



ISSUE DATE: March 29, 2022
QUESTION DUE DATE: April 7, 2022 at 15:00 EST (local time- Washington D.C.)
CLOSING DATE/TIME: May 13, 2022 at 15:00 (local time- Washington D.C.)

Subject: Notice of Funding Opportunity Number: **7200AA22RFA00017**

Program Title: Justice, Rights & Security - Rapid Response (JRS-RR)

Dear Prospective Applicants:

The United States Agency for International Development (USAID) is seeking applications from qualified U.S. and non-U.S. organizations to provide rapid response support for time-bound, urgent or unforeseen needs or opportunities relating to justice, human rights, and security worldwide, in USAID presence as well as non-presence countries. The applicable Catalog of Federal Domestic Assistance (CFDA) number is 98.001, *USAID Foreign Assistance for Programs Overseas*. Please refer to Section A (Program Description) for a complete statement of goals and anticipated results.

Subject to the availability of funds, an award will be made to that responsible Applicant(s) whose application(s) best meets the objectives of this funding opportunity and the merit review criteria contained herein.

For the purposes of this Notice of Funding Opportunity (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 merit review process.

To be eligible for an award, an 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 NOFO. Applicants will need to have available or download Adobe to their computers in order to view and save the Adobe forms properly. It is the responsibility of the Applicant to ensure that the entire NOFO has been received from the internet in its entirety and USAID bears no responsibility for data errors

resulting from transmission or conversion process. If you have difficulty registering on www.grants.gov or accessing the NOFO, please contact the Grants.gov Helpdesk at 1-800-518-4726 or via email at support@grants.gov for technical assistance.

Please send any questions to the point(s) of contact identified in section D. The deadline for questions is shown above. Responses to questions received prior to the deadline will be furnished to all potential Applicants through an amendment to this notice posted to www.grants.gov.

Issuance of this NOFO 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 the 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,

Mir Ershadullah
Agreement Officer

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SECTION A – PROGRAM DESCRIPTION

Justice, Rights & Security - Rapid Response (JRS-RR)¹

A. CHALLENGES

Around the world, the rule of law and justice, human rights, and security are under threat. Over five billion people around the world are classified as living outside the protection of the law, and at any given time, some 1.5 billion people have unresolved legal problems or unmet justice needs.² They suffer in countries that fail to adequately meet obligations to their peoples in providing them justice, protecting their rights, and ensuring their security. The world is experiencing a 15-year decline in global freedom,³ stemming from a wide and diverse range of causes, including democratic decline, pushback on watchdogs and citizen movements, violent conflict, and more. Gross violations of human rights are taking place in every region where USAID works, with women and other marginalized and vulnerable groups facing unique threats and challenges. Human rights and justice defenders are often under threat and specifically targeted for their work. Inequitable application of the law, arbitrary and unlawful use of force, and flagrant human rights abuses diminish public trust in democratic institutions.

Historical, deeply rooted challenges to these issues continue to plague these countries and their populations. Justice institutions often fail to meet the public's needs and uphold the rule of law due to threats to their independence, weak capacity, operational inefficiencies, lack of transparency, and/or insufficient resources. In many instances, the legal frameworks are inadequate to address the challenges of the moment. On many occasions, members of the public are unable to meaningfully address their legal problems and justice needs due to a paucity of justice providers; modest financial means; and limited access due to geographical, cultural, economic, and linguistic barriers. The political will to develop new laws and policies on human rights, or to implement those that already exist, is often lacking. Human rights violations are being perpetrated against specific groups of people as well as populations as a whole, committed both by state and non-state actors. From crackdowns on mass social protests and free expression to human trafficking and forced labor to mass atrocities and physical violations of rights, international civil and political rights are under threat. At the same time, economic, social, and cultural rights are also under threat, both collectively and for individuals.⁴ Where police fail to protect citizens and non-citizens alike, engage in illicit or criminal activity, or abuse their authority, people lose confidence not only in law enforcement but also in the government that is supposed to protect them. In many regions,

¹ Applicants may rename this program as they see fit. The title of “Justice, Rights & Security Rapid Response (JRS-RR)” is intended as a placeholder only.

² World Justice Project, *Measuring the Justice Gap: A People-Centered Assessment of Unmet Justice Needs Around the World*, 2019.

³ Freedom House, *Freedom in the World 2021: Democracy Under Siege*.

⁴ The international human rights legal framework relevant to the work of USAID includes, but is not limited to, the Universal Declaration of Human Rights (which is not a legally binding instrument); the International Covenant on Economic, Social and Cultural Rights (to which the United States is not a party); the International Covenant on Civil and Political Rights; Convention against Torture; Convention on the Rights of Persons with Disabilities (to which the United States is not a party); Convention on the Rights of the Child (to which the United States is not a party) and its Optional Protocols; Convention on the Elimination of All Forms of Discrimination Against Women (to which the United States is not a party); and the Convention on the Elimination of All Forms of Racial Discrimination. In instances where the U.S. Government has not ratified a particular instrument (e.g., the ICESCR, CEDAW, CRC, and CRPD), USAID can still provide technical support to assist countries with the fulfillment of their own obligations under those instruments.

countries, and local areas, states cannot guarantee security, security actors violate rights, non-state armed actors have tremendous implications on security, and security forces themselves lack citizen support. Non-state armed actors like militants, rebel groups, terrorists, and militias, contribute to instability by threatening the state's hold on territory, offering governance alternatives that defy government legitimacy, enabling illicit economies, and serving as proxies for authoritarian regimes. This problem is particularly acute in states with fragile institutions or conflict-prone countries where corrupt or criminal civilian police behavior erodes citizens' support for fledgling democratic institutions.

Justice, rights, and security are important development outcomes in and of themselves, and they are also inextricably linked to building peace, mitigating violent conflict, preventing crime and corruption, strengthening democratic governance, and combating extremism, as well as improving business-enabling environments, livelihoods, health, education, and the environment. In recent years, justice, rights, and security challenges have been expanded or exacerbated by new threats. For example, in many countries, emerging issues include:

- A resurgence in authoritarianism, with formerly democratic countries experiencing backsliding from democratic principles, including severe restrictions on freedom of association, assembly, and expression.⁵
- Unprecedented levels of corruption with high-profile examples of graft, cronyism, and influence peddling.
- Threats to privacy, freedom of expression, and digital security through the proliferation of unprecedented technology tools and disinformation campaigns.
- The increasing role of non-state armed actors in impacting human rights and security, ranging from private sector actors and businesses to drug trafficking and terrorist organizations.
- Increasing violence and restrictions imposed on human rights defenders and community leaders, including targeted assassination, incarceration, and harassment.
- Significant demographic shifts in the form of a global youth bulge, mass migration, stateless populations, and more.
- The continuing impact of the COVID-19 pandemic, which has challenged understanding and implementation of guarantees of justice, rights, and security in unprecedented ways.⁶

Despite the many challenges, we are also seeing key opportunities emerge to advance justice, human rights, and security, or prevent backsliding in these areas. Creative and committed civil society, academics, formal and informal groups and movements, media, human rights defenders, social leaders, justice actors, and champions within institutions are working to take advantage of key openings and opportunities to create more peaceful, just, and inclusive societies. These can include a wide range of opportunities such as supporting the implementation of a new law or policy to protect rights and security, bolstering independent watchdog organizations and oversight bodies, raising citizen awareness of their rights, lending

⁵ According to the CIVICUS Monitor, just 4% of the world's population lives in countries where governments are properly respecting the freedoms of association, peaceful assembly, and expression.

⁶ According to the 2020 [Freedom House Democracy Under Lockdown Report](#) “ Since the coronavirus outbreak began, the condition of democracy and human rights has worsened in 80 countries, with particularly sharp deterioration in struggling democracies and highly repressive states, according to the experts surveyed by the project.”

support to reformers and champions, and supporting institutional reform.

In many instances, these challenges and opportunities for rule of law and justice, human rights, and security sector strengthening are unforeseen and materialize with little warning – often faster than USAID’s standard program cycle allows us to respond. While not all challenges require rapid response, rapid response activities can be critical tools for Mission staff and those working to support non-presence countries to quickly take action. Rapid response activities may have standalone impact, but they can also pilot new and innovative approaches, provide emergency support to groups under threat, and serve as a way for USAID to better understand needs and opportunities as part of its broader efforts.

B. INTRODUCTION AND PURPOSE

Rule of law and justice, human rights, and security sector reform are key priorities for the work of USAID’s Center for Democracy, Human Rights, and Governance (DRG Center), USAID’s Missions around the world, and for the U.S. Government more broadly. USAID has long recognized the inextricable linkages between sustainable and inclusive development and the protection of justice, rights, security; the promotion and protection of these are both a goal of development and a means by which development outcomes are achieved and sustained.⁷ Missions around the world have stand-alone as well as integrated programming in these sectors. Past and ongoing DRG Center mechanisms have also prioritized areas of justice, rights, and security (JRS), such as the Human Rights Support Mechanism (HRSM) Leader with Associates Award, the Rule of Law IQC, and the Active Communities - Effective States (ACES) IDIQ. USAID has further reinforced the prioritization of JRS work through guidance and policies, including through recent efforts such as the development of an Agency Rule of Law Policy and update to the [Agency’s Counter Trafficking in Persons Policy](#).

USAID’s DRG Center already maintains a number of global mechanisms that promote the rule of law and advance human rights in more targeted ways, in particular civil and political rights (e.g. right to political participation; freedoms of peaceful assembly, association, and expression, including the freedom to seek, receive, and impart information and ideas; and the right to equal protection of the law, fair and equal justice before competent judicial and administrative authorities, and an effective remedy). The Department of State also maintains multiple global mechanisms focused on emergency assistance to individuals or organizations at-risk and mechanisms focused on response to attacks on fundamental freedoms. JRS-RR will be distinct but complementary to these mechanisms because of its unique focus on justice, human rights, and security needs; its focus on rapid response rather than longer, larger awards or emergency assistance to individuals; its clear link to USAID’s longer-term development priorities; and its partnership with USAID Missions and Operating Units, which will approve all activities.

⁷ The 2013 USAID Democracy, Human Rights and Governance (DRG) strategy includes specific goals related to human rights (DO3) to “protect and promote universal human rights.” The Strategy references the USAID’s long standing work on justice and human rights. The Strategy also links human rights to our broader development mission when it states, “the consistent denial of rights often fuels conflict and a lack of accountability and insufficient respect for human rights closes off avenues for individual opportunity and thus contributes to poverty.” In addition the DRG Strategy seeks to enhance respect for rule of law by fostering “greater accountability of institutions and leaders to citizens to the law “(DO2) by strengthening “institutions and systems that enable the rule of law, and checks and balances among branches of government.” USAID is currently updating this strategy.

The purpose of this program is to respond to urgent and unmet needs in the technical areas of justice, human rights, and security when responses are needed in weeks rather than months or longer due to the nature of the need or urgency. While most USAID activities in the democracy, human rights, and governance space are procured and managed by USAID Missions, in some instances “central,” Washington-managed funding streams and mechanisms are used to assist Missions in responding to critical development needs. By “rapid response,” USAID means short term (generally no longer than 12 months), small (generally under \$500,000) interventions that 1) respond to a specific and discernable threat or opportunity, 2) identify specific outcomes that might realistically be achieved with small amounts of funding, 3) prioritize and support local actors and locally-led efforts, 4) address new needs and opportunities, and 5) focus on development partners taking quick action on discrete activities that advance USAID’s development priorities. This award will provide USAID with standalone global capacity to support rapid response, decoupled from long-term, larger scale efforts due to the recognition of the unique capacities needed for effective rapid response.

JRS-RR will provide a way for the DRG Center to rapidly surge funding to address needs and support opportunities identified by the implementer as well as USAID Missions, Regional Bureaus, and Operating Units. It will provide pre-positioned funds to the Recipient to allow for rapid disbursal, use quick and efficient design and approval processes, use pre-approved tools and protocols, and focus on moving quickly to take advantage of unique windows or respond to urgent needs. It will support a range of diverse activities worldwide, including in USAID presence and non-presence countries, while testing new approaches, supporting new partnerships, and having concrete and measurable impact.

JRS-RR will build on the DRG Center’s experience supporting human rights-specific rapid response activities for the past six years, as well as rapid response support in areas including civic space, protection of human rights defenders and other marginalized populations, elections and political processes, and internet freedom. In particular, this award will build on lessons from USAID’s Human Rights Support Mechanism (HRSM) LWA, which will come to a close in 2023 and includes a rapid response component. The rapid response component of HRSM has supported over 40 individual rapid response activities, and it, along with the DRG Center’s other rapid response awards, has taught USAID many important lessons about effective rapid response work including the size and scope, processes to allow for truly rapid start up, and ways to ensure sufficient Mission oversight and ownership. USAID has built on these lessons and innovative approaches to inform the design of this NOFO.

THIS WILL BE IN A TEXT BOX ONCE WE MIGRATE TO WORD:

Illustrative examples of recent JRS-related rapid response activities supported by USAID:

- In a country experiencing mass protests in resistance to authoritarian governance, a rapid response activity provided legal assistance to protesters and documented human rights violations
- In another country, rapid response funding was used to support a national human rights institution to conduct monitoring and investigations during a national flashpoint
- In a country at risk of mass atrocities, rapid response funding was used to help a government agency develop its standards on hate speech and improve media capacity to prevent hate speech on air
- One rapid response activity helped to convene key stakeholders to develop advocacy and litigation strategies to challenge and end arbitrary detention
- In a country where LGBTI populations were under threat, rapid response supported LGBTI organizations facing heightened security risks

- One rapid response activity provides training for justice sector and law enforcement actors on trafficking in persons

USAID rapid response mechanisms have evolved over time and will continue to evolve during the implementation of this award. For example, we have learned to prioritize significant portions of funds to local partners who were uniquely positioned to respond to needs and opportunities quickly, to work with in-network as well as new partners, to maintain maximal adaptability and flexibility while still achieving our objectives, to identify risks early and often, and to intentionally allow for extensions as contexts changed. USAID wants to continually improve the way we as an agency respond to short-term priorities, and we want a partnership that constantly assesses strengths and weaknesses, strengthens its model, and innovates. As JRS challenges and opportunities evolve worldwide, so will the model USAID uses to respond.

D. PROGRAM OBJECTIVES

To meet the challenges described above, the JRS-RR program will advance the **goals of promoting justice, protecting rights, and promoting security globally**. To promote **justice**, rapid response activities may contribute to advancing USAID objectives by supporting the independent, efficient, and open administration of justice; enhancing the quality of and access to justice; helping to guarantee impartial application of the law and due process; improving justice seeker outcomes; and/or strengthening effective checks and balances and accountable institutions as foundations of democratic governance and the protection of human rights. To protect **rights**, rapid response activities may contribute to USAID objectives to improve enabling environments for the protection and advancement of human rights; to facilitate, develop, and implement effective remedies to address human rights violations and abuses to ensure non-recurrence; to identify effective and comprehensive approaches for protecting human rights; to promote equal and equitable enjoyment of human rights by all; to prevent gross violations of human rights and/or atrocities; to empower people to know, use, and shape the law in their daily lives to protect and advance human rights; and/or to facilitate the work of all types of human rights defenders. To promote **security**, rapid response activities may contribute to USAID objectives focused on building capacity of security actors to respond to emerging community or local level violence; constraining the arbitrary exercise of power and tempering the use of force; advancing community security; strengthening the accountability, professionalism, capacity and integrity of police and other security actors; and/or safeguarding all members of society from crime and violence, including gender-based violence, so that their rights are effectively protected. they may live safely and recognize their full potential. JRS-RR is not expected to independently achieve these long term objectives, but rather to contribute to them via small, discrete, rapid activities. Rapid response activities may cover any of these three areas or multiple areas, and holistic, integrated approaches are encouraged as appropriate to respond to specific rapid response needs and opportunities.

In many instances, urgent JRS needs or windows of opportunity require response times that challenge USAID's standard procurement process. JRS-RR will support rapid, short-term responses (see Section E below on Program Structure for more details) designed to have quick impact. USAID and/or the Recipient will need to make the case for why each activity is necessary, the impact it could have on JRS issues, why the need cannot be met via other USAID procurement methods or existing awards, and a description of how risks will be assessed and

managed. USAID anticipates that most rapid response activities should take 2-4 weeks from initial identification of a need/opportunity to the start of the specific activity's period of performance.

To support these goals, the program will advance the following objectives:

Objective 1: To rapidly respond to urgent, unmet needs to protect rule of law and justice, human rights, and security sector reform

Anticipated Results and Illustrative Activities

- Immediate, short-term assistance to actors and/or institutions to respond to JRS threats and needs – This result could be achieved through direct or in-kind assistance to support the operations of JRS actors/institutions working to respond to urgent, unforeseen needs, for example the passage of restrictive legislation, state crackdowns on mass protests, concerning reports of increased violations of human rights, and more.
- Increased information on emerging JRS needs – Where possible, the provision of rapid response support to in-country actors should result in those recipients providing real-time information regarding the nature and scope of urgent JRS needs, which may help inform programmatic responses, policy options and increase public awareness of the situation. Rapid response activities may include rapid and/or ongoing assessments and gap analyses as a standalone activity or integrated as a component of a larger rapid response activity.

Objective 2: To rapidly respond to time-bound windows of opportunity to advance rule of law and justice, human rights, and security sector reform

Anticipated Results and Illustrative Activities

- Immediate, short-term assistance to actors and/or institutions – This result could be achieved through direct or in-kind assistance to support the operations of JRS actors/institutions working to respond to unique windows of opportunity, for example individuals within an institution who are promoting reforms, a large-scale citizen movement to advance and promote JRS issues, a unique opportunity to shape or inform domestic laws/policies about JRS, an opportunity to respond to increased state or private sector commitment to improvement in these areas, and more.

Objective 3: To pilot and test new and innovative approaches to rule of law and justice, human rights, and security sector reform

Anticipated Results and Illustrative Activities

- New approaches, tactics, and partnerships are piloted to respond to needs/opportunities – This result can be achieved through activities intentionally designed to utilize new approaches and tactics, including in a rapid response's operational approach such as staffing or structure, types of interventions, approach to learning and adaptation, and tools and tactics used. This can also be achieved through activities that pilot new partnerships, for example with organizations who have never worked on a USAID program, with champions within an institution, with private sector actors, and more.

- Activities are analyzed for potential to be scaled or continued – Throughout the implementation of these activities and particularly at the end, the approaches, tactics, and partnerships should be analyzed and reflected on. USAID recognizes that not all pilots and new efforts will be successful, and it seeks to learn about whether the models have worked and if they can be replicated, scaled, and/or continued. Rapid response activities may include learning efforts, including documentation of any adaptation required or pivots, and a recommendation should be made to USAID about whether this approach/tactic/partnership was successful and why. USAID may choose to build on or scale similar activities through its policies, approaches, or programs.

E. PROGRAM APPROACHES

The following program approaches should be considered for all activities conducted through JRS-RR and will be taken into account when determining whether a proposed activity fits within the broader JRS-RR program description.

1. Potential for Impact

JRS-RR activities are expected to have a valuable impact, paying particular attention to:

- *Rapid, discrete, and secure:* Activities under JRS-RR **must** be rapid, with the Implementer able to move funds, begin activities, and award subgrants within a matter of weeks. The Application should underscore the Applicant's abilities to move quickly to respond to urgent and unforeseen needs/opportunities. Given the operating contexts anticipated for this award, which may be fluid, conflict-affected, and/or otherwise challenging, it is imperative that this work can be done in a discrete way, where needed, with security protocols in place to protect data and beneficiaries.
- *Feasibility:* All rapid response activities should include well-defined and achievable objectives. The proposed combination of partner assets, resources and expertise should be sufficient to yield an impact on a specific and important development challenge.
- *Adaptability:* Because of the nature of rapid response activities, including the contexts and urgent needs/opportunities, adaptability is essential. Applications and rapid response activity descriptions should articulate how the award will be adaptive and flexible.
- *People-Centeredness:* Applications should elaborate an approach to and describe activities that will make relevant systems, institutions, services more data-driven, user-friendly, problem-solving, and prevention-oriented and, thus, more people-centered. Proposed approaches should describe how activities will improve people's experiences and outcomes when engaging formal and informal systems and services.
- *Innovation:* Applications should elaborate innovative activities to achieve stated goals and objectives. Innovation could mean introducing new problem-solving and data-collection technologies, introducing new ways of delivering, streamlining, and financing relevant services, applying new techniques to improve transparency, accountability, of efficiency, relevant institutions and actors, and facilitating new feedback loops. These innovative approaches may inform broader Mission policies, approaches, and programs.

2. Supporting New and Diverse Actors

In line with USAID's focus on localization and its New Partnership Initiative (NPI), USAID expects that this program will work significantly with new and diverse actors, including local/regional actors as well as those representing diverse and/or marginalized populations. Applicants should articulate their approach to identifying, vetting, and supporting new and diverse actors broadly in the application for this solicitation, and each rapid response activity will include a discussion of whether the activity will support new and/or diverse actors, to include local actors, and how. Applicants should be prepared both to identify new and diverse partners locally for activities and for USAID to also share types of partners or specific potential partners for the Recipient to consider. While USAID seeks a Recipient with its own local networks, USAID expects the Recipient to be willing and able to go beyond its existing networks at times to work with the best-placed local actor. USAID recognizes the inherent risk to organizations working with new and previously unknown partners and encourages Applicants to consider tools such as co-creation, capacity development, adaptive management, and robust learning is integrated into each activity. The AOR will work with the Recipient at the start of each rapid response activity to discuss risk tolerance for each activity.

3. Targeted Focus on Justice, Rights, and Security (JRS)

Given the breadth of potential issues and approaches that could be applied, JRS-RR will prioritize **targeted** activities to advance rule of law and justice, human rights, security sector reform over those activities that are secondarily related to this program's core themes. For example, rapid response activities may emphasize assisting the enforcement of existing legal obligations (e.g. helping actors to document crimes against LGBTQI + individuals) as opposed to efforts that help members of marginalized groups overcome economic barriers to exercising their rights (e.g. livelihood assistance for stigmatized LGBTI youth). In another example, rapid response activities may support activities to promote specific rights (e.g., supporting advocates to integrate human rights concerns and priorities into the development of new laws and policies relating to water access and use) but will not focus on broadly related but less specifically JRS activities (e.g., community conflict mediation around who has access to a certain well). While USAID recognizes the importance of both, this program will focus on the former for the purpose of efficiency and alignment with the DRG Center's role. USAID will work with the Implementer during implementation to ensure rapid response activities are directly targeted at rule of law and justice, human rights, and security sector reform.

USAID will also be prepared to work with Missions to identify opportunities for partnering and collaborating with other mechanisms designed to address social protection and related development challenges.

F. PROGRAM STRUCTURE

1. General Information

This Cooperative Agreement will support rapid response activities worldwide. No further competition or waiver of competition is required for any rapid response activity agreed to within the terms of this award.

USAID anticipates that rapid response activities will range in funding level based on complexity, duration, cost of operation, and scale, but that they will generally range from **\$200,000-\$400,000** and will generally have a **duration of 6-12 months**. USAID emphasizes the importance of adaptive management and will work closely with the implementer to regularly review these activities to determine if a change in the allocated time or funding is needed. USAID also anticipates that **the majority of direct costs (at least 50%) for each rapid response activity will go to local/regional/new partners**, to include possible capacity building, unless the Applicant can make a compelling case that, in a particular activity, this is infeasible or disadvantageous to USAID's objectives. USAID recognizes that in some circumstances, these partnership models are infeasible or disadvantageous, given the implementer's unique access or capacities, but USAID expects that this will be largely the exception rather than the rule.

Rapid response activities may serve diverse purposes, including but not limited to completely standalone activities and/or piloting of new approaches or partnerships to inform USAID's broader thinking and approach.

2. Award Management

Applicants are encouraged to keep administrative costs for the overall management of this award (not including the management or implementation of specific rapid response activities) limited to ensure that the significant majority of funds from this award are used to support rapid response activities. USAID anticipates that approximately \$300,000 per year of direct costs will be sufficient for most applicants to cover the management of this overall award; however, USAID recognizes that new or local implementers may require more funding flexibility for management. If an applicant requires funds above this amount for its management of the award, it should specifically describe why and how it will ensure sufficient resources will remain available for rapid response activities in its technical and budget narratives.

USAID will pre-obligate funds to the implementer of this award for use in responding to urgent needs or opportunities relating to justice, human rights, and security. The implementer may propose rapid response activities in these technical areas to USAID for consideration and approval, and USAID may also propose rapid response activities to the implementing partner. If USAID proposes rapid response activities, the implementer should provide initial responses within 1 week of USAID's request and should include a very brief description (less than 2 pages) describing the overall context and proposed objectives, activities, and sub-awardees (if relevant). The implementing partner will have the opportunity to agree or disagree with the proposed activity based on its operational abilities and expertise and may choose to decline a USAID request.

USAID expects that on average, within two weeks of the initial request from a partner or USAID, a proposed activity description and budget for the activity will be provided, which must be approved by the Agreement Officer Representative (AOR) prior to implementation. All presence-country and regional activities will be reviewed by relevant USAID Missions and/or Regional Bureaus (when applicable) and may also be shared for review with other interagency actors such as the Department of State to avoid unnecessary duplication of efforts and funds and to ensure coordination. Once USAID provides approval for a rapid response activity, in line

with this award's substantial involvement requirements, no additional USAID action will be required to allow the funds to go into effect. Each rapid response activity will have an "Activity Manager" at USAID to whom reports and other information will be shared; this person will normally be an expert on the country or region of focus for the specific activity.

This program includes scope for USAID operating units and potentially other U.S. agencies to contribute additional funds based on any one of the following conditions: a) the highly technical or specialized nature of the program and the lack of field staff with the required expertise to plan or manage such activities, b) the need to respond to truly urgent programmatic requirements that could not have been foreseen in terms of location or timing or magnitude, or c) the need for activities within the objectives of this award in a non-presence country.

USAID welcomes recipient suggestions for additional protocols that can be built into the award to help improve response times. These types of requests should be proposed in the application process and/or during negotiation.

USAID expects the Recipient to work throughout the life of the award to identify effective approaches to advancing rule of law and justice, human rights, and security reform through short-term interventions. JRS-RR will utilize a range of techniques to create, organize, share and use knowledge about how foreign assistance can be used to respond to urgent needs or openings. This knowledge will be used both to inform the overall award and future rapid response activities, as well as to inform USAID Missions and other Operating Units. Each rapid response activity will be unique and independent and also be occurring in challenging and fluid environments. USAID does not expect the implementer to develop full M&E plans for each activity, but it does expect the implementer to hold regular reflection sessions on how each activity is going and if adaptation is needed, to report on this in its activity reporting, and to hold short "after action" discussions with the activity implementers at the end of each activity to discuss lessons learning and feedback from grantees. The Recipient will be expected in its overall reporting to share trends across the various rapid response activities, including suggestions for how USAID can improve its support.

[END OF SECTION A]

SECTION B – FEDERAL AWARD INFORMATION

1. Estimate of Funds Available and Number of Awards Contemplated

USAID intends to award one (1) cooperative agreement pursuant to this NOFO. Subject to funding availability and discretion of the Agency, USAID intends to provide up to \$20 million for this award.

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 will be five (5) years. The estimated start date will be upon signature of the award.

3. Substantial Involvement

USAID intends to award a cooperative agreement for this program to the responsible Applicant whose application, conforming to this NOFO, offers the greatest value in furthering the goals of the program described in Section A of this NOFO. A cooperative agreement is distinguished from a grant by virtue of USAID having substantial involvement in the implementation of the program.

USAID will be substantially involved in the implementation of the core program described in Section A of this NOFO. The intended purpose of the USAID's involvement during the implementation of the program is to assist the recipient in achieving the supported objectives. It is expected that the Agreement Officer will delegate the following approvals to the Agreement Officer's Representative (AOR), except for changes to the Program Description or the approved budget, which may only be approved by the Agreement Officer. Substantial involvement may be inclusive of:

- (a) Approval of the Recipient's Implementation Plans;
- (b) Approval of Specified Key Personnel;
- (c) Approval of all rapid response activities; and
- (d) Approval of subawards over \$5,000.

USAID will be substantially involved in approving subawards to ensure that subawardees are best suited to respond to the rapid response needs. As this is an Assistance award, USAID expects that the Recipient may identify potential local partners with whom it has an existing relationship to support rapid response activities as well as new local partners with whom it may not have a prior relationship but who may be best suited to respond to urgent and unforeseen needs and opportunities; USAID may also identify local actors for Recipient consideration as potential partners.

4. Title to Property

Property title under the resultant agreement shall vest with the recipient in accordance with the Requirements of USAID Standard Provisions for U.S. or Non-U.S. Non-Governmental Organizations, whichever applicable.

5. Authorized Geographic Code

The authorized geographic code for award recipients is 937. (See ADS 310.3.1.1 and ADS 310.3.1.6 for details see <http://www.usaid.gov/sites/default/files/documents/1876/310.pdf>)

Local procurement is authorized within the parameters specified in 22 CFR 228.40, “Local Procurement.”

6. Purpose of the Award

The principal purpose of the relationship with the Recipient under the subject program is to transfer funds to accomplish the purpose of JRS-RR, which is authorized by Federal statute.

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

[END OF SECTION B]

SECTION C– ELIGIBILITY INFORMATION

1. Eligible Applicants

U.S. non-governmental and non-U.S. non-governmental organizations and/or U.S. and Non-U.S. For-Profit Organizations may participate under this NOFO.

1. U.S. and Non-U.S. Non-Profit Organizations (NGOs)

Qualified U.S. and non-U.S. private non-profit organizations may apply for funding under this NOFO. Foreign government-owned parastatal organizations from countries that are ineligible for assistance under the Foreign Assistance Act (FAA) of 1961 or related appropriations acts are ineligible.

2. U.S. and Non-U.S. For-Profit Organizations

Qualified U.S. and non-U.S. private for-profit organizations may apply for funding under this NOFO. Foreign government-owned parastatal organizations from countries that are ineligible for assistance under the FAA or related appropriations acts are ineligible. Potential for-profit Applicants should note that, pursuant to 22 CFR 226.81, the payment of fee/profit to the prime recipient under grants and cooperative agreements is prohibited. However, if a prime recipient has a subcontract with a for-profit organization for the acquisition of goods or services (*i.e.*, if a buyer-seller relationship is created), fee/profit for the (subcontractor is authorized.)

USAID strongly encourages Applicants to develop consortia with other responsible and eligible organizations (U.S. and/or non-U.S. organizations; USAID welcomes applications and partnerships with diverse organizations) with complementary capabilities and experiences if conducive to the achievement of results under the program objectives or to articulate how the Applicant's own network can achieve the results under the program objectives.

International Applicants must consider local engagement in their consortia and/or approach to implementing activities under this NOFO. Applicants should demonstrate a clear understanding of the role that local and/or regional organizations and institutions are playing or can play in promoting the objectives of this NOFO. Where the primary Applicant is not a local organization, it is strongly encouraged that Applicants work closely with local partners on all phases of program design, implementation, and evaluation whenever possible. USAID does, however, recognize that there may be particular contexts in which, during implementation of JRS-RR, the primary Applicant and/or other international actors may be best suited to achieve rapid response goals. In cases, either in response to this NOFO or in developing future rapid response activities, where an international Applicant is not able to partner with a local organization or institution, does not consider such partnership feasible, or does not consider it in the program's best interest, the Applicant must clearly explain why that is the case.

The Recipient must be a responsible entity. The AO may determine a pre-award survey is required to conduct an examination that will determine whether the prospective recipient has the necessary organization, experience, accounting and operational controls, and technical skills –

or ability to obtain them – in order to achieve the objectives of the program and comply with the terms and conditions of the award.

Applicants must have a Unique Entity Identifier (UEI, known as DUNS number); if the Applicant doesn't have a UEI number, it is required to obtain one before award (if successful). For information, see ADS 302sao ([ADS 302](#)), Guidance for Obtaining a UEI Number.

2. Cost Sharing or Matching

USAID has not established a mandatory percentage of cost-sharing (matching) for this program. Cost sharing, while encouraged, will not affect the competitiveness of any application in response to this NOFO.

For guidance on cost sharing in grants and cooperative agreements is in ADS 303 which may be accessed at <https://www.usaid.gov/work-usaid/get-grant-or-contract/grant-andcontract-resources>.

[END OF SECTION C]

SECTION D – APPLICATION AND SUBMISSION INFORMATION

1. Agency Point of Contact

Michael Kwaw
A&A Specialist
USAID/Washington
email: jrs-rr@usaid.gov

Questions and Answers:

All questions regarding this NOFO should be submitted in writing to jrs-rr@usaid.gov.

Questions regarding this NOFO should be submitted by email no later than **April 7, 2022, 15:00 (3pm) EST** (local time- Washington D.C.), to provide sufficient time to address the questions and incorporate the questions and answers as an amendment to this NOFO. Any information given to a prospective Applicant concerning this NOFO will be furnished promptly to all other prospective Applicants as an amendment to this NOFO, if that information is necessary in submitting applications or if the lack of it would be prejudicial to any other prospective Applicant.

2. Content and Form of Application Submission

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

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

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

Applicants who include data that they do not want disclosed to the public for any purpose or used by the U.S. Government except for evaluation purpose, should mark the title page with the following legend:

“This application includes data that shall not be disclosed outside the U.S. Government and shall not be duplicated, used, or disclosed – in whole or in part – for any purpose other than to review this application. If, however, a grant is awarded to this Applicant as a result of – or in connection with – the submission of this data, the U.S. Government shall have the right to duplicate, use, or disclose the data to the extent provided in the resulting award. This restriction does not limit the U.S. Government's right to use information contained in this data if it is obtained from another source without restriction. The data subject to this restriction are

contained in sheets {insert sheet numbers} and, mark each sheet of data it wished to restrict with the following legend:

“Use or disclosure of data contained on this sheet is subject to the restriction on the title page of this application.”

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

3. Application Submission Procedures

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

Electronic submission is required by USAID. Applications, application modifications, and revised applications/addenda must be submitted via email to the Agency Point of Contact for this NOFO (Michael Kwaw, at jrs-rr@usaid.gov).

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

Our preference, which is strongly encouraged, is that the technical application be submitted as a single email attachment, e.g. that you consolidate the various parts of a technical application into a single document before sending them. If this is not possible, please provide instructions on how to collate the attachments, and please ensure that all documents, including attachments, have page numbers. All applications received by the submission deadline will be reviewed for responsiveness to the NOFO and the application format. No addition or modifications will be accepted after the submission date.

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

USAID bears no responsibility for data errors resulting from transmission or conversion processes associated with electronic submissions. **Incomplete or late submission of applications will not be accepted.**

4. Technical Application Format

The Technical Application will be the most important factor for consideration in selection for award of the proposed Cooperative Agreement. The Technical Application must be specific, complete and presented concisely. The application must demonstrate the Applicant's capabilities and expertise with respect to achieving the goals of this program. The application must take into account the requirements of the program and merit review criteria found in this NOFO.

USAID requests that applications be kept as concise as possible. Detailed information must be presented only when required by specific NOFO instructions. **The written Technical Application in response to this NOFO (for the entire rapid response award; applications for individual rapid response activities will be much shorter) is limited to 20 pages, exclusive of all exceptions noted below.**

The Technical Application must be in English. Applicants must use only 8.5 inch by 11 inch (210mm by 297mm) paper, single-spaced pages and number each page consecutively. Applicants must use Times New Roman 12-point font or a similar typeset. Information submitted in the Technical Application over 20 pages **will not** be reviewed.

The Technical Application's 20-page limit does not include the following:

- Cover Page (not reviewed) which should include the program title, NOFO reference number, name of organization(s) applying for the agreement, any formal partnerships, and the primary contact person for the application (including title, email, phone and signature of that individual)
- Table of Contents (not reviewed)
- Attachments (will be reviewed) - please **only** include the attachments specified below. Any additional attachments will not be accepted.
- Cost Application (will be reviewed)

The Technical Application must include the following elements:

A. Executive Summary (1-page maximum, included in the 20-page limit)

This section must provide an overview of the Applicant's problem analysis, approach, planned or agreed upon partnerships and/or network, and technical capabilities.

B. Technical Approach (6-pages maximum, included in the 20-page limit)

This section must demonstrate the Applicant's approaches to supporting multiple rapid response activities, discreetly and securely, around the world at the same time in a way that is locally-driven. It must also demonstrate an understanding of key justice, human rights, and security issues and their relationship to development, as well as how the

Applicant intends to use a variety of programmatic techniques to address the Program Objectives. The Technical Approach section must clearly describe:

- Approach to working with local and/or regional partners and/or sub-awardees, with specific consideration given to their unique access, operational abilities, and relationships.
- Approach to utilizing best practices related to how development assistance can advance justice, human rights, and security, including demonstrating knowledge of fundamental principles, awareness of key issues, familiarity with current practices (including both effective and ineffective approaches), and the identification of emerging trends.
- Approach to inclusivity, including an approach to working with women, youth, and diverse populations that will inform programming in specific, context-appropriate ways.
- Approach to risk management and mitigation, including how the Applicant will identify risks during design and implementation of rapid response activities.
- Approach to learning across the award, with a focus on how best practices, global lessons, and trends will be gathered, analyzed and presented.

C. Technical Capabilities (7-pages maximum, included in the 20-page limit)

The application must provide evidence of the Applicant's capability to conduct the variety of activities described in the NOFO. The Technical Capabilities section must clearly describe:

- Capability for responding to unanticipated needs, including the safe mobilization of personnel and resources, support for security (digital and physical) of personnel and partners, clear assessment of opportunities and constraints in dynamic and challenging environments, plans for how to provide immediate assistance to local actors, ability to rapidly approve and make subawards, and responsiveness and flexibility in changing circumstances.
- The Applicant's capability to analyze and assess programming contexts, identify capable and credible local partners (including those previously unknown to the Applicant), design interventions that are cognizant of contextual factors, and monitor and adjust programs based on dynamic feedback mechanisms and the input of local stakeholders.
- The Applicant's ability to draw on a broad range of technical and regional expertise capable of supporting the program objectives in a global context.

D. Management Structure (5-pages maximum, included in the 20-page limit)

The application must provide evidence of the Applicant's ability to administer the award in an efficient and cost-effective manner. Given the global nature of the award and its technical and administrative complexity, USAID acknowledges the likelihood that interested organizations may enter into standing or ad hoc partnerships for the purpose of applying for this award; USAID encourages such partnerships when they serve the purpose of bringing unique and complementary expertise together for the overall achievement of results, but these partnerships are not required if the Applicant sufficiently demonstrates its own ability to cover the entirety of the objectives of this NOFO independently.

This section must address the Applicant's proposed management structure and how it contributes to the achievement of program goals. The Management Structure section must clearly describe:

- The Applicant's administrative arrangements for the overall implementation of the program, including organizational structure for technical and operational management. This award will require frequent and regular communication and collaboration with USAID to identify, design, and implement rapid response activities around the world.
- If the Applicant utilizes partner organizations in its application, it must describe how the partnership will be organized, and how lines of authority, communication, and decision-making will be managed. In this regard, the application should discuss the governance structure of the partnership, the role of each organization, and how potential disputes among partners related to the allocation of work will be resolved.
- Plans to include local and regional stakeholder perspectives into planning, program implementation and learning activities.
- A knowledge management plan that is logical, coherent, and reflects adaptive management techniques.

E. Personnel: (1-page maximum, included in the 20-page limit)

The application must provide evidence of the Applicant's ability to recruit, employ and retain skilled individuals, including but not limited to the Key Personnel position, to successfully manage this award. This NOFO identifies one Key Personnel position, listed below; however the Applicant may propose additional positions as Key Personnel, as appropriate. USAID values its commitment to promoting diversity, inclusion and equity in the workplace.

The Personnel section must clearly describe:

- The qualifications and experience for key personnel, with a focus on their experience overseeing rapid response activities and working in the fields of justice, rights, and/or security. USAID encourages, but does not require, specific key personnel to be identified at the time of the application.
- The role and qualifications of non-key personnel who will play an important role in the management of the award, including but not limited to staff responsible for finances and ensuring compliance of subawards.
- The applicant's approach to diversity, equity, and inclusion within its staffing of the overall award and/or rapid response activities.

Key personnel position is described below:

Technical Director: The technical director will have overall responsibility for the award, including administration, management, monitoring and evaluation, reporting, program development, and administration of rapid response activities. The technical director position requires a University degree in law, political science, human rights, international development, international relations, or other related discipline. They must demonstrate ten or more years of professional expertise managing or implementing justice-, rights-, and/or security-related assistance programs and should demonstrate experience with rapid response activities as defined by this NOFO (activities that are mobilized within a matter of weeks in response to urgent needs or opportunities). The technical director must have demonstrated experience working in close coordination with a donor and other partners, including formal and/or informal local/regional actors. The technical director must have strong cultural competence and success working with staff and partners from a variety of backgrounds and in a variety of contexts. The technical director should have demonstrated capacity to develop local partner capacity and to effectively identify and engage local partners in the implementation of their programming.

F. Attachments (NOT included in the 20–page limit) - additional attachments beyond those listed below will not be accepted

a. Attachment 1: Past Performance (4-page maximum)

An Applicant's history of performance can serve as an indicator of the quality of its future performance. Applicants must describe their experience in successfully conducting *rapid* programming in the technical areas of justice, human rights, and security. Applicants must provide a list of at least six contracts, grants, cooperative agreements and/or activities where the Applicant rapidly responded to an urgent need or opening during the past three years and describe how they were designed and deployed

rapidly to respond to urgent needs or opportunities. The reference information for these awards must include:

- Name of the awarding organization;
- Award number;
- Activity title;
- Performance location;
- A very brief description of the activity;
- Period of performance; and
- Award amount.

If the applicant encountered problems on any of the referenced Awards, it may provide a short explanation and the corrective action taken. The applicant should not provide general information on its performance.

In addition, the Past Performance section must clearly describe:

- The application's track record implementing similar or relevant programs in these technical sectors.
- Specific examples of how the Applicant has worked in fluid or challenging operating contexts.
- Specific examples of the Applicant's experience rapidly making subawards (required for international Applicants).
- Examples of the Applicant's ability to work effectively with local actors (formal or informal) in challenging or non-permissive environments and how the Applicant has strengthened those organizations through partnerships.
- Examples of how the Applicant has applied do no harm and conflict sensitive principles to its work.

USAID reserves the right to obtain relevant information concerning an applicant's history of performance from any sources and may consider such information in its review of the applicant's risk. The Agency may request additional information and conduct a pre-award survey if it determines that it is necessary to inform the risk assessment.

- b. Attachment 2: Resumes and Job Descriptions of Key Personnel (up to 5 pages per resume or job description)

Resumes and job descriptions should be tailored to this NOFO and clearly articulate the individual's expertise and experience that will enable them to lead the implementation of this rapid response award.

- c. Attachment 3: *optional* Memoranda of Understanding, Letters of Support or other Partnership Agreements (no page limit)

The Applicant is encouraged to only include memoranda of understanding (MOUs), letters of support or commitment (LOSs or LOCs), or other partnership documents for consortium partners or resource partners. Illustrative examples of potential future country-specific partnerships and networks that may be utilized during implementation should be referenced in the technical approach section.

- d. Attachment 4: *optional* Map and/or Description of the Applicant's/ Consortium's Global Reach (1 page-maximum)

The Applicant may choose to include a map or other description of its global reach.

5. Cost Application Format

The Business (Cost) Application must be submitted separately from the Technical Application. While no page limit exists for the full cost application, applicants are encouraged to be as concise as possible while still providing the necessary details. The business (cost) application must illustrate the entire period of performance, using the budget format shown in the SF-424A.

Prior to award, applicants may be required to submit additional documentation deemed necessary for the Agreement Officer (AO) to assess the applicant's risk in accordance with 2 CFR 200.205. Applicants should not submit any additional information with their initial application.

The Cost Application must contain the following sections, unless otherwise noted for submission or completion at a later time. There is **no page limit** for the cost application.

- (a) Cover Page (See Section 4 above for requirements)

- (b) SF 424 Form(s)

The applicant must sign and submit the cost application using the SF-424 series, which includes the Application for Federal Assistance (SF-424) and Budget Information for Non-Construction Programs (SF-424A). Standard Forms and form instructions can be accessed electronically at www.grants.gov or using the following link: <https://www.grants.gov/web/grants/forms/sf-424-family.html>

Failure to accurately complete these forms could result in the rejection of the application.

(c) Required Certifications and Assurances

The applicant must complete the following documents and submit a signed copy with their application:

- (1) “Certifications, Assurances, Representations, and Other Statements of the Recipient” document found at <http://www.usaid.gov/sites/default/files/documents/1868/303mav.pdf>
- (2) Assurances for Non-Construction Programs (SF-424B), which can be accessed electronically at www.grants.gov or using the following link: <https://www.grants.gov/web/grants/forms/sf-424-family.html>
- (3) Certificate of Compliance: Please submit a copy of your Certificate of Compliance if your organization's systems have been certified by USAID/Washington's Office of Acquisition and Assistance (M/OAA).

(d) Budget and Budget Narrative

The applicant must submit a Budget and Budget Narrative. The Budget must be submitted as one unprotected Microsoft Excel file with visible formulas and references and must be broken out by project year, including itemization of the federal and any non-federal (cost share) amount. Files must not contain any hidden or otherwise inaccessible cells. Budgets with hidden cells lengthen the cost analysis time required to make award, and may result in a rejection of the cost application. Proposed costs must be in U.S. dollars. The Budget Narrative must contain sufficient detail to allow USAID to understand the proposed costs. The applicant must ensure the budgeted costs address any additional requirements identified in the NOFO, such as Branding and Marking. The Budget Narrative must be thorough, including sources for costs to support USAID’s determination that the proposed costs are fair and reasonable.

The Budget should include the following worksheets or tabs, and contents, at a minimum:

- Summary Budget, inclusive of all program costs (federal and non-federal), broken out by major budget category per the SF-424A and by year for activities implemented by the applicant and any potential subrecipients for the entire period of the program. Please see Annex 1 for a Summary Budget Template that applicants may use.
- Detailed Budget, including a breakdown by year, sufficient to allow the Agency to determine that the costs represent a realistic and efficient use of funding to implement the applicant’s program and are allowable in accordance with the cost principles found in 2 CFR 200 Subpart E.
- Detailed Budgets for each proposed subrecipient (if any), for all federal funding and cost share, broken out by budget category and by year, for the entire implementation period of the project.

The Detailed Budget should contain the following budget categories and information, as applicable:

- 1) **Personnel** – Salaries must be proposed consistent with 2 CFR 200.430 Compensation - Personal Services. Provide the position title, salary rate, level of effort, and salary escalation factors for each position. Allowances, when proposed, must be broken down by specific type and by position. Applicants must explain all assumptions in the Budget Narrative. The Budget Narrative must demonstrate that the proposed compensation is reasonable for the services rendered and consistent with what is paid for similar work in other activities of the applicant. Applicants must provide their established written policies on personnel compensation. If the applicant's written policies do not address a specific element of compensation that is being proposed, the Budget Narrative must describe the rationale used and supporting market research.
- 2) **Fringe Benefits** (if applicable) – If the applicant has a fringe benefit rate approved by an agency of the U.S. Government, the applicant must use such rate and provide evidence of its approval. If an applicant does not have a fringe benefit rate approved, the applicant may propose a rate and explain how the applicant determined the rate. In this case, the Budget Narrative must include a detailed breakdown comprised of all items of fringe benefits and the costs of each, expressed in U.S. dollars and as a percentage of salaries.
- 3) **Travel** – Provide details to explain the purpose of proposed trips, the number of trips, the origin and destination, the number of individuals traveling, and the duration of the trips. Per Diem and associated travel costs must be based on the applicant's normal travel policies. When appropriate please provide supporting documentation as an attachment, such as company travel policy, and explain assumptions in the Budget Narrative.
- 4) **Equipment** - Provide details on the proposed procurement of any equipment and the type/model and the cost per unit and quantity. In accordance with 2 CFR 200.33, equipment means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-Federal entity for financial statement purposes, or \$5,000. Indicate in the Budget Narrative the capitalization level established by the applicant organization. The Budget Narrative must include the purpose of the equipment and basis for the estimate.
- 5) **Supplies** - Provide details on the procurement of any proposed supplies and the cost per unit and quantity. In accordance with 2 CFR 200.94, supplies means all tangible personal property other than those described in §200.33 Equipment. A computing device is a supply if the acquisition cost is less than the lesser of the capitalization level established by the non-Federal entity for financial statement purposes or \$5,000, regardless of the length of its useful life. The Budget Narrative must include the purpose of the supplies and the basis for the estimates.
- 6) **Contractual** – In this category, include subcategories to distinguish between subrecipients and contractors. See 2 CFR 200.330 for assistance in determining whether the sub-tier entity is a subrecipient or contractor. Provide a breakdown and accompanying narrative for subrecipient budgets which must use the same format as the applicant's budget. The Budget Narrative must support the necessity and purpose of any proposed subrecipient or contractor.
- 7) **Construction** – Note that construction activities will not be financed under the award.

8) **Other Direct Costs** – This may include other direct costs not elsewhere specified. For any proposed training, conference, seminar, or workshop cost, the applicant should indicate the subject, venue, estimated number of participants, and duration and the relationship to the objectives of the program, along with estimates of costs. For proposed rental costs, the Budget Narrative must support the necessity of any rental costs and reasonableness in light of factors such as: rental costs of comparable property, if any; market conditions in the area; alternatives available; and the type, life expectancy, condition, and value of the property leased.

9) **Indirect Charges** – Applicants must indicate whether they are proposing indirect costs or will charge all costs directly. In order to better understand indirect costs please see 2 CFR 200 Subpart E, specifically 2 CFR 200.414. The applicant must identify which approach they are requesting and provide the applicable supporting information. Below are the most commonly used Indirect Cost Rate methods:

Method 1 - Direct Charge Only

Eligibility: Any applicant. Initial Application Requirements: See above on direct costs

Method 2 - Negotiated Indirect Cost Rate Agreement (NICRA)

Eligibility: Any applicant with a NICRA issued by a USG Agency must use that NICRA. Initial Application Requirements: If the applicant has a current NICRA, submit your approved NICRA and the associated disclosed practices. If your NICRA was issued by an Agency other than USAID, provide the contact information for the approving Agency. Additionally, at the Agency's discretion, a provisional rate may be set forth in the award subject to audit and finalization. See [USAID's Indirect Cost Rate Guide for Non Profit Organizations](#) for further guidance.

Method 3 - De minimis rate of 10% of modified total direct costs (MTDC) Eligibility: Any applicant that has never received a NICRA. Initial Application Requirements: Costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. If chosen, this methodology once elected must be used consistently for all Federal awards until such time as a non-Federal entity chooses to negotiate an indirect rate, which the non-Federal entity may apply to do at any time. The applicant must describe which cost elements it charges indirectly vs. directly. See 2 CFR 200.414(f) for further information.

Method 4 - Indirect Costs Charged As A Fixed Amount

Eligibility: Non U.S. non-profit organizations without a NICRA may request, but approval is at the discretion of the AO. Initial Application Requirements: Provide the proposed fixed amount and a worksheet that includes the following:

- Total costs incurred by the organization for the previous fiscal year and estimates for the current year.
- Indirect costs (common costs that benefit the day-to-day operations of the organization, including categories such as salaries and expenses of executive officers,

personnel administration, and accounting, or that benefit and are identifiable to more than one program or activity, such as depreciation, rental costs, operations and maintenance of facilities, and telephone expenses) for the previous fiscal year and estimates for the current year

- Proposed method for prorating the indirect costs equitably and consistently across all programs and activities of using a base that measures the benefits of that particular cost to each program or activity to which the cost applies.

If the applicant does not have an approved NICRA and does not elect to utilize the 10% de minimis rate, the Agreement Officer will provide further instructions and may request additional supporting information, including financial statements and audits, should the application still be under consideration after the merit review. USAID is under no obligation to approve the applicant's requested method.

10) **Cost Sharing (voluntary)** – If proposing any cost share, the applicant should estimate the amount of cost-sharing resources to be provided over the life of the agreement and specify the sources of such resources, and the basis of calculation in the budget narrative. Applicants should also provide a breakdown of the cost share (financial and in-kind contributions) of all organizations involved in implementing the resulting award.

(e) Prior Approvals in accordance with 2 CFR 200.407

Inclusion of an item of cost in the detailed application budget does not satisfy any requirements for prior approval by the Agency. If the applicant would like the award to reflect approval of any cost elements for which prior written approval is specifically required for allowability, the applicant must specify and justify that cost. See 2 CFR 200.407 for information regarding which cost elements require prior written approval.

(f) Approval of Subawards

The applicant must submit information for all subawards that it wishes to have approved at the time of award. For each proposed subaward the applicant must provide the following:

- Name of organization
- UEI Number
- Confirmation that the subrecipient does not appear on the Treasury Department's Office of Foreign Assets Control (OFAC) list
- Confirmation that the subrecipient does not have active exclusions in the System for Award Management (SAM)
- Confirmation that the subrecipient is not listed in the United Nations Security designation list
- Confirmation that the subrecipient is not suspended or debarred
- Confirmation that the applicant has completed a risk assessment of the subrecipient, in accordance with 2 CFR 200.331(b)
- Any negative findings as a result of the risk assessment and the applicant's plan for mitigation.

(g) Dun and Bradstreet and SAM Requirements

USAID may not award to an applicant unless the applicant has complied with all applicable unique entity identifier (DUNS number) and System for Award Management (SAM) requirements. Each applicant (unless the applicant is an individual or Federal awarding agency that is exempted from requirements under 2 CFR 25.110(b) or (c), or has an exception approved by the Federal awarding agency under 2 CFR 25.110(d)) is required to:

1. Provide a valid UEI number for the applicant and all proposed sub-recipients;
2. Be registered in SAM before submitting its application. SAM is streamlining processes, eliminating the need to enter the same data multiple times, and consolidating hosting to make the process of doing business with the government more efficient (www.sam.gov).
3. Continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency.

The registration process may take many weeks to complete. Therefore, applicants are encouraged to begin the process early. If an applicant has not fully complied with the requirements above by the time USAID is ready to make an award, USAID may determine that the applicant is not qualified to receive an award and use that determination as a basis for making an award to another applicant.

UEI number:

<http://fedgov.dnb.com/webform> SAM

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

Non-U.S. applicants can find additional resources for registering in SAM, including a Quick Start Guide and a video on how to obtain an NCAGE code, on www.sam.gov, navigate to Help, then to International Registrants.

(h) Branding Strategy & Marking Plan (to be submitted later upon request of the AO)

The apparently successful applicant will be asked to provide a Branding Strategy and Marking Plan to be evaluated and approved by the Agreement Officer and incorporated into any resulting award.

1) **Branding Strategy – Assistance (June 2012)**

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

- b. The request for a Branding Strategy, by the Agreement Officer from the applicant, confers no rights to the applicant and constitutes no USAID commitment to an award.
- c. Failure to submit and negotiate a Branding Strategy within the time frame specified by the Agreement Officer will make the applicant ineligible for an award.
- d. The applicant must include all estimated costs associated with branding and marking USAID programs, such as plaques, stickers, banners, press events, materials, and so forth, in the budget portion of the application. These costs are subject to the revision and negotiation with the Agreement Officer and will be incorporated into the Total Estimated Amount of the grant, cooperative agreement or other assistance instrument.
- e. The Branding Strategy must include, at a minimum, all of the following:
 - (1) All estimated costs associated with branding and marking USAID programs, such as plaques, stickers, banners, press events, materials, and so forth.
 - (2) The intended name of the program, project, or activity.
 - (i) USAID requires the applicant to use the “USAID Identity,” comprised of the USAID logo and brandmark, with the tagline “from the American people” as found on the USAID Web site at <http://www.usaid.gov/branding>, unless Section VI of the RFA or APS states that the USAID Administrator has approved the use of an additional or substitute logo, seal, or tagline.
 - (ii) USAID prefers local language translations of the phrase “made possible by (or with) the generous support of the American People” next to the USAID Identity when acknowledging contributions.
 - (iii) It is acceptable to cobrand the title with the USAID Identity and the applicant's identity.
 - (iv) If branding in the above manner is inappropriate or not possible, the applicant must explain how USAID's involvement will be showcased during publicity for the program or project.
 - (v) USAID prefers to fund projects that do not have a separate logo or identity that competes with the USAID Identity. If there is a plan to develop a separate logo to consistently identify this program, the applicant must attach a copy of the proposed logos. Section VI of the RFA or APS will state if an Administrator approved the use of an additional or substitute logo, seal, or tagline.
 - (3) The intended primary and secondary audiences for this project or program, including direct beneficiaries and any special target segments.
 - (4) Planned communication or program materials used to explain or market the program to beneficiaries.

- (i) Describe the main program message.
 - (ii) Provide plans for training materials, posters, pamphlets, public service announcements, billboards, Web sites, and so forth, as appropriate.
 - (iii) Provide any plans to announce and promote publicly this program or project to host country citizens, such as media releases, press conferences, public events, and so forth. Applicant must incorporate the USAID Identity and the message, “USAID is from the American People.
 - (iv) Provide any additional ideas to increase awareness that the American people support this project or program.
- (5) Information on any direct involvement from host-country government or ministry, including any planned acknowledgement of the host-country government.
- (6) Any other groups whose logo or identity the applicant will use on program materials and related materials. Indicate if they are a donor or why they will be visibly acknowledged, and if they will receive the same prominence as USAID.
- f. The Agreement Officer will review the Branding Strategy to ensure the above information is adequately included and consistent with the stated objectives of the award, the applicant's cost data submissions, and the performance plan.
- g. If the applicant receives an assistance award, the Branding Strategy will be included in and made part of the resulting grant or cooperative agreement

2) Marking Plan – Assistance (June 2012)

- a. Applicants recommended for an assistance award must submit and negotiate a “Marking Plan,” detailing the public communications, commodities, and program materials, and other items that will visibly bear the “USAID Identity,” which comprises of the USAID logo and brandmark, with the tagline “from the American people.” The USAID Identity is the official marking for the Agency, and is found on the USAID Web site at <http://www.usaid.gov/branding>. Section VI of the RFA or APS will state if an Administrator approved the use of an additional or substitute logo, seal, or tagline.
- b. The request for a Marking Plan, by the Agreement Officer from the applicant, confers no rights to the applicant and constitutes no USAID commitment to an award.
- c. Failure to submit and negotiate a Marking Plan within the time frame specified by the Agreement Officer will make the applicant ineligible for an award.
- d. The applicant must include all estimated costs associated with branding and marking USAID programs, such as plaques, stickers, banners, press events, materials, and so forth, in the budget portion of the application. These costs are subject to the revision and negotiation with

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

e. The Marking Plan must include all of the following:

(1) A description of the public communications, commodities, and program materials that the applicant plans to produce and which will bear the USAID Identity as part of the award, including:

- (i) Program, project, or activity sites funded by USAID, including visible infrastructure projects or other sites physical in nature;
- (ii) Technical assistance, studies, reports, papers, publications, audio-visual productions, public service announcements, Web sites/Internet activities, promotional, informational, media, or communications products funded by USAID;
- (iii) Commodities, equipment, supplies, and other materials funded by USAID, including commodities or equipment provided under humanitarian assistance or disaster relief programs; and
- (iv) It is acceptable to cobrand the title with the USAID Identity and the applicant's identity.
- (v) Events financed by USAID, such as training courses, conferences, seminars, exhibitions, fairs, workshops, press conferences and other public activities. If the USAID Identity cannot be displayed, the recipient is encouraged to otherwise acknowledge USAID and the support of the American people.

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

- (i) The program deliverables that the applicant plans to mark with the USAID Identity;
- (ii) The type of marking and what materials the applicant will use to mark the program deliverables;
- (iii) When in the performance period the applicant will mark the program deliverables, and where the applicant will place the marking;
- (iv) What program deliverables the applicant does not plan to mark with the USAID Identity, and
- (v) The rationale for not marking program deliverables.

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

- (i) Compromise the intrinsic independence or neutrality of a program or materials where independence or neutrality is an

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

- (ii) Diminish the credibility of audits, reports, analyses, studies, or policy recommendations whose data or findings must be seen as independent. The applicant must explain why each particular deliverable must be seen as credible.
- (iii) Undercut host-country government “ownership” of constitutions, laws, regulations, policies, studies, assessments, reports, publications, surveys or audits, public service announcements, or other communications. The applicant must explain why each particular item or product is better positioned as host- country government item or product.
- (iv) Impair the functionality of an item. The applicant must explain how marking the item or commodity would impair its functionality.
- (v) Incur substantial costs or be impractical. The applicant must explain why marking would not be cost beneficial or practical.
- (vi) Offend local cultural or social norms, or be considered inappropriate. The applicant must identify the relevant norm, and explain why marking would violate that norm or otherwise be inappropriate.
- (vii) Conflict with international law. The applicant must identify the applicable international law violated by the marking.

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

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

(i) Funding Restrictions

Profit is not allowable for recipients or subrecipients under this award. See 2 CFR 200.330 for assistance in determining whether a sub-tier entity is a subrecipient or contractor.

Construction will not be authorized under this award.

USAID will not allow the reimbursement of pre-award costs under this award without the explicit written approval of the Agreement Officer.

Except as may be specifically approved in advance by the Agreement Officer, all commodities and services that will be reimbursed by USAID under this award must be from the authorized geographic code specified in Section B.4 of this NOFO and must meet the source and nationality requirements set forth in 22 CFR 228.

(j) Conflict of Interest Pre-Award Term

1) CONFLICT OF INTEREST PRE-AWARD TERM (August 2018)

a. Personal Conflict of Interest

1. An actual or appearance of a conflict of interest exists when an applicant organization or an employee of the organization has a relationship with an Agency official involved in the competitive award decision-making process that could affect that Agency official's impartiality. The term "conflict of interest" includes situations in which financial or other personal considerations may compromise, or have the appearance of compromising, the obligations and duties of a USAID employee or recipient employee.

2. The applicant must provide conflict of interest disclosures when it submits an SF-424. Should the applicant discover a previously undisclosed conflict of interest after submitting the application, the applicant must disclose the conflict of interest to the AO no later than ten (10) calendar days following discovery.

b. Organizational Conflict of Interest

The applicant must notify USAID of any actual or potential conflict of interest that they are aware of that may provide the applicant with an unfair competitive advantage in competing for this financial assistance award. Examples of an unfair competitive advantage include but are not limited to situations in which an applicant or the applicant's employee gained access to non-public information regarding a federal assistance funding opportunity, or an applicant or applicant's employee was substantially involved in the preparation of a federal assistance funding opportunity. USAID will promptly take appropriate action upon receiving any such notification from the applicant.

[END OF SECTION D]

SECTION E – APPLICATION REVIEW INFORMATION

Review and Selection Process

Applications will be reviewed in accordance with the merit criteria set forth below. To facilitate the review of the applications, Applicants must organize their narrative sections of the application in the same order as the merit review criteria. The conclusion of the application reviews, either: (1) the award will be made without discussions/negotiations; or (2) if deemed necessary or desirable by USAID, written and/or verbal discussions/negotiations will be conducted with Applicants that submit the most highly rated applications. USAID prefers to review applications and make an award without discussions with Applicants (except clarifications, which are limited exchanges between USAID and Applicants, such as the relevance of an Applicant's past performance information and adverse past performance information to which the Applicant has not previously had a chance to respond). Therefore, the Applicant's initial application should contain the Applicant's best terms.

If discussions are conducted with Applicants, they will be conducted with all Applicants that submitted the most highly rated applications. However, the Agreement Officer may limit the number of such applications to the greatest number that will permit an efficient competition among the most highly rated applications. Exchanges with Applicants after receipt of an application do not constitute a rejection or counteroffer by USAID.

After the conclusion of any such discussions, Applicants with whom discussions were conducted will, unless otherwise advised, be required to submit a revised application or addendum to the initial application, which will be re-evaluated against the criteria set forth below. It is expected that an award will ordinarily be made after the first round of any such discussions and revised applications/addenda; however, USAID reserves the right to conduct subsequent rounds of discussions and revised applications/addenda, and to further limit the number of Applicants with which such subsequent discussions would be conducted and from which a subsequent round of revised applications/addenda would be requested.

USAID intends to make an award to the responsible Applicant whose application, application modification, and/or revised application/addendum represents the greatest value to USAID based on the review of applications in accordance with the review criteria set forth below.

Criteria

A. Technical Application Review

The merit review criteria prescribed here are tailored to the requirements of this particular NOFO. Applicants should note that these criteria serve to: (a) identify the significant matters which the applicants should address in their applications, and (b) set the standard against which all applications will be evaluated.:

Criterion	Factor Name	Weight
Criteria 1	Technical Capabilities	Most Important
Criteria 2	Management Plan	Second Most Important
Criteria 3	Technical Approach	Third Most Important
Criteria 4	Past Performance	Fourth Most Important
Criteria 5	Personnel	Fifth Most Important

Applications will be reviewed in accordance with the following criteria:

Technical Capabilities (Most Important Criteria)

USAID will consider these elements collectively to evaluate an Applicant's Technical Capabilities:

- Extent to which the application demonstrates the Applicant's ability to draw on a broad range of technical and regional expertise, including current operations and/or networks, capable of supporting the program objectives in a global context.
- Demonstrated rapid programmatic response capability for responding to unanticipated needs, including the safe mobilization of personnel and resources, support for security (digital and physical) of personnel and partners, clear assessment of opportunities and constraints in dynamic and challenging environments, plans for how to provide immediate assistance to local actors, ability to rapidly approve and make subawards, as well as the responsiveness and flexibility in changing circumstances.
- Clear articulation of the Applicant's capability to analyze and assess programming contexts, identify capable and credible local partners (including those previously unknown to the Applicant), design interventions that are cognizant of contextual factors, and monitor and adjust programs based on dynamic feedback mechanisms and the input of local stakeholders.

- Demonstrated global reach/networks with expertise in all three technical areas of this program (justice, human rights, and security) and relationships with diverse actors and institutions that can be utilized to implement rapid response activities.

Management Plan (Second Most Important Criteria)

USAID will consider these elements collectively to evaluate an Applicant's Management Structure:

- Soundness and clarity of the Applicant's administrative arrangements for the overall implementation of the program, including organizational structure for technical and operational management.
- If the Applicant utilizes partner organizations (local, regional, or international) in its application, soundness and clarity of the Applicant's description of how the partnership will be organized and how lines of authority, communication, and decision-making will be managed. Clearly articulated governance structure of the partnership, the role of each organization, and how potential disputes among partners related to the allocation of work will be resolved.
- Clearly articulated plans to include local and regional stakeholder perspectives into design, planning, program implementation, and learning activities.
- Extent to which knowledge management plan is logical, coherent, and reflects adaptive management techniques to learn from diverse rapid response activities worldwide.
- Clearly articulated approach to diversity, equity, and inclusion within its staffing of the overall award and/or rapid response activities.

Technical Approach (Third Most Important Criteria)

USAID will consider these elements collectively to evaluate an Applicant's Technical Approach:

- Demonstrated understanding of best practices related to how development assistance can advance justice, human rights, and security, including knowledge of fundamental principles, awareness of key issues, familiarity with current practices (including both effective and ineffective approaches), and the identification of emerging trends.
- Clear and demonstrable prioritization of locally-led approaches. Extent to which the Applicant's approach to working with local and/or regional partners and/or sub-awardees is articulated and can be expected to inform programming in specific, context-appropriate ways.
- Extent to which the Applicant's approach to diversity, equity, and inclusivity, including the Applicant's approach to gender issues, youth, and diverse populations is articulated

and can be expected to inform both programming and management/operations of the award.

- Clear and demonstrable prioritization of and processes for risk management and mitigation.
- Incorporation of a learning agenda to gather learning across the award, with a focus on how global lessons and trends will be gathered, analyzed and presented. This includes the proposed approach for tracking and reporting activities and results.

Past Performance (Fourth Most Important Criteria)

USAID will consider these elements collectively to evaluate an Applicant's Past Performance:

- Demonstrated significant track record (experience doing multiple rapid response activities per year in multiple parts of the world) conducting rapid programming and providing local subawards in the technical areas of justice, human rights, and security in diverse countries and contexts, including fluid and challenging contexts.
- Specific examples of the Applicant's rapid response programming in these technical areas.
- Specific examples of the Applicant's experience rapidly making subawards (required for applications from international for- or non-profit organizations).
- Examples of the Applicant's ability to work effectively with local actors (formal or informal) in challenging or non-permissive environments and how the Applicant has strengthened those organizations.
- Examples of how the Applicant has applied do no harm principles to its work.

USAID reserves the right to obtain past performance information from other sources including those not named in this application.

A neutral rating (no strengths or weaknesses) will be assigned where the applicant has no applicable past performance history.

Personnel (Fifth Most Important Criteria)

USAID will consider these elements collectively to evaluate an Applicant's Personnel:

- Appropriate qualifications and experience for key personnel, with a focus on their experience overseeing multiple rapid response activities and subawards at once, supporting safe and discrete partnerships with local actors, rapidly identifying and vetting new partners including formal and informal actors, and working in the fields of justice, rights, and security.
- Clarity on the role and qualifications of non-key personnel who will play an important role in the management of the award, including but not limited to staff responsible for finances and ensuring compliance of subawards.

B. Cost Application Review

The Cost/business application has not been assigned a weight. After review of technical applications, the cost applications of the Applicants under consideration for award will be reviewed for general reasonableness, allowability and allocability and cost realism. If deemed necessary, written and/or oral discussions may be conducted. Discussions should not be considered as a determination of selection decision. In the event that Technical Applications are ranked/scored substantially the same, the Applicant that represents the best value in terms of cost may be the determining factor for award.

With reference to the proposed Branding Strategy and Marking Plan (BS/MP); the proposed plan will not be evaluated competitively. The Agreement Officer shall review for adequacy the proposed BS/MP and will negotiate, approve, and include the BS/MP in the award.

[END OF SECTION E]

SECTION F – FEDERAL AWARD ADMINISTRATION INFORMATION

1. Federal Award Notices

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

2. Administrative & National Policy Requirements

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

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

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

3. Reporting Requirements

All written documentation must be submitted in professional-level English. Reports must be submitted to USAID in Times New Roman 12-point type or larger, unless otherwise agreed or directed by USAID. The reports listed below are the initial reports required by the recipient. Based on the evolving nature of the agreement, USAID may provide modified reporting requirements.

Performance Monitoring Plan (PMP)

The Recipient will develop a simple and brief cost-effective, results-oriented performance monitoring plan that will provide USAID with information to monitor performance and effectiveness as well as to inform planning and management decisions. The Performance Monitoring Plan should also demonstrate an approach that is sensitive to gender, age, and historical marginalization.

Performance Reports

The Recipient will electronically submit all performance reports to the AOR in USAID/Washington. All country-level, regional-level and local-level rapid response activities implemented under the JRS-RR must be included in the award reporting. Performance reports will consist of the following:

Annual Progress Reports

The Recipient will submit a performance report to the AOR on an annual basis, due within 30 days following the end of fiscal year, corresponding to USAID's fiscal year (from October 1 through September 30).

Progress reports must be concise and present the following information: 1) executive summary of the entire award; 2) summary of each rapid response activity, including impact and/or key accomplishments and challenges/problems encountered (including financial and administrative concerns) and corrections made to overcome those problems; and 3) learning across the entire award. In addition, qualitative descriptions of success stories and achievements to illustrate impacts of the program must be included when possible. Reporting will also include a specific section that includes brief pipeline analysis of the status of funds available.

The Recipient will also submit an electronic copy of each progress report to the USAID Development Experience Clearinghouse.

Rapid Response Reporting

For all rapid response activities conducted, the recipient must adhere to these additional reporting requirements:

- *Regular Activity Reports* - The recipient will submit regular, brief reports on each rapid response activity, which should include an update on current and planned activities, key assumptions related to the recipient's response, key updates on the operating context as it relates to the activity, any significant challenges or risks related to the response, and corrective measures taken to address these challenges. The frequency will be determined for each rapid response activity, with USAID approval, based on sensitivities, optimal flow of information for the relevant USAID Mission, and other considerations, but the implementer should be prepared to produce activity-specific reports as frequently as bi-weekly.
- *Activity Tracking Mechanism* - The recipient will also develop a reporting mechanism that can be accessed and monitored by USAID (preferably web-based, for example via Google docs) that is updated as activities are approved and implemented, including information such as what the specific activity is, where it is being implemented, the budget for that activity, the start date, and how much of the budgeted funding for the activity has been spent.

Final Report

The final report must include an executive summary of the Recipient's accomplishments overall and by country, regional, or local program in achieving results and impact; conclusions about lessons learned; future challenges and opportunities; an assessment of progress made toward accomplishing the development impact objectives and expected results; significance of these activities including their sustainability; and comments and recommendations. The final report must incorporate the findings and results that were included in the previous report and is due no later than 90 days after the completion, expiration, or termination of the award.

The Recipient will also submit an electronic copy of each progress report to the USAID Development Experience Clearinghouse.

Notifications

The Recipient will be required to immediately notify the AOR and the Agreement Officer of developments that have a significant impact on the implementation of the overall award, including problems, delays, or adverse conditions which materially impair the ability to meet the objectives of the award. Information about problems, delays, or adverse conditions that materially impair the ability to implement specific rapid response activities should be immediately shared with the Activity Manager and AOR. These notifications must include a statement of the action taken or contemplated, and any assistance needed to resolve the situation.

Financial Reporting

Financial reporting requirements will depend on the method of payment. Recipients will comply with the financial reporting requirements set forth in the USAID standard provisions. USAID requires Recipients to use the Standard Form 425 or Standard Form 425a, Federal Financial Report, or such other forms authorized for obtaining financial information as may be approved by OMB.

Quarterly Financial Reports

Quarterly Financial Reports shall be due within 30 days following the end of each quarter corresponding to USAID's fiscal year from October 1 through September 30. This report shall include a statement of quarterly accruals. To allow USAID and the AOR to monitor the financial status of the project, accruals should include the (a) total amount obligated; (b) total amount invoiced for, (c) total amount of expended but not yet invoiced for, and (d) remaining unexpended funds.

Final Financial Report

The Final Financial Report shall be due within 90 days following the expiration of the award. Financial Reports shall be in accordance with 2 CFR 700. USAID requires recipients to use the Standard Form 425 or Standard Form 425a, Federal Financial Report, or such other forms authorized for obtaining financial information as may be approved by OMB.

The Final Financial Report shall be due within 90 days following the expiration of the award. The reports may be submitted electronically.

Development Experience Clearinghouse Requirements

USAID recipients must submit one electronic copy of development experience documentation to the Development Experience Clearinghouse. Development experience documentation may be submitted online: <http://dec.usaid.gov>. Or by mail (for pouch delivery):

USAID Development Experience Clearinghouse
M/CIO/ITSD/KM/DEC
RRB M.01-010
Washington, DC 20523-6100
Phone: (202) 712-0579

Email: docsubmit@usaid.gov

In addition, the recipient must submit one electronic copy of development experience documentation to the AOR for the Leader award.

Program Income

Any program income generated under the award(s) will be added to USAID funding (and any cost-sharing that may be provided) and used for program purposes. Program income will be subject to the USAID Standard Provisions for Non-U.S. Non-Governmental Organizations.

Environmental Compliance

(a) Section 117 of the Foreign Assistance Act of 1961, as amended, 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, as codified in 22 CFR 216 and in USAID's Automated Directives System (ADS) 204, 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 environmental compliance obligations of the Recipient of the award(s) resulting from this NOFO under these regulations and procedures are specified in the following paragraphs.

(b) 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 shall govern.

(c) No activity funded under the award(s) resulting from this NOFO may 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). (Such documents are hereinafter described as "approved Regulation 216 environmental documentation.")

(d) As part of its annual work-plans, the Recipient, in collaboration with the AOR and BEO, shall review all ongoing and planned activities under the award to determine if they are within the scope of the approved Regulation 216 environmental documentation. If the Recipient plans any new activities outside the scope of the approved Regulation 216 environmental documentation, it shall prepare an amendment to the documentation for USAID review and approval. No such new activities shall be undertaken prior to receiving written USAID approval of environmental documentation amendments. Any activities found to be outside the scope of the approved Regulation 216 environmental documentation shall be halted until an amendment to the documentation is submitted and written approval is received.

(e) The Recipient will be required to use an Environmental Review Form (ERF) or Environmental Review (ER) checklist using impact assessment tools to screen sub-award and contract Applications to ensure the funded Application 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 required when the nature of the Application 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 these activities cannot proceed 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. The Recipient will also be responsible for periodic reporting to the AOR, as specified in the award.

(f) The costs of environmental compliance will be reimbursable under the award(s) resulting from this NOFO provided that they are otherwise in accordance with the terms and conditions of the award.

[END OF SECTION F]

SECTION G – FEDERAL AWARDING AGENCY CONTACT(S)

Questions:

All questions regarding this NOFO must be submitted by 15:00 (3pm) EST on April 7, 2022.

Questions should be submitted directly to Jrs-rr@usaid.gov with the following subject line:

“**7200AA22RFA00017** - Questions - Your organization’s name.”

NOFO Point of Contact:

Michael Kwaw

A&A Specialist

USAID/Washington

jrs-rr@usaid.gov

[END OF SECTION G]

SECTION H – OTHER INFORMATION

1. USAID Rights

USAID reserves the right to fund any or none of the applications submitted. The Agreement Officer is the only individual who may legally commit the Government to the expenditure of public funds. Any award and subsequent incremental funding will be subject to the availability of funds and continued relevance to Agency programming.

Applications with Proprietary Data

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 cover page with the following:

“This application includes data that must not be disclosed duplicated, used, or disclosed – in whole or in part – for any purpose other than to evaluate this application. If, however, an award is made as a result of – or in connection with – the submission of this data, the U.S. Government will have the right to duplicate, use, or disclose the data to the extent provided in the resulting award. 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}.”

Additionally, the applicant must mark each sheet of data it wishes to restrict with the following: “Use or disclosure of data contained on this sheet is subject to the restriction on the title page of this application.”

2. Source of USAID Funding

The resultant award will be able to accept all sources of USAID funding (including field support).

[END OF SECTION H]

[END OF NOTICE OF FUNDING OPPORTUNITY NO. 7200AA22RFA00017]