of the Israeli suppliers.
- This process can also take up to 30-45 days for clearance.
- Colleagues have found it helpful to include in the letter to COGAT all previous Israeli approvals given to the project importing these materials.

IV. Temporary Import license:

The Temporary Import License is required for USAID contractors/grantees to be able to bring equipment/materials from abroad through the seaports, land crossings, and airports; to use those materials for a USAID-funded project; and then take the equipment/materials out of the country.

How to obtain Temporary Import license?

- Prepare an official letters from the project's contractor/grantee Chief of Party describing the need for the materials, how they shall be used and how they will be brought into and out of the country. Attach all relevant documents for the goods that you want to bring into the West bank.
- Consult with USAID COTR/AOTR and USAID/OCM/PSU.
- Attach an official cover letter from the USAID COTR/AOTR to the Israeli Customs (**Mr. Rovin Miltzer**) and for a water project, to the Water Affairs Office at DCL-Beit EL. (**Mr. Yuval Nachum**)
- The contractors/grantees need to select a clearing agent who is familiar with the Israeli Customs regulations.

- The process usually takes up to 30-40 days

For any information in the subjects discussed above, please contact:

Mr. Fouad Salman, Program Logistics Liaison (Head of the UNIT)
Office 03-5114862, Fax 03-5114888, Cell 050-526-7728
Email: fsalman@usaid.gov, psu-permit@usaid.gov

Or

Jessica Hanania, Program Support Assistant
Office 03-511-8876, Fax 03-511-4888, Cell phone 050-587-5762
Email: jhanania@usaid.gov, psu-permit@usaid.gov

V. USAID Identification (ID) Cards

In order to facilitate the easy movement of project staff throughout the West Bank and Gaza to monitor USAID's projects, and due to the security situation, the staff of USAID and partners may need USAID ID cards to pass through checkpoints.

To submit an application for USAID ID Cards you should include the following:

- The contractor's or grantees principal representative must submit a request to the USAID Cognizant Technical Officer who is managing their award. Requests may be submitted in hard copy, by fax (Fax: 03 511-4888) (if legible) or e-mail.

The requests must include the following information:

- Full name of applicant
- Certification by the principal representative that "I have no reason to believe that any of the individual(s) for whom cards are requested have any affiliation with any entity that commits, attempts to commit, advocates, facilitates, or participates in terrorist acts."
- A short description of the position the applicant holds in the organization and its relationship to USAID activity.
- Justification for the ID card.
- Photocopy of personal ID or Passport
- Original (i.e., not a fax or photocopy) or digital (.jpg format) photograph

Processing of ID requests:

- The COTR will clear the request, ensuring that all the information is complete and certifying that the individual works on USAID activities for the organization making the request.
- USAID/OCM /PSU will review the documentation, prepare a package for internal clearance, and will issue the ID card. Contractors must collect all previously issued cards, sign and return to USAID the receipt for the ID card(s) as well as the previously held cards.
- Contractors/grantees must request replacement cards for expiring cards at least 30 days before hand.
- One part of Mission contract close-out procedures is that the contractor or grantee shall return ALL cards issued to individuals under USAID funded activity.