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Application Closing Time and Date: November 18, 2019 07:00 Burundi Time

Subject: Notice of Funding Opportunity: 720-695-19-RFA-00001
GIR'ITEKA (Be Respected) Health Activity

Dear Prospective Applicants:

The United States Agency for International Development (USAID) in Burundi (USAID/Burundi) seeks applications for a Fixed Amount Award (FAA) from eligible and qualified entities to implement GIR'ITEKA (Be Respected), a Gender Based Violence (GBV) Health Activity in Burundi, as further described in Section A of this Notice of Funding Opportunity (NOFO). USAID/Burundi restricted **eligibility for this award to local entities**, as detailed in Section C of this NOFO.

USAID/Burundi intends to make an award to the applicant(s) who best meets the objectives of this funding opportunity based on the merit review criteria contained in Section E.2 of this NOFO subject to a risk assessment in accordance with ADS303.3.25.a.5. Eligible parties submitting an application must thoroughly read this NOFO to understand the type of program sought, application submission requirements, and selection process. The applicant must provide all information as required in this NOFO and meet eligibility standards in Section C of this NOFO. A prospective applicant must regularly check www.grants.gov to ensure it possesses the latest information pertaining to this NOFO, including possible amendments. 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.

USAID will not execute an award unless the applicant has complied with all applicable unique entity identifier and System for Award Management (SAM) requirements detailed in Section D.3.4. The registration process may take many weeks to complete. Therefore, applicants are encouraged to begin registration early in the process.

Issuance of this NOFO neither constitutes an award commitment on the part of USAID nor does it commit USAID to pay for any costs incurred in the preparation or submission of any comments/suggestion or an application. Applicants submit applications at their own risk. All preparation and submission costs are at the Applicant's expense.

Please send any questions to the point(s) of contact identified in Section D by the above deadline.

Sincerely,

Justin T. DiVenanzo
Supervisory Agreement Officer

SECTION A: PROGRAM DESCRIPTION

A.1 Objective

The objective of GIR'ITEKA (Be Respected) is to improve the integration of gender-based violence (GBV) prevention and response into the HIV clinical cascade to accelerate progress towards control of the HIV epidemic and, more specifically, to address GBV, a key structural driver of the HIV epidemic.

Three intermediate results will support achievement of this objective:

1. Improved GBV and HIV prevention for vulnerable and key populations;
2. Improved GBV case-identification and response in HIV index testing and partner notification;
and
3. Improved post-GBV care integrated into HIV clinical services.

By increasing the impact of GBV prevention interventions and improving access to and the quality of GBV response services, the Activity will contribute to USAID Burundi's development objective of improving the health of Burundians, measured by reduced morbidity and mortality due to HIV, malaria, reproductive health, and other infectious and non-communicable disease causes; and to the President's Emergency Plan for AIDS Relief (PEPFAR) goal of achieving and sustaining epidemic control, measured by achievement of the UNAIDS global 95-95-95 goals by the year 2020.

The Activity will support full integration of GBV prevention and response interventions into all USAID-funded HIV services, from the community to the facility level. The Activity will implement a technical support model, in which the Recipient will provide direct, timely, customized, and results-driven technical support to USAID-funded HIV implementing partners (IPs) to ensure that interventions to prevent GBV and provide appropriate clinical care to survivors of violence are effectively integrated and implemented, with timely and measurable results, across all HIV related services. The Recipient will ensure the full and appropriate implementation of GBV prevention and response services across USAID-funded HIV activities by providing technical support and coordination through a joint planning, implementation, and monitoring approach. The Activity seeks to build upon past USAID/Burundi investments in gender equality and GBV programming as well as evidence-based approaches informed by and tailored to the needs of the populations of focus, namely children, youth, key populations [men who have sex with men (MSM), female sex workers (FSW), transgender individuals (TG)], pregnant and breastfeeding women, and People Living with HIV (PLHIV). The Activity will also include cross-cutting considerations for promoting access and inclusion of people with disabilities.

A.2 Background and development challenges

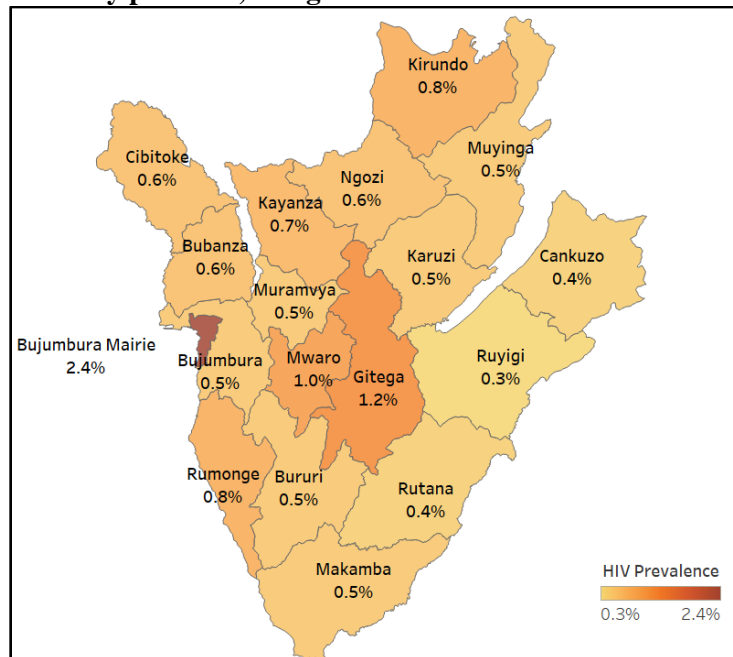
A.2.1 General Background Information and Country Context

GBV data from the 2016-17 Demographic and Health Survey (DHS)¹ show that 36 percent of women and 32 percent of men between the ages of 15 and 49 experienced physical violence. DHS data also show that 30 percent of women and nine percent of men in the age range of 40 to 49 years old reported experiencing sexual violence, against 10 percent and 4 percent respectively in the 15-19 year range. Gender norms that tolerate GBV, political crises, vague government commitment, and programmatic gaps in preventing and responding to GBV are factors that limit donors' and local NGOs' efforts to address GBV in Burundi.

¹ <https://dhsprogram.com/pubs/pdf/SR247/SR247.pdf>

According to 2019 UNAIDS Spectrum modeling, the HIV prevalence rate in Burundi is 0.7 percent. Among adults over age 15, this figure is 1.2 percent. The prevalence rate varies according to the age group. The most affected age groups are 40–49 years old among both men and women; these age groups have a prevalence rate of 3.1 percent. Comparatively, those between 30 and 39 years have a prevalence of 1.3 percent, and 20–29 year olds a prevalence of 0.6 percent. Overall, there is a prevalence rate trend towards urbanization (2.4 percent in Bujumbura Mairie versus 0.5 percent in Bujumbura Rural) and feminization of the epidemic (0.9 percent in women versus 0.6 percent in men). Geographic analysis of Spectrum data² shows higher prevalence in provinces traversed by major international transport routes and with large key populations hotspots. This suggests a key populations-driven epidemic and the need to target key populations, their social and sexual networks, as well as other vulnerable and hard-to-reach populations, including men with mobile professions, children of key populations, and vulnerable adolescents and children (ages 0–15 years). Migratory patterns across different regions of the country have an effect on both short and longer term retention rates as well as prevalence data.

Figure 1: HIV Prevalence by province, all ages



Source: Spectrum 2019

There are no recent data on FSW, MSM, and TG. The 2013 PLACE Study estimated that there are 51,482 FSW in Burundi, with a prevalence rate of 21.3 percent. The study estimated a 3.8 percent prevalence rate among their clients and 5.2 percent for their partners. The same study estimated 9,346 MSM with an HIV prevalence rate of 4.8 percent. MSM are mainly concentrated in Bujumbura-Mairie, and in other urban areas with a minority in rural areas. Transgender individuals were not specifically included in the study. A 2017 study of injecting drug users (IDUs) in Bujumbura Mairie shows an HIV prevalence of 10.2 percent, in a population of 127 respondents.

HIV/AIDS remains one of the leading causes of death in Burundi. Led by the *Programme National de Lutte contre le SIDA* (PNLS), the HIV response in Burundi has made remarkable progress over the past five years and the country is poised to achieve sustained epidemic control in fiscal years 2020–2021.

² Spectrum is a UNAIDS-supported software use by countries to develop HIV estimates annually.

PEPFAR defines national HIV epidemic control as “the point at which the total number of new infections falls below the total number of deaths from all causes among HIV-infected individuals, with both declining.” In this model, emphasis is placed on optimizing programs and systems investments to support, achieve, and sustain epidemic control.

The Government of Burundi (GOB) has been a close partner with PEPFAR in the fight against HIV/AIDS. To accelerate progress towards epidemic control, the GOB has implemented significant clinical guideline reforms that align the country’s HIV response with World Health Organization (WHO) clinical standards and recommendations. The goal is to have a data-driven HIV response that maximizes epidemiological impact.

PEPFAR Burundi programs and technical solutions are population, age, and gender specific, with the goal of accelerating case-finding, strengthening retention nationally, and closing the viral load access and suppression gaps. Interventions target the continuum of the HIV patient’s journey, from community level to the facility and back to ensure high quality services throughout the patient’s experience and to meet the needs of all populations, especially key populations, adolescent girls and young women (AGYW), and orphans and vulnerable children (OVC). To accelerate achievement of the first 95 (percent of HIV positive individuals who know their status), the PEPFAR Burundi program is focused on case-finding through highly-targeted testing strategies including prioritizing index testing. To strengthen and sustain achievements in the second 95 (percent of HIV positive individuals who know their status who are enrolled in ART), PEPFAR Burundi is accelerating the implementation of test-and-start while strengthening community linkages and retention on treatment. To rapidly advance achievement of the third 95 (percent of HIV positive individuals on treatment who are virally suppressed), PEPFAR Burundi focuses on demand creation and results uptake, and strengthening viral load testing capacity at all levels of the system.

A.2.2 Political, social, religious and cultural determinants of health in Burundi context

Several political, economic, religious, social and cultural factors contribute to poor health in Burundi. Civil unrest over the past decade has led to increased mobility internally and externally. Restricted movements and general insecurity have affected access to diagnosis and service provision, and adherence to treatment. Economic hardship reduces the ability to engage in healthy behaviors as household priorities change to adapt. Religious beliefs influence demand for services, such as family planning (FP) traditions within Catholic churches, which are widespread in Burundi. Social and cultural norms and values increase risk of GBV and choices in family size, age of pregnancy, and child spacing while decreasing willingness to deliver in a health facility. Infant feeding practices are also highly influenced by cultural and societal norms.

A.2.3 Health Sector

The National Health Development Plan (NHDP) guides the implementation of interventions and decision-making through the Health Sector Steering Committee, comprising key stakeholders in the health care delivery system. PEPFAR/Burundi collaborates closely with the NACP to provide targeted and tailored technical assistance to achieve and sustain HIV epidemic control and to increase the national program’s ownership of the HIV response.

Health services in Burundi are financed by the GOB from taxation, through multinational and bilateral development assistance, humanitarian NGOs, health insurance, and out of pocket expenditure. The proportion of Government budget to health was 12% in 2017 up from 7.7% in 2016, but the absolute expenditure is in decline. Donor contributions constitute almost half of all health expenditures, with the United States Government (USG) as the second largest contributor. Key external funding agencies include international organizations (World Bank, GFATM), United Nations organizations and bilateral assistance including USG, European Union (EU), Belgium, France, Switzerland, Germany and Japan.

A.2.4 Burundi National Health System

The Ministry of Public Health and Fight Against AIDS (MSPLS) consists of both vertical (primarily donor funded) programs and cross cutting departments. Provincial and district level bodies are responsible for the provision of services delivered at the hospital, health center, and community level. The Burundi MSPLS, with support from financial and implementing donors, introduced an Essential Health Care Package (EHCP) in 2005. The Burundi EHCP is intended to improve access to curative services for 80% of the most common diseases and conditions attending the primary health care facilities, and a range of preventive services targeting women and children under five years of age. HIV services are provided for free to patients who have a Medical Security Card.

A.3 Problem statement

A.3.1 HIV/AIDS, Gender Norms, and Gender-Based Violence

Gender influences an individual's status within society, as well as the roles, norms, and behaviors that influence access to and utilization of health services – which affect the dynamics of the HIV epidemic and the success of prevention, care, and treatment programs and services. Gender norms – how society prescribes what it means to be male or female and the socio-cultural sanctions for not adhering to such norms – play a significant role in the uptake of and adherence to HIV services. Harmful gender norms and disparities are the result of biological, structural, socio-economic, and cultural conditions, as well as stigma and discrimination, that affect women and men, girls and boys, and people with other gender identities differently and impede access to HIV prevention, care, and treatment programs and services. Such gender norms and inequalities increase women's and girls' vulnerability to HIV due to multiple factors, including limited ability to negotiate the timing and circumstances of sex, including condom use to protect against HIV and other sexually transmitted infections (STIs); engagement in transactional sex; and curtailed ability to test, disclose, and access treatment due to fear of violence and abandonment. Men and boys are affected by gender norms that may encourage risk-taking behavior and may discourage men's health-seeking behaviors and inhibit uptake of services. Such norms can influence men's demand for and use of HIV prevention, care, and treatment services. Gender norms and inequalities also increase key populations' vulnerability to HIV, especially MSM and TG, who may be marginalized and stigmatized populations due to their non-conforming gender and sexual orientation and as such may have reduced access to quality prevention, care, and treatment programs, as well as lower utilization.

Violence impacts adherence to biomedical prevention interventions and treatment, and the ability to achieve viral suppression. Exposure to GBV, particularly intimate partner violence (IPV), is associated with lower ART use, halves the odds of self-reported ART adherence, and significantly worsens viral suppression among women.³ Individuals who hold gender inequitable beliefs or endorse harmful gender norms – particularly norms sanctioning violence against and the control of women by male partners –

³ Hatcher, A. et. al. *Intimate partner violence and engagement in HIV care and treatment among women: a systematic review and meta-analysis.* AIDS. 2015, 29:000–000.

decreased the odds of ART use among PLHIV.^{4,5} While GBV encompasses a wide range of behaviors, PEPFAR is predominantly focused on prevention and response to physical and sexual IPV, including marital rape; sexual assault or rape; female genital cutting/mutilation; sexual violence against children, and adolescents; and child marriage, because of the links to HIV.

A.3.2 Overview of Gender-based Violence (GBV) in Burundi

The GBV data from the DHS 2016⁶ show that 36 percent of women and 32 percent of men between the ages of 15 and 49 have experienced physical violence since the age of 15. For nearly six women out of ten (57 percent), the perpetrator of these acts was their current husband or partner. Among men, in 16 percent of the cases, the perpetrator of the physical violence was another member of the family.

Almost a quarter of women aged from 15 to 49 reported having experienced sexual violence at some point in their lives (23 percent) and 13 percent experienced sexual violence in the past 12 months. For men, these percentages are lower (6 percent and 2 percent respectively). Among women, the percentage of those who have experienced sexual violence at some point in their lives is higher in rural areas than in urban areas (24 percent versus 17 percent). The provinces of Rumonge (39 percent) and Kirundo (36 percent) have the highest percentages of women who reported experiencing sexual violence at any point in their lives. At 14 percent, Bujumbura Mairie has the lowest prevalence. Among men, Kirundo (12 percent) and Makamba (10 percent) had the highest prevalence and Karusi had the lowest prevalence (1 percent).

The prevalence of sexual violence is significantly higher in older age groups than in younger age groups: 30 percent of women and 9 percent of men, in the age year range of 40 to 49 reported experiencing sexual violence against 10 percent and 4 percent respectively at 15-19 years of age.

Fifty-two percent of unmarried women have experienced acts of emotional, physical or sexual violence from a current partner, and in 32 percent of cases, these acts of violence occurred in the past 12 months. Violence against women is strongly interrelated to a larger context of gender inequality in Burundi. GBV and discriminatory practices against women remain prevalent in the country. Violence is used as a means of punishment as well as a preemptive measure to ensure that the woman performs her duties as perceived by the man. Domestic violence is not only a pervasive problem, but a mainstream expectation within family life and something which is seen as a necessity and, to a certain extent, as a good thing.

People who are perceived to go against gender norms around masculinity and sexuality, such as MSM, transgender populations and others, face inequalities that place them at greater risk of not only HIV infection but also GBV.

A.3.3 Programmatic gaps to be addressed

PEPFAR and USAID policies and strategies emphasize the importance of integrating gender considerations into HIV programming to improve health outcomes. The PEPFAR Gender Strategy outlines key technical priorities and approaches for implementing gender and GBV considerations into

⁴ Ann Gottert, Julie Pulerwitz, Nicole Haberland, Sheri A. Lippman, Kathleen Kahn, Aimée Julien, Amanda Selin, Rhian Twine, Dean Peacock, and Audrey Pettifor. 2017. “Which gender norms are linked to IPV, and HIV-related partner communication? New evidence from a population-based sample in South Africa.” Scientific pitch presented at SVRI, Rio de Janeiro, Brazil, 18–21 September.

⁵ Pulerwitz, J. et. al. *Unpacking the Influence of Gender on HIV Testing and Treatment Uptake: Evidence from Mpumalanga, South Africa*. Project SOAR. 2017.

⁶ <https://dhsprogram.com/pubs/pdf/SR247/SR247.pdf>

HIV prevention, care, and treatment programming, including addressing harmful gender norms and inequities; overcoming gender-specific barriers to prevention, care, and treatment interventions; creating opportunities for economic empowerment and education; shaping a supportive legal and policy environment; overcoming stigma and discrimination; and preventing and responding to GBV. In addition, the USAID Gender Equality and Female Empowerment Policy and the U.S. Strategy to Prevent and Respond to Gender-Based Violence Globally detail technical priorities and institutional requirements to address gender inequalities and GBV in USAID programs and services.

A.4 Linkages to USAID existing activities, national strategies and other development partners

A.4.1 Link to Integrated Country Strategy and Project Appraisal Document

The U.S. Embassy Bujumbura developed a three year Integrated Country Strategy (ICS) for 2018- 2021 that identified the Embassy's policy and program priorities. GIR'ITEKA will contribute to the achievement of Mission Objective 2.1, Sub-Objective 2.1.4: Health of Burundians, Especially of Women, Children, and Infants Improved. The ability to build a stable and prosperous society depends on improving the health and nutrition status of Burundians, especially women, children, and infants. GIR'ITEKA is aligned with USAID Burundi's Health PAD finalized in 2016 and amended in 2019. The purpose of the Health Project is to improve the health of Burundians and refugees, especially of women, children, and infants. GIR'ITEKA's objective is aligned with this purpose, as well as with the Project's three sub-purposes: 1) increased adoption of positive health behaviors; 2) increased access to quality essential health services; 3) decision-making based on analytical data increased. GIR'ITEKA's interventions contribute directly and indirectly to advancements towards the Health Projects' intermediate results under each sub-purpose.

A.4.2 Relationship to Other USAID Activities and Other Donor or GOB Funded Programs

The Recipient will provide expert technical guidance and support to USAID implementing partners that are delivering HIV prevention, testing, and treatment services. It will not be the sole, direct provider of services to clients, patients, or community members, but will work with other USAID-funded service providers to ensure access to, and the provision of quality GBV prevention and response services and the integration of GBV prevention and response throughout all USAID Burundi-funded HIV activities. The Recipient will also provide GBV and gender coordination among USAID-funded IPs in Burundi, ensuring effective communication, joint planning, implementing, and monitoring.

The Recipient will plan, implement, and coordinate interventions with the following USAID-funded HIV partners:

Linkages - works to improve case-finding, linkage to and retention on treatment, and viral load suppression among key populations (MSM and FSW), as well as ensure appropriate and tailored combination prevention services for these populations.

Reaching an Aids-free Generation (RAFG) - the principal clinical HIV IP within the USAID Burundi PEPFAR portfolio. RAFG works to enhance case-finding, linkage to and retention on treatment, and viral load suppression by supporting District Health Teams (DHT) and high volume ART facilities, as well as above-service delivery activities in the areas of laboratory and health management information systems. *Wiyizire* - works to find and link HIV-positive orphans and vulnerable children (OVC) to high-quality HIV and psycho-social support services, and to mitigate risk of infection among OVC.

All of the above activities have a mandate to include gender and GBV-based considerations in the implementation of their interventions. The Recipient will ensure the full and appropriate integration

of GBV prevention and response/referral interventions across USAID-funded HIV activities by providing technical support and coordination through a joint planning, implementation, and monitoring approach.

A.4.3 Relationship to other financial donors and Development Partners

The Recipient should collaborate with and leverage existing support provided through other related donor activities in Burundi to enhance the sustainability and cost effectiveness of the Activity.

The GFATM and PEPFAR remain the major contributors to Burundi's HIV response covering 93% of the country's HIV program costs in 2019. The GFATM continues to be the largest procurer of HIV-related commodities (including ARVs and non-ARV drugs, condoms, rapid test kits, reagents, and supplies). The PEPFAR program will complement the procurement of commodities and will continue to provide technical assistance to high-volume sites in supply chain management.

The GFATM and PEPFAR remain the primary providers of prevention outreach and support for key and priority populations. Close alignment of technical priorities between PEPFAR and the GFATM necessitate continuous collaborative planning and debriefing between the GFATM, and PEPFAR to ensure coordination on key program areas: commodity quantification and procurement of optimized ARV regimens, lab strengthening, improved national information systems, and community engagement. The GOB contribution has increased modestly during the last years (from \$1.8 million to \$2 million), though its budget covers only ARVs and the NACP's operating costs. The GOB is increasing domestic investment by engaging the private sector, Burundian citizens, and expatriates to contribute to the National AIDS Fund and by leveraging existing resources at provincial and national levels. The National AIDS Council, in partnership with UNAIDS, is developing a resource mobilization plan.

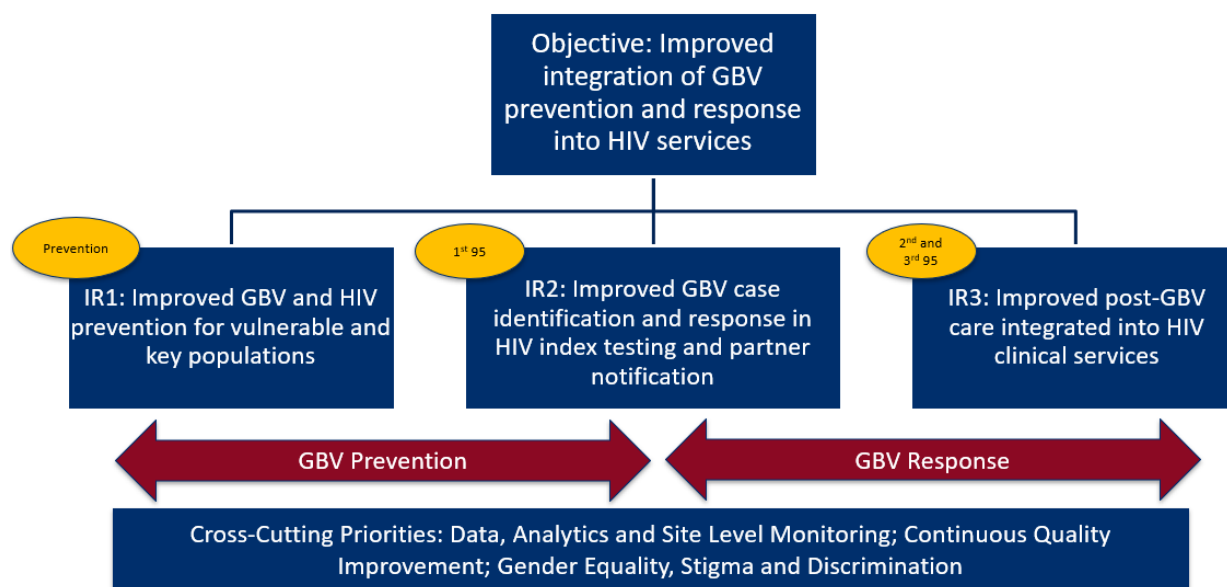
A.5 Development hypothesis

If USAID integrates GBV prevention and response, including case identification and post exposure care across HIV and family services such as index testing, counseling and treatment services then key populations, adolescent boys and girls and women of reproductive age will be empowered and protected from violence, sexual abuse, discrimination and HIV infection and are more likely to adhere to ARV treatment that will lead to a higher viral load suppression and a better life for HIV positive people. Furthermore, if district teams, local partners and communities are empowered to integrate GBV programming in health and non health services, monitor and evaluate the implementation of best practices and approaches to address challenges affecting GBV services at the clinic and community levels then the frequency and negative impact of GBV will be reduced and the interventions of donors and civil society organizations will have more impact and will be sustained.

A.6 Results

The GIR'ITEKA Activity will aim to achieve the overall objective through the following interventions, organized by Intermediate Results. Figure 2 below is portion of the Results Framework that guides this Activity.

Figure 2: Results Framework



A.6.1 Intermediate Result 1: Improved GBV and HIV prevention for vulnerable and key populations.

USAID/Burundi has made significant investments in GBV and HIV prevention activities, however previous investments have been limited in their geographic scope and reach. To ensure that the positive effects of these interventions reach more people, the Recipient will work with USAID IPs to integrate evidence-based GBV prevention into HIV prevention and outreach interventions across all USAID-funded HIV activities. Outcomes sought under this intermediate result (IR) include an expansion of prevention interventions to cover additional PEPFAR priority geographic areas; integration of community actors able to identify cases of violence and refer survivors of violence to services; and an expanded role for community, traditional, and faith leaders to speak out against GBV and reinforce HIV prevention efforts. Progress toward achieving this IR will be measured by standard PEPFAR indicators for GBV programming, collected quarterly and submitted to USAID Burundi through an online data platform (DATIM). Definitions of these indicators vary annually and up-to-date definitions will be provided at the time of award and as needed thereafter. All USAID-funded HIV service-delivery activities collect data on and report against GBV PEPFAR indicators. These indicator data will measure the performance of GIR'ITEKA and of IPs that work in collaboration with GIR'ITEKA.

A.6.2 Intermediate Result 2: Improved GBV case identification and response in HIV index testing and partner notification.

The scale-up of index testing and sexual partner notification is a PEPFAR priority and a key strategy for achieving sustained epidemic control. Throughout the implementation of index testing and sexual partner notification, service providers must ensure they do no harm, including ensuring that those who are currently experiencing or are afraid of GBV are not put at increased risk as a result of partner notification services. The Recipient will implement a combination of technical assistance and site level monitoring to ensure that all PEPFAR-supported HIV testing sites meet the minimum requirements for conducting routine enquiry for GBV; all HIV testing service providers are trained on first-line response to GBV; and ensure that there is a functioning referral system between HIV testing sites and GBV service providers. Progress toward achieving this IR will be measured by standard PEPFAR indicators for GBV programming, collected quarterly and submitted to USAID Burundi through an online data platform

(DATIM). Definitions of these indicators vary annually and up-to-date definitions will be provided at the time of award and as needed thereafter. All USAID-funded HIV service-delivery activities collect data on and report against GBV PEPFAR indicators. These indicator data will measure the performance of GIR'ITEKA and of IPs that work in collaboration with GIR'ITEKA.

A.6.3 Intermediate Result 3: Improved post-GBV care integrated into HIV clinical services.

The integration of clinical post-GBV services is essential to providing PLHIV who are experiencing violence with quality care in order to help them recover from the effects of violence, adhere to ART, and achieve viral suppression. The Recipient will implement a combination of technical assistance and site level monitoring to ensure that HIV clinicians are able to conduct routine and clinical inquiry to identify those experiencing violence and provide post-GBV clinical care to PLHIV; support and monitor improvements in the quality of clinical post-GBV care, including data quality, monitoring, and reporting; and ensure a functional referral system between clinical and non-clinical services. Progress toward achieving this IR will be measured by standard PEPFAR indicators for GBV programming, collected quarterly and submitted to USAID Burundi through an online data platform (DATIM). Definitions of these indicators vary annually and up-to-date definitions will be provided at the time of award and as needed thereafter. All USAID-funded HIV service-delivery activities collect data on and report against GBV PEPFAR indicators. These indicator data will measure the performance of GIR'ITEKA and of IPs that work in collaboration with GIR'ITEKA.

A.7 Activity Parameters

A.7.1 Geographic Areas and Target Beneficiaries

In FY2020, USAID Burundi and PEPFAR will support all geographic areas of Burundi through targeted and tailored technical assistance to District Health Teams (DHTs) and to health facilities with high volumes of PLHIV on ART. However, GIR'ITEKA will be implemented in six provinces during FY2020: Bujumbura Mairie, Bujumbura Rural, Gitega, Kirundo, Rumonge and Makamba. In subsequent years of the Activity geographic focus may be tailored further to emerging data on epidemic control, GBV prevalence, and other relevant program data and will be determined during the development of the implementation plan. The populations of focus for this Activity are children, youth, KPs (MSM, FSW, TG), pregnant and breastfeeding women, and PLHIV in general. The scope of interventions of USAID IPs includes HIV prevention, HIV treatment and viral suppression for PLHIV, services for orphans and vulnerable children (OVC), and services for key populations. As such, technical support and coordination must be tailored by population and also respond to the specific needs of existing USAID IPs and their activities, depending on the population and portfolio of services. Therefore, all interventions implemented under this Activity and defined broadly as technical support to USAID HIV activities may be modified and adapted on the basis of routine review of program data, determination of gaps, and rapid programming of technical support interventions that address those particular identified gaps.

A.7.2 Sustainability

The sustainability and long-term success of development assistance ultimately requires local ownership and strong local systems and institutions capable of producing sustainable development outcomes at the regional, national, sub-national, and/or community levels, as appropriate. The technical support mandate of this Activity is based on the assumption that the services and systems benefiting from capacity building and strengthening will be sustained over the long term. All of the proposed approaches and interventions should be designed with this in mind. Interventions should be provided throughout the life-cycle of programs/activities, including planning, implementation, continuous improvement, and scale-up.

The Recipient will participate in joint processes for planning, implementing, and monitoring HIV interventions with USAID IPs. The Recipient will identify the best entry points for integrating GBV in USAID IPs planned interventions and strategies. In addition, the Recipient will participate in joint reviews of USAID IPs implementation plans and MEL plans and tools to make sure that GBV integration interventions are captured, monitored, and measured where appropriate.

GIR'ITEKA will also sensitize GOB structures and civil society partners to USAID's new Journey to Self-Reliance.

A.7.3 Local Partner Capacity Building

To sustain epidemic control, PEPFAR supports the full range of HIV prevention and treatment services owned and operated by local institutions, and community-based and community-led organizations. The intent of awarding to local organizations is to strengthen the delivery of direct HIV services, along with non-direct services provided at the site level, and establish sufficient capacity and durability of these local organizations to ensure successful, long-term, local partner engagement and impact. Therefore, USAID Burundi's transition to local organizations aims to contribute to the global PEPFAR goal to transition 70 percent of funding to local organization by the end of 2020 to build local capacity and to increase program sustainability.

The local capacity building agenda will include 1) the concept of learning by doing through direct management of grants including contractual, technical (planning, implementation, monitoring and evaluation and reporting), organizational and fiduciary direct engagement with USAID; 2) Technical Assistance (TA) from a USAID field support mechanism, "Accelerating Support to Advanced Local Partners" (ASAP), to strengthen the organizational capacity of the local organization Recipient by establishing financial management procedures and systems, leadership and management competencies, training and coaching, ensuring sound internal controls are in place, and familiarizing the Recipient with USG/USAID regulations and ensuring full compliance; 3) on an as-needed basis, the engagement of a field support mechanism, "Reaching Pregnant Breastfeeding Women, Children, and Youth" (RCAY), for up to six months to build the technical capacity of the local organization. Additionally, The Burundian Responding against Violence and Inequality (BRAVI) USAID Activity currently implementing GBV programming will share any relevant information and lessons learned to ensure continuity of services and sustainability of best practices.

A.7.4 Data, Analytics and Site Level Monitoring

PEPFAR and USAID programs are data-driven and performance-based, meaning that programmatic and management decisions are made based upon regular and routine data analysis and programmatic results. Improving the quality of routinely collected data, strengthening data management, the development of analytics to generate evidence for program management and improvement, and addressing programmatic gaps are essential components of this Activity. This will ensure that integrated GBV and HIV services are reaching the right people in the right place with the right services.

A.7.5 Continuous Quality Improvement

PEPFAR's commitment to achieving and maintaining sustained epidemic control and improving its prevention and response to GBV relies on strategic, sustainable improvements in the local systems through which HIV/AIDS prevention and control activities are implemented. This Activity, with its responsibility to provide technical support to USAID IPs, will utilize continuous quality improvement approaches to not only improve service delivery, reach, and acceptability, but to measure and monitor

improvements at the site level, and ultimately impact beneficiaries' positive health outcomes. Using existing tools and best practices to improve GBV prevention and response services, the Recipient will be expected to provide technical support to USAID IPs to integrate such approaches into routine service delivery and program monitoring.

A.7.6 Gender Equality, Stigma and Discrimination

Addressing gender inequalities, harmful gender norms, and addressing stigma and discrimination are essential to controlling the epidemic and reaching the PEPFAR and UNAIDS 95-95-95 goals. PEPFAR and USAID policies and strategies emphasize the importance of integrating gender considerations into HIV programming to positively impact the epidemic and affect underlying structural and behavioral epidemic drivers, including gender inequalities and GBV. In Burundi, as in other countries, stigma and discrimination based on gender identities and sexual norms, socio-economic and structural inequities, and relational power dynamics between men and women and people of other gender identities contribute to an enabling environment for gender-based violence and pose barriers to receiving comprehensive prevention, care, treatment and support for both men and women. This, in turn, limits individuals' ability to learn their HIV status and adopt protective measures, negotiate safer sex, disclose HIV serostatus, adhere to a treatment regimen, or seek timely medical attention. Girls and women with disabilities face the double disadvantage of disability and gender and are often more vulnerable to GBV.

A.8 Implementation Approach

The Recipient must design and implement a portfolio of technical support interventions to strengthen and expand integrated HIV and GBV prevention and response services along the HIV clinical cascade. This portfolio will be adapted to IPs needs, key programmatic gaps and issues requiring targeted and tailored technical support. This Activity fundamentally supports efforts to achieve epidemic control in Burundi by addressing one of the key structural drivers of the epidemic, namely GBV, and ensuring that efforts to address GBV are an integral part of the HIV response.

The Recipient will design an innovative mix of technical support activities along the HIV clinical cascade that sees GBV prevention and response fully integrated in order to achieve the greatest impact in the populations and geographic areas identified. It is critical for this activity to work closely with international IPs, civil society organizations (CSO), and other community-level organizations to deliver high impact facility- and community-based interventions tailored to meet the unique needs of each priority population group. USAID and PEPFAR may pivot and adjust key areas of focus on a regular basis. The Recipient will be expected to have program data required to inform geographic and programmatic prioritization and/or be adaptable to these adjustments. The Recipient will also play a key technical leadership role, responsible for the overall coordination of GBV prevention and response across the USAID PEPFAR portfolio.

The Government of Burundi is subject to restrictions on USAID assistance because it does not fully comply with the minimum standards for combating trafficking in persons under the Trafficking Victims Protection Act. The U.S. State Department's 2018 Trafficking in Persons Report placed Burundi on the Tier 3 List, under which USAID assistance to the Government of Burundi is severely restricted without a full or partial waiver from the U.S. President. To date, no full or partial waiver has been granted for Burundi. Therefore, no assistance may be provided directly or indirectly to the GoB under this award. Should US policy or Burundi's status under the TVPA change, this section may be amended.

A.9 Interventions

The overall objective of this Activity is to provide high quality technical support to other USAID implementing partners in order to support integrated GBV prevention and response into HIV services. The Recipient will aim to achieve the overall objective through the following interventions, organized by Intermediate Result.

A.9.1 Intermediate Result 1: Improved GBV and HIV prevention for vulnerable and key populations

More effective and acceptable comprehensive GBV and HIV prevention activities must be available in order to increase coverage and reduce HIV transmission and GBV perpetration and acceptance. Specific situations need to be assessed taking into account current targeted population size and reviewing current coverage levels and the quality of services. The Recipient will ensure, in collaboration with relevant actors, including local leadership, traditional/faith/community leaders, CSOs, and other community-based structures that target populations are reached with standardized evidence-based combination HIV and GBV prevention activities.

Effective strategies for prevention activities are distinguished by using a combination of biomedical, behavioral, and structural interventions in a coordinated fashion. Combination HIV prevention activities operate at an individual, family, community, and societal level and are designed to not only prevent and detect new HIV infections, but also to ensure that there is continuity with care and treatment programs at both the community and facility levels. Successful GBV prevention programs reduce the incidence of violence, alter community and societal acceptable of violence, and strengthen help-seeking behaviors for those who have experienced violence. Building on lessons learned from previous GBV and HIV programming in Burundi and similar contexts in sub-Saharan Africa, the Recipient will utilize evidence-informed individual, small group, and community approaches and best practices to address HIV and GBV prevention. Based on a thorough understanding of state-of-the-art approaches grounded in behavioral and communication theories and gender analyses, as well as a causal pathway that articulates how interventions are tailored to each population, the Recipient will provide technical support to USAID IPs that will most likely result in reduced sexual risk-taking, increased uptake of biomedical HIV prevention options, improve adherence and retention to ART for PLHIV, and contribute to a shift in gender and other socio-cultural norms that condone and perpetuate violence and put individuals at risk for HIV.

Interventions under this intermediate result will seek to empower individuals and groups by providing them with the knowledge and skills to make healthy decisions, protect their basic rights (including the rights of people with disabilities), prevent and address the perpetration and experience of violence, and effect change in their own communities. Ideally, interventions will utilize a gender transformative approach to addressing harmful norms and promoting positive norms and behaviors as they relate to men and women, boys and girls, and people of other gender identities. Given the sensitive nature of the issues to be addressed, any person who discloses any form of violence by an intimate partner (or other family member) or sexual assault by any perpetrator should be offered immediate support. The Recipient should, at a minimum, offer first line support when a person discloses violence and offer to assist the person in seeking additional post-violence care services.

Technical support provided under this Immediate Result may include but is not limited to:

- Ensuring that HIV and GBV prevention programs are evidence-based and grounded in approaches that work with same- or mixed-sex groups to question harmful norms and attitudes about masculinity and femininity (including norms that promote risky sex, multiple partners, and violent behavior, and those that limit discussion and joint decision making around sex and condom use) in order to promote healthy lifestyles that reduce vulnerability to HIV;

- Training community actors, group facilitators, and other entities providing GBV and HIV activities in the provision of first-line support to individuals who disclose violence;
- Support for community mobilization efforts to address underlying attitudes and behaviors towards GBV;
- Supporting community-based interventions aimed at constructively engaging men in transforming harmful norms, supporting their female partners, and meeting their own health needs;
- Helping implementing partners develop strategies to engage male religious and community leaders and well-known role models (sports or popular culture figures) to publicly speak out in support of gender equality, human rights, and women and girls' well-being, and to act as agents of change;
- Supporting the design of targeted interventions to overcome gender-related barriers to accessing services for female sex workers, MSM, and transgender populations, such as training of health providers to reduce stigma and discrimination.

Illustrative Indicators for Intermediate Result 1 may include:

- Number of members of key and priority populations reached with individual and/or small group level HIV prevention and gender norms interventions⁷;
- Percentage of target population who reported using condoms consistently and correctly for the past 12 months;
- Number of persons screened for GBV, where appropriate;
- Number of persons provided with first-line GBV response services;
- Percent of PEPFAR-supported sites that have referral protocols, Standard Operating Procedures (SOPs), and GBV service directories available;
- Percent of PEPFAR-supported sites that have Violence Against Children (VAC) case management protocols, SOPs, and directories of affiliated services available.

A.9.2 Intermediate Result #2: Improved GBV case identification and response in HIV index testing and partner notification.

PEPFAR has made index testing and partner notification one of its key HIV testing strategies. The goal of index testing is to break the chain of HIV transmission by offering HIV testing services to individuals who have been exposed to HIV and linking them to HIV treatment if positive, or prevention services (such as provision of condoms) if negative. For PEPFAR, index testing must establish an offer of index partner testing (sexual or injecting drug partners), and biological children of an infected mother, to 100 percent of newly diagnosed PLHIV and persons on ART with partners of unknown HIV status. Index partner testing must meet WHO 5C minimum standards (be consensual, confidential, and include counseling, correct test results, and connection to treatment or prevention services). In addition, all index clients (i.e. the index case/known positive) should be assessed for GBV per WHO guidelines⁸ and offered first line support via a pathway of care developed at the site level.

As the scale-up of index testing occurs, service providers must ensure that they do no harm, including ensuring that those who are or fear experiencing GBV are not put at increased risk as a result of partner notification services. The most common way to do this is through the use of an approach to GBV

⁷ Groups that might be counted as priority populations include: adolescent girls and young women, adult men and women, clients of sex workers, displaced persons, fishing communities, military and other uniformed services, mobile populations, non-injecting drug users. Groups counted as key populations include: IDUs, MSM, TG, FSW, and prisoners.

⁸ World Health Organization. (2014). Health care for women subjected to intimate partner violence or sexual violence: a clinical handbook. World Health Organization. <http://www.who.int/iris/handle/10665/136101>

screening called routine enquiry. Routine enquiry is the process of asking a person, in a health setting, about their experience or fear of IPV and offering appropriate support services.⁹ Per WHO HIV testing guidelines, such an assessment must be conducted during partner notification services. Providers must ask index clients if they are currently experiencing violence from an intimate partner; have experienced violence in the past three months from an intimate partner; or are afraid they will experience violence from an intimate partner if they disclose their status.

Under this intermediate result, the Recipient will provide a combination of technical assistance and site level monitoring to ensure that all PEPFAR partners that are conducting index testing and partner notification meet the minimum site level requirements to do so, including being able to safely conduct routine enquiry, ensure the provision of first line support to those who disclose violence, and provide additional supportive resources to survivors of violence.¹⁰

Technical support and site level monitoring provided under this Immediate Result may include but is not limited to:

- Supporting USAID IPs to develop appropriate protocols or standard operating procedures for conducting routine enquiry for IPV at an HIV index testing site;
- Ensuring that there is a process for offering referrals or linkages to other GBV services at HIV testing sites;
- Ensuring that USAID IPs have appropriate supportive materials (posters, pamphlets, information cards, also in disability-friendly formats) about GBV services available at HIV testing sites.

Illustrative indicators for Intermediate Result 2 may include but are not limited to:

- Percent of PEPFAR-supported testing sites able to identify reported or suspected cases of violence and offer a partner notification plan that reflects a client's preferences;
- Percent of PEPFAR-supported testing sites that have trained staff capable of providing first line support;
- Number of HIV testing staff trained in routine enquiry and first line response;
- Number of PEPFAR-supported sites have information (cards, posters, knowledgeable staff) on where and how to access local GBV services.

Ultimately, the achievements under this result will support the scale up of index testing and partner notification across all PEPFAR priority sites.

A.9.3 Intermediate Result #3: Improved post-GBV care integrated into HIV clinical services.

It has been established that GBV and HIV/AIDS exist as co-epidemics. An estimated one in three women worldwide has been beaten, coerced into sex, or otherwise abused in her lifetime. Studies indicate that the risk of HIV among women who have experienced violence may be up to three times higher than among those who have not. Sexual violence can also directly lead to HIV infection.

⁹ Note that the WHO does not recommend universal screening or routine enquiry for GBV. (World Health Organization, 2013). However, the WHO does recommend GBV screening when assessing conditions that may be caused or complicated by GBV. GBV, whether in the case of rape or intimate partner violence, can cause or complicate HIV-related disclosure and care. Within PEPFAR platforms, GBV screening should only be done if this minimum first-line support can be offered. Source: PEPFAR Gender Strategy, 2013.

¹⁰ Such as the LIVES framework outlined by WHO. The link can be found here:

https://apps.who.int/iris/bitstream/handle/10665/136101/WHO_RHR_14.26_eng.pdf;jsessionid=8D14327FC90D0C55E59DA3386A5F66FD?sequence=1)

In more marginalized and rural areas, or geographic locations where access to specialized GBV services is limited and public services may not be available, many survivors (including those with disabilities) have little to no support which may result in sustained psychological trauma, negative health consequences including unwanted pregnancy, STI and HIV infections, and stigma from their families and communities. Survivors of violence, particularly sexual violence, need specialized medical and/or psychosocial care, with children and adolescents in particular needing care that meets their unique needs.

In order to improve the health and well-being of GBV survivors, the Recipient will provide technical support and site level monitoring to USAID's clinical HIV partners in order to ensure they are able to provide comprehensive, integrated services that meet the expressed needs of survivors and include interventions that help improve the mental health and psychosocial functioning of survivors. Providing comprehensive and age-appropriate post-GBV care should include attention to the health, psychosocial and, if desired, economic support and legal needs of the survivor. Some geographic areas may have existing services relevant to the needs of GBV survivors, either through public or private facilities or other community-based services. However, these services may have limited reach and scope, and may not be able to provide services in a comprehensive manner. As such, a comprehensive, community-based cascade approach to the provision of GBV prevention and response services is essential.

When offering services, health care providers must first and foremost protect the dignity, rights, and well-being of those at risk for and survivors of GBV, and adhere to fundamental principles: do no harm; ensure privacy, confidentiality, and informed consent; promote meaningful engagement of GBV survivors; and ensure inclusiveness and accountability.

Psychosocial interventions and services that support the mental health and well-being of survivors have been demonstrated to not only improve the functioning of survivors, but may also contribute to breaking the intergenerational cycle of violence perpetration and experience. Where feasible, the Recipient may draw upon recent evidence and promising models of community-based mental health interventions and support the development of lay cadres who can deliver such services.

Technical support and site level monitoring provided under this Immediate Result may include but is not limited to:

- Training clinical staff from local NGOs' sites on the provision of timely, inclusive, and age-appropriate medical care for survivors of violence by using appropriate protocols, with adequate equipment, supplies, and medicines;
- Training of lay cadres of psychosocial counselors who can provide community-based mental health interventions;
- Monitoring of service delivery quality per established standards;
- Developing or reinforcing linkages to strengthen the cascade of services between community-based GBV prevention programs and services for GBV survivors;
- Supporting community sites to improve site level monitoring and M&E systems for improved GBV data collection, reporting, and use.

Illustrative indicators for Intermediate Result 3 may include but are not limited to:

- Number of health facilities that have integrated the comprehensive package of GBV services into existing HIV health services¹¹

¹¹ This indicator measures the level of GBV integration in health services in health centers and hospitals.

- Number of people receiving post-gender based violence (GBV) clinical care based on the minimum package (GEND_GB)¹²
- Number of sexually assaulted clients who received post-exposure prophylaxis (PEP)¹³;
- Percent increase in identified survivors who are referred to community- or facility-based and receive medical services within 72 hours of sexual assault;
- Number of health care workers and other service providers trained on comprehensive service delivery for GBV survivors.

A.10 Collaborating, Learning and Adapting (CLA) and Co-creation

USAID uses an approach called Collaborating, Learning and Adapting (CLA) to achieve better development results. This approach involves strategic collaboration, systematic and continuous learning, and adaptive management. CLA asks:

- Do you take the time to think critically about your work?
- Are you strategic in who you collaborate with, what you're learning: and
- Do you use those learnings to change accordingly?

While CLA is not a new approach, these practices often do not occur regularly, are not systematic, and not deliberate. CLA is not a different work stream or done for its own sake. It's a different way of approaching activity design and making implementation as effective as possible to maximize development impact. Strong CLA practices vary with organizational culture, project contexts, and their enabling environments. CLA practices need to be tailored where investments at different levels of the health sector and the enabling environment are implemented by different implementing partners.

Partners will achieve this intentionality by identifying knowledge gaps in their activity's theory of change or by filling gaps in the evidence that designers used when creating the activity. The intentionality may be achieved by creating and taking opportunities for stakeholders to track progress, discuss challenges, opportunities, and changes in context. Another opportunity to be intentional emerges as collaboration opportunities are created or required, especially if USAID/Burundi or Washington stakeholders get involved.

ADS 201.3.4.10.B describes potential approaches to CLA that include, but are not limited to:

- Having partners identify knowledge gaps in the theory of change for their activity or in their technical knowledge base and supporting them in identifying and implementing ways to fill these gaps;
- Planning for and engaging in regular opportunities for partners to reflect on progress, such as partner meetings, portfolio reviews, and after-action reviews. These opportunities may focus on challenges and successes in implementation to date, changes in the operating environment or context that could affect programming, opportunities to better collaborate or influence other actors, and/or other relevant topics;

¹² This indicator measures delivery of a basic package of post-GBV clinical services (including PEP). NOTE: This indicator DOES NOT include GBV Prevention activities or non-clinical community-based GBV response (e.g., shelter programs, case management).

¹³ Number of People Receiving Post-exposure prophylaxis (PEP) Services Description:
PEP service provision should only be counted under this indicator if the individual receives PEP treatment (i.e., drugs) in accordance with international and/or national protocols, guidelines, etc., and if the individual completes the full course of treatment.

- Encouraging or requiring partners under a project to collaborate, where relevant. Collaboration activities may include joint work planning, regular partner meetings that facilitate knowledge sharing, and/or working groups organized along geographic or technical lines. These activities require time and resources, and appropriate resources should be budgeted;
- Involving implementing partners in the USAID learning activities, such as portfolio reviews or stocktaking efforts, as appropriate; and
- Using the knowledge and learning gained from implementation, opportunities to reflect on performance, monitoring data, evaluations, knowledge about the context, and other sources to adjust interventions and approaches as needed.

A.11 Monitoring, Evaluation, and Learning MEL

The Recipient will establish a rigorous monitoring and evaluation system for the activity as a whole, including adequate staffing, technical support and systems for routine data collection. The Recipient will work closely with USAID/Burundi to refine indicators, performance targets for each indicator, and finalize a MELP that monitors progress towards achieving activity objectives and results according to USAID guidelines. The Recipient will be responsible for data collection and analysis required by USAID for performance reporting and sharing the information in a timely manner with USAID/Burundi, other USAID implementing partners, and other counterparts. Information sharing will create opportunities to discuss progress, identify constraints and find solutions with all stakeholders. All PEPFAR standardized indicators to be utilized will align with MER 2.0 indicators and reporting procedures. Please consult the PEPFAR Monitoring, Evaluation, and Reporting MER 2.0 Indicator Reference Guide for details on each indicator and its reporting requirements: <https://datim.zendesk.com/hc/en-us/articles/360000084446-MER-2-0-Indicator-Reference-Guide->.

A.12 Key Personnel

The following positions are designated as Key Personnel:

1. Chief of Party/Activity Director
2. Senior GBV Technical Director/Deputy Chief of Party
3. Finance and Operations Manager
4. Senior Monitoring, Evaluation, and Learning (MEL) Advisor
5. Family Planning (FP) Advisor

Roles and Responsibilities, qualifications and level of effort for each of these positions are set forth below:

Chief of Party (COP)/Activity Director - 100% Level of Effort:

Roles and Responsibilities of the COP:

- Overall responsibility for coordination and management of all Activity interventions and personnel.
- Primary responsibility for representation of the Activity to the USG.
- Manage a team of senior staff and sub-awardees and ensure quality, timeliness, and efficiency of all interventions implemented under the Activity.

Qualifications of the proposed Chief of Party/Activity Director:

- A Master's Degree or higher in Public Health, International Development, Social Welfare, Institutional or Organizational Development, International Management, Public Administration or a related field, **desired**.
- At least 12 years of experience implementing and managing complex programs in Sub-Saharan Africa at a senior level of similar scope and size. Significant experience in PEPFAR programs and previous CoP/Director experience of a large development program of comparable size and scope, **desired**.
- Strong leadership qualities and depth and breadth of technical and management expertise, particularly in HIV, as demonstrated by a minimum of eight years of progressively increasing experience in designing, implementing and managing large, complex projects involving multiple partners, in/for developing countries, **desired**.
- Experience in interacting with government agencies, host country governments and counterparts, and international donor agencies, **desired**.
- Demonstrated ability to engage government and to represent OVC and AGYW priorities and issues, **desired**.
- Experience with child welfare and protection programs, systems strengthening, capacity building, economic strengthening, service delivery, quality improvement or policy development, **desired**.
- Knowledge of gender issues and links with OVC, AGYW, and HIV/AIDS, **desired**.
- Demonstrated experience in financial, personnel, and technical management, **desired**.
- Leadership qualities, technical expertise and experience, management experience, interpersonal skills and relationships to fulfill the requirements of the program description. **highly desired**
- S Strong interpersonal, writing, and oral presentation skills in English Level III **required** and Level IV **highly desired** and French (Level IV), **required**¹⁴.

Senior Technical GBV Program Director/ Deputy Chief of Party- 100% Level of Effort:

Roles and Responsibilities:

- Responsible for the technical oversight of the GBV components of the Activity, including work planning and reporting.
- Reports directly to the CoP and supports the CoP in providing technical direction for Activity implementation and ensures GBV outcomes are met.
- Acts as Deputy CoP.
- Oversees all GBV activities in collaboration with other technical leads.
- Oversees the care and support provided to children and adolescents living with HIV enrolled in the Activity.

¹⁴ **ILR Level 3 - Professional working proficiency**

Professional working proficiency is rated 3 on the scale. A person at this level is described as follows:

- able to speak the language with sufficient structural accuracy and vocabulary to participate effectively in most conversations on practical, social, and professional topics
- able to understand the essentials of all speech in a standard dialect, including technical discussions within a special field
- able to read within a normal range of speed and with almost complete comprehension a variety of authentic prose material on unfamiliar subjects

ILR Level 4 - Full Professional working proficiency

Full professional proficiency is rated 4 on the scale. A person at this level is described as follows:

- able to use the language fluently and accurately on all levels and as normally pertinent to professional needs
- able to understand all forms and styles of speech pertinent to professional needs
- able to read fluently and accurately all styles and forms of the language pertinent to professional needs

- Ensures strong linkages with all other Activity components.

Qualifications of the Senior Technical GBV Program Manager/Deputy Chief of Party:

- A Master's Degree or higher in Public Health, Social Sciences, International Development, Social Work, Child Development, Education or a related field, **desired**.
- At least 8 years of experience designing, implementing and managing GBV Activities of similar scope and size; with experience in Burundi **highly desirable** and/or with USG or other Donor-funded GBV, HIV, or health programs, **desired**.
- Demonstrated experience in managing Activities that address the needs of vulnerable populations, GBV risk, prevention, and response, and service provision for survivors of GBV, as well as policy and advocacy for GBV. **desired**.
- Knowledge of and experience with HIV prevention and programming, as well as HIV care and treatment programming for GBV survivors, **desired**.
- Demonstrated skills in project reporting, preferably for USG-funded GBV, HIV, or health programs, highly **desired**.
- Familiarity with Burundi's institutional, policy, and programming context or gender/GBV, and HIV service provision, **desired**.
- Strong interpersonal, writing, and oral presentation skills in English Level III **required** and Level IV **highly desired**, and French (Level IV), **required**.

Finance and Operations Manager - 100% Level of Effort

Roles and Responsibilities:

- Responsible for the overall financial management of the Activity.
- Oversees the effective and appropriate use of financial resources, develops effective mechanisms to monitor the expenditures, and oversees all financial and operational matters including managing financial systems, generating financial reports, tracking expenses, administering sub-awards, and managing finance and operational issues and staff.
- Ensures implementation of administrative, financial and human resource policies in line with USG regulations.

Qualifications of the Finance and Operations Manager:

- A Master's degree or higher in Accounting, Finance, Business Management, Commerce or a related field, **required**.
- A minimum of 8 years of experience working as a finance and administration manager on activities of similar scope and size, **desired**.
- At least three years of experience overseeing grants and or sub-grants of similar size, **desired**.
- Familiarity with managing Activities that are donor funded, especially with those that are USG funded, **desired**.
- Extensive financial experience working with Non-Governmental Organizations, **desired**.
- Strong demonstrated leadership qualities, depth and breadth of technical and management expertise and experience to manage effectively and efficiently USAID funds, **desired**.
- Strong interpersonal, writing, and oral presentation skills in English Level III required and Level IV **highly desired**.

Strategic Information and Knowledge Technical Advisor- 100% Level of Effort

Roles and Responsibilities:

- Responsible for designing and implementing systems to ensure appropriate tracking and assessment of all Activity interventions.
- Primarily responsible for reporting on Activity outputs and outcomes and for ensuring quality of interventions.

Qualifications of the Strategic Information and Knowledge Technical Advisor :

- Master's degree or higher in public health evaluation, public health, epidemiology, statistics, demography or related field, **desired**.
- At least 8 years of experience in monitoring and evaluation of HIV/AIDS and/or GBV Activities of similar scope and size, **desired**.
- Demonstrated experience in developing and managing data, data collection systems, analytics, and informatics solutions in the health sector preferably with experience in Burundi, **highly desired**
- Demonstrated ability to develop and implement quality assurance systems, **desired**.
- Familiarity with national GBV and HIV care and support policies and plans, **desired**.
- Strong interpersonal, writing, and oral presentation skills in English Level III required and Level IV highly desired, and French (Level IV), **required**.

Family Planning Technical Advisor - 100% Level of Effort

Roles and responsibility

- Responsible for the overall technical oversight of the Family Planning (FP) component of the Activity, including work planning and reporting.
- Reports directly to the CoP and supports the CoP in providing technical direction for Activity implementation and ensures FP outcomes are met.
- Oversees all FP activities in collaboration with other technical leads.
- Oversee strategies to increase the demand of FP and SGBV services
- Oversee the coaching –mentoring approach in the facilities to build Health providers capacities for FP services provision.

Qualifications of the Senior Technical GBV Program Manager/Deputy Chief of Party:

- A Master's Degree or higher in Public Health, Social Sciences, International Development, Social Work, Child Development, Education or a related field, **desired**.
- At least 8 years of experience designing, implementing and managing FP Activities of similar scope and size; with experience in Burundi highly desirable and/or with USG or other Donor-funded FP, HIV, or health programs, **desired**.
- Demonstrated experience in managing Activities that address the needs of FP for adolescent and child bearing women, as well as policy and advocacy for FP. **desired**.
- Knowledge of and experience with development and implementation of strategies for increasing uptake of long-acting methods (IUDs and implants) within the framework of informed choice **desired**.
- Demonstrated skills in project reporting, preferably for USG-funded FP, GBV, HIV, or health programs, **highly desired**.

- Familiarity with Burundi's institutional, policy, and programming context for FP, and HIV service provision, **desired**.
- Strong interpersonal, writing, and oral presentation skills in English Level III required and Level IV highly desired, and French (Level IV), **required**.

A.13 Authorizing Legislation

The resulting award is authorized in accordance with the Foreign Assistance Act of 1961, as amended. As the award is restricted to local non-U.S. organizations meeting the criteria described in Section C., the cost principles in Subpart E of 2 CFR 200 will apply unless the applicant/recipient is a for-profit organization, in which case, the Cost Accounting Standards in Part 30, and the Cost Principles in Part 31 of the Federal Acquisition Regulation (FAR) at 48 CFR (<https://www.acquisition.gov/browse/index/far>) will apply instead of Subpart E of 2 CFR 200.

Furthermore, since the resulting award will be a Fixed Amount Award, ADS 303.3.25 and the required USAID Standard Provisions for a Fixed Amount Award which includes all of the Mandatory Provisions to Nongovernmental Organizations and the applicable "Required, As Applicable" Standard Provisions to Nongovernmental Organizations will apply.
(<https://www.usaid.gov/sites/default/files/documents/1868/303mab.pdf>)

END OF SECTION A

SECTION B: FEDERAL AWARD INFORMATION

B.1 Anticipated Number of Awards and Estimate of Funds Available

USAID anticipates awarding one Fixed Amount Award pursuant to this NOFO. USAID reserves the right to fund any one or none of the applications submitted.

Subject to funding availability and at the discretion of the Agency, USAID intends to provide approximately **\$3,000,000** in total USAID funding over a three-year period. Payments will be based on milestones for a verifiable product, task, deliverable, or goal of the recipient.

For budgeting purposes, the funding types and estimated amounts per year are as follows:

Funding Type	Year 1	Year 2	Year 3	Totals
HIV	\$600,000	\$700,000	\$700,000	\$2,000,000
FP	\$400,000	\$300,000	\$300,000	\$1,000,000
TOTAL	\$1,000,000	\$1,000,000	\$1,000,000	\$3,000,000

B.2 Anticipated Start Date and Period of Performance for Federal Award

The anticipated period of performance is three (3) years from the effective date of award. The estimated start date is December 15, 2019.

B.3 Type of Award and Substantial Involvement

B.3.1 Type of Award: USAID plans to award a Fixed Amount Award (FAA) pursuant to this NOFO. Under an FAA, payments are based on the achievement of milestones as opposed to actual costs incurred by a recipient. Accountability is based primarily on performance and results. USAID expects to work collaboratively with the apparently successful applicant to co-create the milestones.

B.3.2 Substantial Involvement: None.

B.4 Nature of the Relationship between USAID and the Recipient

The principal purpose of the relationship with the Recipient under the Activity is to transfer funds to accomplish a public purpose of support or stimulation of the GIR'ITEKA Health Activity which is authorized by Federal statute.

B.5 Title to Property

Title to property financed by USAID under the resulting award must vest with the Recipient in accordance with the requirements regarding use, accountability, disposition of such property in accordance with the USAID Mandatory Standard Provision for non-U.S. NGOs entitled “Title To and Use of Property”.

B.6 Authorized Geographic Code

For the award(s) resulting from this NOFO, the authorized geographic code for the *source* of USAID-financed commodities (other than “restricted commodities,” as discussed below), and for the *nationality* of suppliers of USAID-financed commodities (other than restricted commodities) and services (other than ocean and air transportation and certain engineering and construction services) is Geographic Code **935**.

Geographic Codes are described in 22 CFR 228.03 (<https://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=260c5b7cc4cf7639856f204d96e3515f&rgn=div5&view=text&node=22:1.0.2.22.25&idno=22>) and the Internal Mandatory References to Chapter 310 of USAID’s Automated Directives System (ADS 310) entitled “List of Developing Countries” (<https://www.usaid.gov/ads/policy/300/310maa>), “List of Advanced Developing Countries” (<https://2012-2017.usaid.gov/sites/default/files/documents/1876/310mab.pdf>), and “List of Prohibited Source Countries” (<https://www.usaid.gov/ads/policy/300/310mac>).

Other legal restrictions on procurement, e.g., OFAC sanctions, may apply to particular procurements of specific source or nationality. Consult the USAID Agreement Officer based on particular circumstances.

“Restricted Commodities” are certain agricultural commodities, motor vehicles, pharmaceuticals, condoms and contraceptives, pesticides, used equipment, and fertilizer. Special rules apply to restricted commodities, and are described in ADS 312.3.3 (<https://www.usaid.gov/sites/default/files/documents/1876/312.pdf>).

Ocean and air transportation services will be subject to the requirements of the USAID standard provisions for non-U.S. NGOs entitled “Ocean Shipment of Goods” and “Travel and International Air Transportation”.

B.7 Relevant Provisions

Standard Provisions for Fixed Amount Awards will be applicable to any resulting award.

END OF SECTION B

SECTION C: ELIGIBILITY INFORMATION

C.1. Eligible Applicants

The below eligibility requirements apply to the principal Applicant.

Eligibility for this NOFO is restricted to local Burundian organizations.

Only local organizations as defined below are eligible for award. USAID defines a "local entity" as an individual, a corporation, a nonprofit organization, or another body of persons that:

1. Is legally organized under the laws of; and
2. Has as its principal place of business or operations in; and
3. Is majority owned by individuals who are citizens or lawful permanent residents of; and
4. Is managed by a governing body the majority of who are citizens or lawful permanent residents of the country receiving assistance.

For the purposes of this NOFO the country receiving assistance is Burundi.

For purposes of this definition, "majority-owned" and "managed by" include, without limitation, beneficiary interests and the power, either directly or indirectly, whether exercised or exercisable, to control the election, appointment, or tenure of the organization's managers or a majority of the organization's governing body by any means."

Limitation on Subawards to Non-Local Entities: When proposing sub-awards, the Prime applicant may use other Burundian or international organizations to implement components of the Activity for which they have expertise and experience. For example, international organizations may be a sub-partner specifically to provide capacity building support to local partners. Nonetheless, please review the Standard Provision on Limitation on Sub-awards to Non-Local Entities in Section F. 3 of this NOFO which states "By submission of an application and execution of the award, the applicant/recipient agrees that at least fifty (50) percent of the cost for award performance incurred for personnel must be expended for employees of the prime/local entity."

An Eligibility Checklist (Annex C) is provided and must be completed and submitted as part of the Cost Application.

C.2 Fee/Profit

Pursuant to USAID policy, USAID will not provide fee/profit under the prime award or under any subawards. However, fee/profit is payable by the prime recipient or a sub-recipient to a contractor/vendor if the recipient or sub-recipient is procuring goods or services in furtherance of the Activity being supported by the award or sub-award. Please refer to the following for additional information: <https://www.usaid.gov/ads/policy/300/303sai>.

C.3 New Implementing Partners

In support of the Agency's interest in fostering a larger assistance base and expanding the number and sustainability of development partners, USAID/Burundi encourages applications from potential new implementing partners. The Recipient must be a responsible entity. Applicants must have established financial management, monitoring and evaluation processes, internal control systems, and policies and

procedures. The successful applicant(s) will be subject to a responsibility determination assessment by the Agreement Officer (AO).

C.4 Cost-Sharing Requirement

Cost sharing is NOT required under the resulting Award. Cost share means that portion of the program costs not borne by USAID.

C.5 Other

C.5.1 Exclusivity

In order to maximize the number of competitive applications, exclusivity agreements between the prime applicant and proposed sub-awards are **not** required. Sub-awards must be allowed to be listed on multiple applications by multiple applicants as they choose.

C.5.2 Number of Applications

Applicants must submit only one application under this NOFO. Additional applications will not be reviewed. If correction of a submitted application is required prior to the application deadline, please utilize the Agency Point of Contact in Section G.2.

END OF SECTION C

SECTION D: APPLICATION AND SUBMISSION INFORMATION

D.1 General Conditions and Instructions

D.1.1 Questions and Answers

Questions regarding this NOFO must be submitted to both Points of Contact identified in **Section G.2** via email no later than the date and time stated on the cover letter, unless subsequently amended. Applicants must **not** submit questions to any other USAID staff except those identified in Section G.2.

All questions and answers concerning this NOFO will be furnished to all prospective Applicants (without attribution to the organization) as an amendment to this NOFO, which USAID will post on www.grants.gov and the U.S. Embassy Bujumbura website.

D.1.2 Submission of Electronic Applications and General Content

Applicants must submit applications by email to both individuals identified in **Section G.2**.

All application files submitted must be compatible with Microsoft (MS) Office in a MS Windows environment and submitted in searchable PDF format. The applicant must consolidate the various parts of the technical application into a single document before submission to USAID. USAID assumes zero responsibility for errors in compiling electronic applications if no instructions are provided or are unclear.

Each email with attachments must not exceed 10MBs. The subject of each e-mail must read as follows: (a) 72069519RFA00001 “GIR'ITEKA;” abbreviated organization name of applicant; technical or cost application, email X of X.

D.1.3 Preparation of Applications

Each Applicant must furnish the information required by this NOFO. Applications must be submitted in two separate parts:

1. Technical Application
2. Cost Application.

In accordance with ADS 303.3.20, it is USAID policy that English is the official language of all award documents. This subsection addresses general content requirements applying to the whole application.

The Technical Application must address technical aspects only while the Cost Application must present the budget, budget narrative and address risk and other related issues.

D.1.4.1 Cover Page

Both the technical and cost application must include a cover page that will only serve as a transmittal letter to the Agreement Officer containing the following information:

1. Name of the organization(s) submitting the application;

2. Identification and signature of the primary contact person (by name, title, organization, mailing address, telephone number and email address) and the identification of the alternate contact person (by name, title, organization, mailing address, telephone number and email address);
3. Activity name
4. NOFO number
5. Name of any proposed sub-recipients or partnerships (identify if any of the organizations are local organizations, per USAID's definition of 'local entity' under ADS 303.3.6.5[b][2])

D.1.4.2 Non-disclosure

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

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

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.

D.1.4.3 Formatting

Applications must comply with the following:

- Present all content in a well-organized, clear, specific, complete, and succinct manner. Detailed information must be presented only when specifically required in the NOFO.
- The technical application **must not exceed 20 pages**, excluding authorized annexes, cover pages, an executive summary, list of acronyms, dividers, and the table of contents. USAID will not review any content in excess of the page limitation.
- Applications must be written in English and all costs in U.S. dollars
- Use standard 8 ½" x 11" or A4 paper (210mm by 297mm paper), single sided, single-spaced, 12 point Times New Roman font, 1" margins, left justification and headers and/or footers on each page including consecutive page numbers, date of submission, and Applicant's name.
- 10 point font can be used for graphs and charts. Tables however, must comply with the 12 point Times New Roman requirement.
- The technical application must be submitted in a searchable and editable Word and PDF format.
- The cost application must include an excel spreadsheet with all cells unlocked, no hidden formulas or sheets and not password protected.
- The estimated start date identified in Section B of this NOFO must be used in the budget of the cost application for Year 1.

D.1.5 General Application Submission Instructions

Applicants must review, understand and comply with all aspects of this NOFO. Failure to do so may be considered as being non-responsive and may be evaluated accordingly. Applicants should retain for their records one copy of the application and all enclosures which accompany it.

D.1.5.1 Closing Date and Time

Applications in response to this NOFO must be received no later than the closing date and time indicated on the cover letter unless the NOFO is amended to extend the deadline. All applications received by the submission deadline will be reviewed for responsiveness to the NOFO. It is the Applicant's responsibility to ensure that all necessary documentation is complete and received on time. Applicants must contact the individuals identified in **Section G.2** if experiencing technical difficulty with the submission of the application.

D.1.5.2 Modifications

Applicants may submit modifications to their applications at any time before the NOFO closing date and time. No modifications to the application will be accepted after the submission deadline.

D.1.5.3 Late or Incomplete Submissions

Any application received after the closing date and time specified on the cover letter of this NOFO for receipt of applications will not be considered unless (a) there is acceptable evidence to establish that it was received at the USAID Mission and was under USAID's control prior to the time set for receipt of applications, and the Agreement Officer determines the late application would not cause an undue delay; or (b) it is in the interest of USAID.

For this NOFO, the initial point of entry to the Government infrastructure is the USAID mail server. Acceptable evidence to establish the time of receipt at the USAID Mission includes system generated documentation of delivery receipt date and time or confirmation from the receiving office. Applicants must retain proof of timely delivery. The AO will notify applicants in writing of late or incomplete applications.

D.1.5.4 Withdrawal of Applications

Applications may be withdrawn by written notice received by the AO at any time before award. Withdrawals are effective upon receipt of notice by the AO.

D.2. Technical Application Instructions

The technical application will be the critical item of consideration in selection of an applicant for award. 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 Activity.

The application must comply with the requirements of the Activity and merit review criteria found in **Section E**.

Scanned PDF documents may be used for information requiring signatures and copies of documents of general content requirements applying to the whole application.

All technical applications should include the sections and content below, addressing the specifics of the Activity for which the application is submitted:

The sections for the technical application are as follows:

1. Cover Page; *(not to exceed one (1) page; not included in the 20 page limit)*
2. Table of Contents; *(not to exceed two (2) pages; not included in the 20 page limit)*
3. List of Acronyms *(optional, not to exceed two (2) pages); (not included in the 20 page limit)*
4. Executive Summary; *(not to exceed two (2) pages; not included in the 20 page limit)*
5. Technical Application *(not to exceed a total of 20 pages)*
 - a. Technical Approach
 - b. Management and Staffing Plan
 - c. Organizational Capacity and Experience
6. Required Annexes *(will not count toward the technical application page limit);*
7. **Annex 1:** Resumes for Key Personnel including up to 3 references each (providing name of reference, position/title, professional relationship, email address and phone number). USAID will contact references from the provided sources as well as additional references as needed - Not to exceed 3 pages for each key personnel position,
Annex 2: Letters of Commitment for each proposed Key Personnel (non-exclusive) - Not to exceed 1 page for each key personnel.
Annex 3: Staffing Plan including key personnel and non-key personnel - Not to exceed 5 pages
Annex 4: Letters of Commitment from each sub-recipient- Not to exceed 1 page for each sub-recipient (Non-exclusive).
Annex 5: Organizational Chart- 2 Pages

1. Cover Page: See Section D.1.4.1 “Cover Page” above.

2. Table of Contents: include major sections and page numbering to easily cross-reference and identify merit review criteria.

3. List of Acronyms (optional): This section is limited to two pages, and must spell out any acronyms that are utilized in the Technical Application. A table format is acceptable.

4. Executive Summary: The executive summary must summarize the key elements of the applicant’s technical application, including but not limited to, the technical approach, the management approach and staffing plan.

5. Technical Application: The Technical Application Body must contain the following sections:

- a. Technical Approach;
- b. Management Approach and Staffing Plan
- c. Organizational Capacity and Experience

Additional specific guidance for each section of the Technical Application Body is set forth below.

a. Technical Approach (Merit Review Criterion 1)

This section must comprehensively and clearly demonstrate how the applicant will achieve the objectives outlined in the Program Description (PD) in an informed, coherent, comprehensive, and feasible way, over the Activity's total duration.

The Technical Approach section must provide specific information which addresses the following:

- The Applicant's understanding of the objectives of the Activity as set forth in the PD and how the Activity's goal, objectives, results, and expected outcomes outlined in the PD will be achieved over the life of the Activity. The Applicant must provide a detailed description of the proposed technical approach, the methodology, as well as the techniques for implementation, monitoring, evaluation and learning needed to achieve the Activity objectives, the goal, results, and expected outcomes.
- The Applicant's understanding of the country's GBV issues, existing initiatives and programmatic gaps, and how to address them.
- Because of possible changes in country context over the course of implementation of the Activity, the Applicant's approach must demonstrate the ability to respond proactively to changes in the existing platform/implementation environment in Burundi during the Activity period.
- How the applicant demonstrates that planned strategies will reach GBV survivors through multiple community and clinical level entry points with tailored innovative packages of services that are adaptable to different needs and routines, and that provide an effective continuum of HIV prevention and treatment for GBV survivors, GBV prevention and response services, and impact mitigation services with traceable linkages.
- The applicant's plan to promote sustainability.

b. Management Approach and Staffing Plan (Merit Review Criteria 2)

Management Approach

The Applicant must demonstrate capacity in management, planning, and implementation of proposed interventions and provide a clear description of how the resultant award will be managed, including an approach to address potential problems. The section on management approach must:

1. Describe the nature of organizational linkages, lines of authority, accountability and communication between the Recipient and any sub-recipients utilizing the complementary capacity of proposed sub-recipients effectively and efficiently;
2. Include roles and responsibilities of the Recipient and each subrecipient/contractors. This includes their relationships between each other and patterns for utilizing and sharing resources.
3. Provide and specify composition and organizational structure of the entire Activity team including sub-recipients and include an organizational chart for the entire Activity team ;
4. Describe what expertise sub-recipients will provide relevant to the achievement of the goal, objectives, results and expected outcomes of this Activity.

Staffing Plan

The Applicant must propose a comprehensive staffing plan to accomplish the intended goal, objectives, results, and expected outcomes of the GIR'ITEKA Activity. The plan must demonstrate an appropriate mix of managers, technical experts, and administrative staff at national and provincial levels. Resumes and letters of commitment for all key personnel must be included in Annex A and Annex B respectively. Resumes may not exceed three pages in length and experience should be in reverse chronological order starting with the most recent experience.

The Applicant must choose a staffing structure in line with the required qualifications of key personnel based on their proposed technical and management approach. The Applicant must describe the role of each staff member named under key personnel as well as their technical expertise relevant to the Activity. A staffing plan including key personnel and technical non-key personnel is to be included in Annex 3.

The successful Applicant must present an appropriate mix of experienced local and regional personnel for all staff positions in this Activity. USAID, however, will consider appropriate international staff for positions that are more difficult to recruit locally or regionally. **At least 75% of the local organization's staff (managerial, professional, and support personnel) must be citizens or lawfully admitted permanent residents of Burundi.** The Applicant must also take into consideration gender aspects when hiring staff to ensure equal gender opportunities.

USAID envisions the five key personnel positions described in Section A.12 "Key Personnel" within the Program Description to be essential to the successful implementation of this Activity. Applicant must propose five individuals to fill these key personnel positions. The proposed distribution of functions across personnel must be supported with demonstrated capacity and experience.

Other Non-Key Personnel: The Applicant has the discretion to determine the proper number and mix of additional long-term personnel, short-term technical assistance, and other staffing arrangements to cost-effectively carry out the objectives of this Activity. Familiarity with the political, social, economic, and cultural context of working in Burundi or in a country of similar socio-economic context in the region is highly desired. It is essential applicants consider how best to coordinate and collaborate with existing PEPFAR partners and other local institutions (private businesses, NGO for profit or for non profit, faith-based etc) in its staffing structure.

c. Organizational Capacity and Experience (Merit Review Criteria 3)

In this section, the applicant must describe the organizational capacity of both the local prime Applicant and its subrecipients to implement the requirements set forth in the Program Description and demonstrate how their combined capacity will enable successful achievement of the objectives and expected outcomes outlined in the Program Description. Proposed capacity of the local prime and each subrecipient must be demonstrated by presenting outcomes of previous work in specific technical areas. Letters from subrecipients must reference what expertise they will provide that is relevant to the achievement of the goal, objectives, results and expected outcomes outlined in the Program Description. The Applicant must also describe its organizational knowledge, experience, and capacity in collaborating and coordinating with other implementing partners to accomplish Activity objectives and expected outcomes. Similarly, the Applicant must also describe the organizational knowledge and capacity of the proposed sub-awardees in successfully managing similar Activities.

D.3 Cost Application Instructions

The Applicant must submit the Cost Application separately from the Technical Application. While no page limit exists, Applicants are encouraged to be as concise as possible while still providing the necessary level of detail. The overall budget must be presented in US dollars, cover the entire period of performance, organized in the cost categories in the SF-424A budget, and using the attached budget template. (Annex B).

USAID will only review costs contained in the cost application submitted by the Apparently Successful Applicant. As such, to facilitate an efficient cost review, all prospective applicants must provide a

complete an detailed budget and budget narrative to allow USAID to determine whether the proposed costs for the Applicant’s Activity are allocable, allowable, and reasonable.

The cost application must contain the following sections (which are further described below with a description for each requirement.

1. Cover Page
2. SF 424 Forms
3. Budget and Budget Narrative
4. Approval of Subawards
5. Duns and Bradstreet and SAM Registration
6. Funding Restrictions
7. Pre-award costs
8. Geographic Code
9. History of Performance (Apparently Successful Applicant only)
10. Certifications, Assurances and Other Statements of the Recipient (apparently successful applicant only)

The following sections describe the documentation that the Applicants must submit to USAID prior to award.

D.3.1 Cover Page (See Section D.1.4.1 above)

D.3.2 SF 424 Form(s)

The Applicant must sign and submit the cost/business application using the SF-424 series. Standard Forms can be accessed electronically at www.grants.gov or using the following links:

Instructions for SF-424	http://www.grants.gov/web/grants/form-instructions/sf-424-instructions.html
Application for Federal Assistance (SF-424)	https://www.grants.gov/web/grants/forms/sf-424-family.html
Instructions for SF-424A	https://www.grants.gov/web/grants/forms/sf-424-family.html
Budget Information (SF-424A)	https://www.grants.gov/web/grants/forms/sf-424-family.html
Instructions for SF-424B	https://www.grants.gov/web/grants/forms/sf-424-family.html
Assurances (SF-424B)	https://www.grants.gov/web/grants/forms/sf-424-family.html

D.3.3 Detailed Budget and Budget Narrative

The Budget must be submitted as one unprotected Excel file (MS Office 2000 or later versions) with visible formulas and references and must be broken out by project year. Files must not contain any hidden or otherwise inaccessible cells. Budgets with hidden cells lengthen the cost analysis time required to make an award, and may result in a rejection of the cost application. 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 Section F, 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 must include the following worksheets or tabs, and contents, at a minimum:

- i. Summary Budget, inclusive of all Activity costs broken out by major budget category and by fiscal year for interventions to be implemented by the applicant and any potential sub-recipients for the entire period of the program. See Annex B for Budget Template.
- ii. Detailed Budget, including a breakdown by fiscal year or partial fiscal year, sufficient to allow the Agency to determine that the costs represent efficient use of funding to implement the applicant's program. It is essential that adequate cost, historical or pricing data is available to establish an FAA with the assurance that the Recipient will realize no increment above the actual cost.
- iii. Detailed Budgets for each sub-recipient, broken out by budget category and by year, for the entire implementation period of the Activity.

The detailed budget breakdown must provide the information described below. The detailed budget breakdown must follow the budget format, including the major budget line items, set forth below, and must be broken-down by fiscal year. The application must include a subtotal for each budget line item. Each page must indicate the applicable year and the applicant's name clearly marked at the top of each page.

- 1) **Personnel** – Direct salaries and wages must be proposed in accordance with the applicant's personnel policies and must include position title, salary rate, level of effort, and salary escalation factors. If the organization has standing policies across all projects for annual salary escalations that exceed current inflation rates, those policies and the effective date of those policies must be provided with the application. The Applicant must also confirm that the policy applies to all staff across all projects.
- 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 must 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 (e.g., 13th month, housing allowance, workers compensation, health and life insurance, retirement/gratuity, etc.) and the costs of each, expressed in U.S. dollars and as a percentage of salaries.
- 3) **Travel and Transportation** – Provide details to explain the purpose of the 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** – means tangible nonexpendable personal property (including information technology systems) having a useful life of more than one year, and an acquisition cost of \$5,000 or more per unit. However, consistent with the recipient's policy, lower limits may be established. In this section, include a detailed breakdown of all proposed equipment proposed for procurement. Indicate each item, the number of units being budgeted and proposed cost. List all proposed items separately. Include proposed vehicle purchases, if any, in this section

- 5) **Supplies-** Supplies" means tangible personal property excluding equipment. A computing device is a supply if the acquisition cost is less than \$5,000 per unit. In this section, include a detailed breakdown of all proposed supplies and other items proposed for procurement. Indicate each item, the number of units being budgeted and the proposed item cost. List all proposed items separately.

- 6) **Contractual** – The applicant's budget must include a lump-sum for each sub-award and contract (not to exceed 25% of the Total Estimated Amount), and identify the purpose of the sub-award/contract and the sub-award recipient or contractor, if known. The lump-sum(s) must be consistent with the detailed sub-award/contractor budgets described in the NOTE below. Contracts awarded by non-U.S. NGOs are subject to the USAID standard provisions for non-U.S. NGOs entitled “Procurement Policies” and “USAID Eligibility Rules for Procurement of Commodities and Services.”

NOTE: Following the applicant's detailed budget breakdown, detailed budget breakdowns for each sub recipient must be presented. Sub-award/contract budgets must not be intermingled. The first page must be a summary budget, following the same budget format and line items as are set forth above, for the full term of the sub-award/contract. Following the summary budget, a detailed budget breakdown for each year must be presented in accordance with the instructions provided above for the applicant.

- 7). **Construction** – Not applicable. Construction is not authorized under the resulting award. Applicants must not include any costs related to construction in their budgets.

- 8). **Other Direct Costs** – This may include other costs not elsewhere specified, such as report preparation costs, passports and visas fees, medical exams and vaccinations, as well as any other miscellaneous costs, including those associated with branding and marking USAID programs, such as magnets, plaques, stickers, banners, press events, materials, and so forth, which directly benefit the Activity proposed by the applicant. The applicant should indicate the subject, venue and duration of any proposed conferences and seminars, and their relationship to the objectives of the Activity, along with estimates of costs. Otherwise, the narrative should be minimal.

- 9). **Indirect Costs** – Applicants must indicate whether they are proposing indirect costs or will charge all costs directly. The application must identify which approach they are requesting and provide the applicable supporting information:

<u>Method</u>	<u>Eligibility</u>	<u>Initial application requirements</u>
Direct Charge Only	Any applicant	See above on direct costs

De minimis rate of 10% of modified total direct costs (MTDC)	Any applicant that has never received a NICRA; the applicant may choose to charge a de minimis rate of 10% of modified total direct costs ¹⁵ (see definition in 2 CFR 200.68). If the prospective applicant chooses the de minimis rate, the 10% indirect cost rate will be incorporated in the award budget and the recipient must follow the requirements in 2 CFR 200.414(f).	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 a 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.
No current NICRA, but applicant has an indirect rate other than the de minimis	Any applicant may request but approval is at the discretion of the Agency	A NICRA may be negotiated after award at the discretion of the Agency. Provisional rates may be set forth in the award subject to audit and finalization. The applicant must identify the indirect cost rate and base it is proposing. See USAID's Indirect Cost Rate Guide for Non Profit Organizations for further guidance.

If the applicant does not have an approved NICRA and does not elect to utilize the 10% de minimis rate, the AO will provide further instructions and 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.

D.3.4 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
- DUNS 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

¹⁵ Note: the 10% de minimis rate is applied to Modified Total Direct Costs (MTDCs). In accordance with 2 CFR 200.68 the definition of MTDCs is "MTDC means all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first \$25,000 of each subaward (regardless of the period of performance of the subawards under the award). MTDC excludes equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs and the portion of each subaward in excess of \$25,000. Other items may only be excluded when necessary to avoid a serious inequity in the distribution of indirect costs, and with the approval of the cognizant agency for indirect costs

- 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

D.3.5 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 excepted from those requirements under 2 CFR 25.110(b) or (c), or has an exception approved by the Federal awarding agency under 2 CFR 25.110(d) is required to:

1. Provide a valid DUNS 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 (<http://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 register early to be eligible to apply for this NOFO.

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

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

D.3.6 Funding Restrictions

USAID policy is not to award profit under assistance instruments. Should for-profit organizations want to apply to this NOFO, they must forego their profit.

D.3.7 Pre-award costs

USAID will not reimburse any applicant for pre-award costs unless specifically authorized by the Agreement Officer, who may, at his/her sole discretion, authorize the selected applicant(s), at its own risk, to begin Activity implementation and the incurrence of costs prior to a signed award as of a specified date, with no commitment to reimburse costs in the event that the award was not subsequently awarded.

D.3.8 Geographic Code

It is anticipated that the recipient may need to procure equipment or supplies (excluding real property) for its own use or for beneficiaries of its program in order to accomplish a milestone. will need to purchase equipment needed to implement the program such as vehicles and generators. However, it is only when the purchase of equipment or supplies is itself the milestone and such purchase is specifically named in that milestone that the recipient must comply with USAID source and nationality rules (22 CFR 228) (see USAID policy in ADS 310 and ADS 312). Otherwise, purchases of the recipient that are incidental to the recipient's completion of a milestone are not deemed "financed" by the fixed amount award notwithstanding that their costs were included in the estimate upon which the total amount of the fixed amount award was negotiated.

In the event, that procurement of equipment or supplies is specifically named in that milestone, it should be noted that the capacity to maintain and repair American-made vehicles and the unavailability of spare parts in Burundi make procurement and use of American vehicles challenging. Global Health funds (Child Survival) which includes family planning and HIV/AIDS funds are covered under the DFA procurement rules which authorizes Geographic Code 935, i.e., any area or country including the recipient country, but excluding any country that is a prohibited source, for the procurement of goods and services.

D.3.9 History of Performance

Applicants should **not** provide the below information unless requested by the Agreement Officer:

The applicant must provide information regarding its recent history of performance for all its cost-reimbursement contracts, grants, or cooperative agreements involving similar or related programs, not to exceed the past 3 years, as follows:

- Name of the Awarding Organization;
- Award Number;
- Activity Title;
- A brief description of the activity;
- Period of Performance;
- Award Amount;
- Reports and findings from any audits performed in the last 3 years; and
- Name of at least two (2) updated professional contacts who most directly observed the work at the organization for which the service was performed with complete current contact information including telephone number, and e-mail address for each proposed individual.

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. 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

D.3.10 Required Certifications and Assurances and other statements of the Recipient

The applicant must complete the following documents and submit a signed copy UPON REQUEST BY THE AGREEMENT OFFICER (AO).

- (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) 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).

END OF SECTION D

SECTION E: APPLICATION REVIEW INFORMATION

E.1 Merit Review Criteria

The merit review criteria prescribed herein 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.

Technical and other factors will be evaluated relative to each other, as described herein and prescribed by the Technical Application Format. The Technical Application will be evaluated by a Selection Committee (SC) using the merit review criteria described in this Section

E.2 Review and Selection Process

E.2.1 Technical Merit Review

USAID will conduct a merit review of all applications received that comply with the instructions in this NOFO. Applications will be reviewed and evaluated in accordance with the following criteria shown in descending order of importance so that applicants will know which areas require emphasis in the preparation of the technical application.

Criterion 1: Technical Approach:

The technical approach criterion will be evaluated in terms of overall quality and the extent to which the proposed technical approach demonstrates a clear understanding of the objectives of the Activity and a convincing approach to achieve the objectives, goals, results and expected outcomes.

The following considerations are not sub-criteria with specific ratings/points assigned but merely specific aspects of the technical approach criterion that will be considered in the evaluation:

- The extent to which the Applicant offers actionable, evidence-based and sustainable solutions that accelerate achievement and maintenance of HIV/AIDS epidemic control, specifically among GBV survivors in Burundi. Applicants must reference the evidence directly in the application or the annexes and may not provide hyperlinks
- The extent to which the overall strategy, methodology, and analyses are well-reasoned and appropriate to accomplish the specific objectives of the Activity and clearly demonstrate the contribution of the Activity to the PEPFAR/UNAIDS 95-95-95 targets;
- The extent to which the Applicant demonstrated its capacity to cope with and proactively respond to changes due to possible change in country context over the course of implementation of the Activity,
- The extent to which the Applicant is able to clearly explain how planned strategies will reach beneficiaries through multiple community and clinical level entry points with tailored innovative packages of services that are adaptable to different needs and routines and provide an effective continuum of HIV prevention, care and treatment for GBV survivors, GBV prevention and response services, and impact mitigation services with traceable linkages

Criterion 2: Management Approach and Staffing Plan:

The management approach, will be evaluated for effectiveness in successfully implementing planned interventions to achieve the goal, objectives, results and expected outcomes, including, but not limited to, the following considerations:

The following considerations are not sub-criteria with specific ratings/points assigned but merely specific aspects of the management approach and staffing plan criterion that will be considered in the evaluation:

- The extent to which the proposed management structure supports the technical approach and the realism and effectiveness of the strategies and approaches to manage interventions described in their proposed application
- The clarity of the roles and responsibilities between the prime local organization and its sub-Recipients or teaming partner(s) (as applicable), as well as the composition and organizational structure
- A sound management plan that clearly describes coordination and collaboration between the Prime local organization and other USAID implementing partners who will be receiving technical assistance, as well as a clear definition of the relationships and coordination among other stakeholders and other partners

The Staffing Plan will be assessed based on the extent to which the proposed key personnel and staffing plan support the technical approach and convincingly demonstrates an ability to achieve Activity goal, objectives, results and outcomes. The following aspects will be considered for the personnel and staffing criterion:

- To the extent to which the proposed staffing plan is efficient and effective and key and technical personnel possess the full range of experience, skills, and expertise required to successfully implement the Activity
- The extent to which key personnel possess relevant and demonstrated qualifications, experience, and skills applicable to the key personnel positions.

Criterion 3: Organizational Capacity and Experience:

The organizational capacity and experience criterion will be evaluated based on the existing capacity and experience of the prime local organization and its sub-awardees in implementing similar Activities (scope and size). Specifically, capacity and experience in the following areas will be considered:

The following considerations are not sub-criteria with specific ratings/points assigned but merely specific aspects of the organizational capacity and experience criterion that will be considered in the evaluation:

- Demonstrated experience in managing the administrative and financial aspects of an activity of similar size and complexity in Burundi.
- Demonstrated experience in delivering technical assistance, and collaborating with a range of partners including, donors, community based organizations, faith based organisations, civil society organizations and other local partner organizations in Burundi.
- Demonstrated organizational capacity and knowledge in implementing similar activities (in size and scope) and in collaborating, coordinating with other implementing partners and donors to accomplish Activity objectives and expected outcomes.
- Demonstrated organizational capacity and knowledge in effectively and efficiently managing sub-Recipients to deliver results and building capacity of sub-Recipients to acquire technical and financial competencies and accomplish Activity objectives and expected outcomes.

E.2.2 Cost Review

USAID will evaluate the cost application of the applicant under consideration for an award as a result of the merit review to determine whether the proposed costs are fair and reasonable.

USAID will also consider: (1) the applicant's ability to perform the interventions within the amount requested; and (2) whether the applicant's plans will achieve the Activity objectives with reasonable economy and efficiency.

E.3 Risk Assessment:

The Agreement Officer will use the **Fixed Amount Award Entity Eligibility Checklist** (to be requested only from the apparently successful applicant) to assess the applicant's capacity and capabilities for accomplishing the milestones. If the assessment identifies weaknesses or deficiencies in the organization that call into question the ability of the organization to complete the proposed Activity, the weaknesses and deficiencies will be documented and the mitigation measures to reduce or eliminate the risk of failure to the organization and the Agency will be described as part of the risk assessment. Mitigation measures may include, but are not limited to the following: capacity building technical assistance, including but not limited to financial management and procurement functions; or, increased monitoring visits to confirm adequate progress on milestones.

USAID will review information available through USG or other repositories of eligibility, qualification, or financial integrity information, as appropriate. This includes, but is not limited to:

- The USG'S System for Award Management (SAM) (<http://www.sam.gov>);
- The non-public segment of the USG's Federal Awardee Performance and Integrity Information System (FAPIIS), which is accessible through SAM;
- The List of Specially Designated Nationals (SDN) and Blocked Persons maintained by the U.S. Department of the Treasury's Office of Foreign Assets Control (<https://www.treasury.gov/resource-center/sanctions/Pages/default.aspx>);
- The United Nations ISIL (Da'esh) & Al-Qaida Sanctions List (https://www.un.org/sc/suborg/en/sanctions/1267/aq_sanctions_list)

E.4 Review of Proposed Award Budget

The apparently successful applicant's budget will be reviewed to ensure that costs comply with OMB's and USAID's policies. The recipient must justify in advance the proposed costs for each element of the Activity. An evaluation will be conducted of the cost breakdown; elements of costs in the budget will be evaluated and analyzed for reasonableness and allocability. The review of the proposed budget will be used to determine: (1) The extent of the applicant's understanding of the financial aspects of the program and the applicant's ability to perform the interventions within the amount requested; and (2) Whether the applicant's plans will achieve the program objectives with reasonable economy and efficiency

END OF SECTION E

SECTION F: FEDERAL AWARD ADMINISTRATION INFORMATION

F.1 Federal Award Notices

Award of the Activity 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 USAID 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.

Award Issuance: Below is the procedure for the award issuance process:

1. Although an earlier notification may be provided to the applicant regarding their recommended selection for award, only a Grant signed by the USAID Agreement officer will constitute the USAID commitment of the selection of the applicant.
2. USAID will provide the Grant to the successful applicant's designated point of contact electronically. The signed Grant will authorize the selected applicant to begin implementation of the interventions described in their technical application or revised technical application/addenda, and will obligate funds for payment to the recipient of the Grant for costs incurred in such implementation. The signed award will be accompanied by a USAID Agreement Officer's Representative (AOR) and Alternate AOR Designation letter.
3. The unsuccessful applicants designated point of contact will be notified electronically of their non-selection once USAID decides which applicant the Agency will consider for award. Within 10 working days after an applicant receives notice that USAID will not fund its application, the unsuccessful applicant may send a written request for additional information to the Agreement Officer. Additional information may be provided at the discretion of the Agreement Officer following the procedures included in ADS 303.3.7.2.

F.2 Administrative & National Policy Requirements

The resulting award from this NOFO will be administered in accordance with the following policies and regulations:

Standard Provisions for Fixed Amount Awards to Nongovernmental Organizations:
<https://www.usaid.gov/sites/default/files/documents/1868/303mat.pdf>

F.3 Standard Provisions

The applicable Standard Provisions will be attached to the final award document. However, the following Standard Provisions indicated below in full text should be specifically noted by the prospective applicants.

I. PROHIBITION ON PROVIDING FEDERAL ASSISTANCE TO ENTITIES THAT REQUIRE CERTAIN INTERNAL CONFIDENTIALITY AGREEMENTS – REPRESENTATION (MAY 2017)

(a) Definitions.

“Contract” has the meaning given in 2 CFR Part 200.

“Contractor” means an entity that receives a contract as defined in 2 CFR Part 200.

“Internal confidentiality agreement or statement” means a confidentiality agreement or any other written statement that the recipient requires any of its employees or subrecipients to sign regarding non-disclosure of recipient information, except that it does not include confidentiality agreements arising out of civil litigation or confidentiality agreements that recipient employees or subrecipients sign at the behest of a Federal agency.

“Subaward” has the meaning given in 2 CFR Part 200. “Subrecipient” has the meaning given in 2 CFR Part 200.

(b) In accordance with section 743 of Division E, Title VII, of the Consolidated and Further Continuing Appropriations Act, 2015 (Pub. L. 113-235) and its successor provisions in subsequent appropriations acts (and as extended in continuing resolutions), Government agencies are not permitted to use funds appropriated (or otherwise made available) for federal assistance to a non-Federal entity that requires its employees, subrecipients, or contractors seeking to report waste, fraud, or abuse to sign internal confidentiality agreements or statements that prohibit or otherwise restrict its employees, subrecipients, or contractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.

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

(d) Representation. By submission of its application, the prospective recipient represents that it will not require its employees, subrecipients, or contractors to sign or comply with internal confidentiality agreements or statements prohibiting or otherwise restricting its employees, subrecipients, or contractors from lawfully reporting waste, fraud, or abuse related to the performance of a Federal award to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information (for example, the Agency Office of the Inspector General).

II. PROTECTING LIFE IN GLOBAL HEALTH ASSISTANCE (MAY 2019)

(a) Ineligibility of Foreign Non-governmental Organizations that Perform or Actively Promote Abortion as a Method of Family Planning

This provision is in two parts: I, applicable to foreign non-governmental organizations; and II, applicable to U.S. non-governmental organizations. Both part I and part II should be included in awards.

I. Grants and Cooperative Agreements with Foreign Non-governmental Organizations

(1) The recipient agrees that it will not, during the term of this award, perform or actively promote abortion as a method of family planning in foreign countries or provide financial support to any other foreign non-governmental organization that conducts such activities. For purposes of this paragraph (a), a foreign nongovernmental organization is a for-profit or not-for-profit non-governmental organization that is not organized under the laws of the United States, any State of the United States, the District of Columbia, or the Commonwealth of Puerto Rico, or any other territory or possession of the United States.

(2) The recipient agrees that authorized representatives of USA may, at any reasonable time, announced or unannounced, consistent with 2 CFR Part 200: (i) inspect the documents and materials maintained or prepared by the recipient in the usual course of its operations that describe the health activities of the recipient, including reports, brochures, and service statistics; (ii) observe the health activities conducted by the recipient, (iii) consult with healthcare personnel of the recipient; and (iv) obtain a copy of audited financial statements or reports of the recipient, as applicable.

(3) In the event USAID has reasonable cause to believe that the recipient may have violated its undertaking not to perform or actively promote abortion as a method of family planning, the recipient must make available to USAID such books and records and other information as USAID may reasonably request to determine whether a violation of that undertaking has occurred, consistent with 2 CFR Part 200.

(4) Health assistance furnished to the recipient under this award must be terminated if the recipient violates any undertaking required by this paragraph (a), and the recipient must refund to USAID any unexpended amounts furnished to the recipient under this award, plus an amount equivalent to that used by the recipient to perform or actively promote abortion as a method of family planning while receiving funding under this award. The amount to be refunded to USAID under this subparagraph (4) may not exceed the total amount of health assistance furnished under this award.

(5) The recipient may not furnish health assistance under this award to another foreign non-governmental organization (the subrecipient) unless: (i) subrecipient agrees, by entering into such subaward, that it does not perform or actively promote abortion as a method of family planning in foreign countries and will not provide financial support to any other foreign non-governmental organization that conducts such activities; and (ii) such foreign non-governmental organization's agreement contains the same terms and conditions as described in subparagraph (6) below.

(6) Prior to entering into an agreement to furnish health assistance to a foreign non-governmental organization under this award, the recipient must ensure that such agreement with the subrecipient includes the following terms:

(i) The subrecipient will not, while receiving assistance under this award, perform or actively promote abortion as a method of family planning in foreign countries or provide financial support to other foreign non-governmental organizations that conduct such activities;

(ii) The recipient and authorized representatives of USAID may, at any reasonable time, announced or unannounced, consistent with 2 CFR Part 200: (A) inspect the documents and materials maintained or prepared by the subrecipient in the usual course of its operations that describe the health activities of the subrecipient, including reports, brochures, and service statistics; (B) observe health activities conducted by the subrecipient; (C) consult with healthcare personnel of the subrecipient; and (D) obtain a copy of audited financial statements or reports of the subrecipient, as applicable;

(iii) In the event that the recipient or USAID has reasonable cause to believe that a subrecipient may have violated its undertaking not to perform or actively promote abortion as a method of family planning, the recipient will review the health program of the subrecipient to determine whether a violation of such undertaking has occurred. The subrecipient must make available to the recipient such books and records and other information as may be reasonably requested to conduct the review. USAID may review the health program of the subrecipient under these circumstances, and the subrecipient must provide access on a timely basis to USAID to such books and records and other information upon request, consistent with 2 CFR Part 200;

(iv) Health assistance provided to the subrecipient under this award must be terminated if the subrecipient violates any award terms under subparagraphs (6)(i)-(iii), above, and the subrecipient must refund to the recipient any unexpended amounts furnished to the subrecipient under this award, plus an amount equivalent to that used by the subrecipient to perform or actively promote abortion as a method of family planning while receiving funding under this award, up to the total amount of health assistance furnished to the subrecipient under this award; and

(v) The subrecipient may furnish health assistance under this award to another foreign non-governmental organization only if: (A) such foreign nongovernmental organization agrees, by entering into such agreement, that it will not perform or actively promote abortion as a method of family planning in foreign countries and will not provide financial support to any other foreign non-governmental organization that conducts such activities, and (B) such foreign non-governmental organization's agreement contains the same terms and conditions as those provided by the subrecipient to the recipient as described in subparagraphs (6)(i)-(iv), above.

(7) Where the terms and conditions of the award require USAID approval of subawards, the recipient must include a description of the due diligence performed by the recipient on the subrecipient before furnishing health assistance under this award.

(8) The recipient is liable to USAID for a refund for a violation by the subrecipient of any requirement of this paragraph (a) only if: (i) the recipient knowingly furnishes health assistance under this award to a subrecipient that performs or actively promotes abortion as a method of family planning, or (ii) the subrecipient did not abide by its award terms required by subparagraphs (6)(i)-(iii), above, and the recipient failed to make reasonable due diligence efforts prior to furnishing health assistance to the subrecipient, or (iii) the recipient knows or has reason to know, by virtue of the monitoring that the recipient is required to perform under the terms of this award, that a subrecipient has violated any of the award terms required by subparagraphs (6)(i)-(iii), above, and the recipient fails to terminate health assistance to the subrecipient, or fails to require the subrecipient to terminate assistance furnished under a subaward that violates any award terms required by subparagraphs (6)(i)-(iii), above.

(9) The recipient acknowledges that USAID may make independent inquiries in the community served by the recipient or a subrecipient under this award regarding whether it performs or actively promotes abortion as a method of family planning.

(10) The following definitions apply for purposes of paragraph (a):

(i) Abortion is a method of family planning when it is for the purpose of spacing births. This includes, but is not limited to, abortions performed for the physical or mental health of the mother and abortions performed for fetal abnormalities, but does not include abortions performed if the life of the mother would be endangered if the fetus were carried to term or abortions performed following rape or incest.

(ii) "To perform abortions" means to operate a facility where abortions are provided as a method of family planning. Excluded from this definition is the treatment of injuries or illnesses caused by legal or illegal abortions, for example, post-abortion care.

(iii) "To actively promote abortion" means for an organization to commit resources, financial or other, in a substantial or continuing effort to increase the availability or use of abortion as a method of family planning.

(A) This includes, but is not limited to, the following activities:

- (I) Operating a service-delivery site that provides, as part of its regular program, counseling, including advice and information, regarding the benefits and/or availability of abortion as a method of family planning;
- (II) Providing advice that abortion as a method of family planning is an available option or encouraging women to consider abortion (passively responding to a question regarding where a safe, legal abortion may be obtained is not considered active promotion if a woman who is already pregnant specifically asks the question, she clearly states that she has already decided to have a legal abortion, and the healthcare provider reasonably believes that the ethics of the medical profession in the host country requires a response regarding where it may be obtained safely and legally);
- (III) Lobbying a foreign government to legalize or make available abortion as a method of family planning or lobbying such a government to continue the legality of abortion as a method of family planning; and
- (IV) Conducting a public information campaign in foreign countries regarding the benefits and/or availability of abortion as a method of family planning.

(B) Excluded from the definition of active promotion of abortion as a method of family planning are referrals for abortion as a result of rape or incest, or if the life of the mother would be endangered if she were to carry the fetus to term. Also excluded from this definition is the treatment of injuries or illnesses caused by legal or illegal abortions, for example, postabortion care.

(C) Action by an individual acting in the individual's capacity shall not be attributed to an organization with which the individual is associated, provided that the individual is neither on duty nor acting on the organization's premises, and the organization neither endorses nor provides financial support for the action and takes reasonable steps to ensure that the individual does not improperly represent that he or she is acting on behalf of the organization.

(iv) Furnishing health assistance to a foreign non-governmental organization includes the transfer of funds made available under this award or goods or services financed with such funds, but does not include the purchase of goods or services from an organization or the participation of an individual in the general training programs of the recipient or subrecipient.

(v) To "control" an organization means to possess the power to direct, or cause the direction of, the management and policies of an organization.

(11) In determining whether a foreign non-governmental organization is eligible to be a recipient or subrecipient of health assistance under this award, the action of separate non-governmental organizations shall not be imputed to the recipient or subrecipient, unless, in the judgment of USAID, a separate non-governmental organization is being used purposefully to avoid the provisions of this paragraph (a). Separate non-governmental organizations are those that have distinct legal existence in accordance with the laws of the countries in which they are organized. Foreign organizations that are separately organized shall not be considered separate, however, if one is controlled by the other. The recipient may request the USAID Agreement Officer's approval to treat as separate the health activities of two or more organizations, which would not be considered separate under the preceding sentence. The recipient must provide a written justification to USAID that the health activities of the organizations are sufficiently distinct to warrant not imputing the activity of one to the other.

(12) Health assistance may be furnished under this award by a recipient or subrecipient to a foreign government or parastatal even though the government or parastatal includes abortion in its health program, provided that no such assistance may be furnished under this award in support of the abortion activity of the government or parastatal and any funds transferred to the government or parastatal must be

placed in a segregated account to ensure that such funds may not be used to support the abortion activity of the government or parastatal.

(13) For the avoidance of doubt, in the event of a conflict between a term of this paragraph (a) and an affirmative duty of a healthcare provider required under local law to provide counseling about and referrals for abortion as a method of family planning, compliance with such law shall not trigger a violation of this paragraph (a).

II. Grants and Cooperative Agreements with U.S. Non-governmental Organizations

(1) The recipient (A) agrees that it will not furnish health assistance under this award to any foreign non-governmental organization that performs or actively promotes abortion as a method of family planning in foreign countries; and (B) further agrees to require that such subrecipients do not provide financial support to any other foreign non-governmental organization that conducts such activities. For purposes of this paragraph (a), a foreign non-governmental organization is a for-profit or not-for-profit non-governmental organization that is not organized under the laws of the United States, any State of the United States, the District of Columbia, or the Commonwealth of Puerto Rico, or any other territory or possession of the United States.

(2) Prior to entering into an agreement to furnish health assistance to a foreign non-governmental organization (subrecipient) under this award, the recipient must ensure that such agreement with the subrecipient includes the following terms:

(i) The subrecipient will not, while receiving assistance under this award, perform or actively promote abortion as a method of family planning in foreign countries or provide financial support to other foreign non-governmental organizations that conduct such activities;

(ii) The recipient, and authorized representatives of USAID may, at any reasonable time, announced or unannounced, consistent with 2 CFR Part 200: (A) inspect the documents and materials maintained or prepared by the subrecipient in the usual course of its operations that describe the health activities of the subrecipient, including reports, brochures, and service statistics; (B) observe the health activities conducted by the subrecipient; (C) consult with healthcare personnel of the subrecipient; and (D) obtain a copy of audited financial statements or reports of the subrecipient, as applicable;

(iii) In the event that the recipient or USAID has reasonable cause to believe that a subrecipient may have violated its undertaking not to perform or actively promote abortion as a method of family planning, the recipient will review the health program of the subrecipient to determine whether a violation of such undertaking has occurred. The subrecipient must make available to the recipient such books and records and other information as may be reasonably requested to conduct the review. USAID may review the health program of the subrecipient under these circumstances, and the subrecipient must provide access on a timely basis to USAID to such books and records and other information upon request, consistent with 2 CFR part 200;

(iv) Health assistance provided to the subrecipient under this award must be terminated if the subrecipient violates any award terms required by subparagraphs (2)(i)-(iii), above, and the subrecipient must refund to the recipient any unexpended amounts furnished to the subrecipient under this award, plus an amount equivalent to that used by the subrecipient to perform or actively promote abortion as a method of family planning while receiving funding under this award, up to the total amount of health assistance furnished to the subrecipient under this award; and

(v) The subrecipient may furnish health assistance under this award to another foreign non-governmental organization only if: (A) such foreign nongovernmental organization agrees, by entering into such agreement, that it will not perform or actively promote abortion as a method of family planning in foreign countries and will not provide financial support to any other foreign non-governmental organization that conducts such activities; and (B) such foreign non-governmental organization's agreement contains the same terms and conditions as those provided by the subrecipient to the recipient as described in subparagraphs (2)(i)-(iv), above.

(3) Where the terms and conditions of the award require USAID approval of subawards, the recipient must include a description of the due diligence performed by the recipient on the subrecipient before furnishing health assistance under this award.

(4) The recipient is liable to USAID for a refund for a violation by the subrecipient of any requirement of this paragraph (a) only if: (i) the recipient knowingly furnishes health assistance under this award to a subrecipient that performs or actively promotes abortion as a method of family planning; or (ii) the subrecipient did not abide by its award terms required by subparagraphs (2)(i)-(iii), above, and the recipient failed to make reasonable due diligence efforts prior to furnishing health assistance to the subrecipient; or (iii) the recipient knows or has reason to know, by virtue of the monitoring that the recipient is required to perform under the terms of this award, that a subrecipient has violated any of the award terms required by subparagraphs (2)(i)-(iii), above, and the recipient fails to terminate health assistance to the subrecipient, or fails to require the subrecipient to terminate assistance furnished under a subaward that violates any award terms required by subparagraphs (2)(i)-(iii), above.

(5) The recipient acknowledges that USAID may make independent inquiries in the community served by a subrecipient under this award regarding whether such subrecipient performs or actively promotes abortion as a method of family planning.

(6) The following definitions apply for purposes of this paragraph (a):

(i) Abortion is a method of family planning when it is for the purpose of spacing births. This includes, but is not limited to, abortions performed for the physical or mental health of the mother and abortions performed for fetal abnormalities, but does not include abortions performed if the life of the mother would be endangered if the fetus were carried to term or abortions performed following rape or incest.

(ii) "To perform abortions" means to operate a facility where abortions are provided as a method of family planning. Excluded from this definition is the treatment of injuries or illnesses caused by legal or illegal abortions, for example, post-abortion care.

(iii) "To actively promote abortion" means for an organization to commit resources, financial or other, in a substantial or continuing effort to increase the availability or use of abortion as a method of family planning.

(A) This includes, but is not limited to, the following activities:

(I) Operating a service-delivery site that provides, as part of its regular program, counseling, including advice and information, regarding the benefits and/or availability of abortion as a method of family planning;

(II) Providing advice that abortion as a method of family planning is an available option or encouraging women to consider abortion (passively responding to a question regarding where a safe, legal abortion may be obtained is not considered active promotion if a woman who is already pregnant specifically asks

the question, she clearly states that she has already decided to have a legal abortion, and the healthcare provider reasonably believes that the ethics of the medical profession in the host country requires a response regarding where it may be obtained safely and legally);

(III) Lobbying a foreign government to legalize or make available abortion as a method of family planning or lobbying such a government to continue the legality of abortion as a method of family planning; and

(IV) Conducting a public-information campaign in foreign countries regarding the benefits and/or availability of abortion as a method of family planning.

(B) Excluded from the definition of active promotion of abortion as a method of family planning are referrals for abortion as a result of rape or incest, or if the life of the mother would be endangered if she were to carry the fetus to term. Also excluded from this definition is the treatment of injuries or illnesses caused by legal or illegal abortions, for example, postabortion care.

(C) Action by an individual acting in the individual's capacity shall not be attributed to an organization with which the individual is associated, provided that the individual is neither on duty nor acting on the organization's premises, and the organization neither endorses nor provides financial support for the action and takes reasonable steps to ensure that the individual does not improperly represent that he or she is acting on behalf of the organization.

(iv) Furnishing health assistance to a foreign non-governmental organization includes the transfer of funds made available under this award or goods or services financed with such funds, but does not include the purchase of goods or services from an organization or the participation of an individual in the general training programs of the recipient or subrecipient.

(v) To "control" an organization means to possess the power to direct, or cause the direction of, the management and policies of an organization.

(7) In determining whether a foreign non-governmental organization is eligible to be a subrecipient of health assistance under this award, the action of separate non-governmental organizations shall not be imputed to the sub-recipient, unless, in the judgment of USAID, a separate non-governmental organization is being used purposefully to avoid the provisions of this paragraph (a). Separate nongovernmental organizations are those that have distinct legal existence in accordance with the laws of the countries in which they are organized. Foreign organizations that are separately organized shall not be considered separate, however, if one is controlled by the other. The recipient may request the USAID Agreement Officer's approval to treat as separate the health activities of two or more organizations, which would not be considered separate under the preceding sentence. The recipient must provide a written justification to USAID that the health activities of the organizations are sufficiently distinct to warrant not imputing the activity of one to the other.

(8) Health assistance may be furnished under this award by a recipient or subrecipient to a foreign government or parastatal even though the government or parastatal includes abortion in its health program, provided that no such assistance may be furnished under this award in support of the abortion activity of the government or parastatal and any funds transferred to the government or parastatal must be placed in a segregated account to ensure that such funds may not be used to support the abortion activity of the government or parastatal.

(9) For the avoidance of doubt, in the event of a conflict between a term of this paragraph (a) and an affirmative duty of a healthcare provider required under local law to provide counseling about and

referrals for abortion as a method of family planning, compliance with such law shall not trigger a violation of this paragraph (a).

(b) This provision shall be inserted verbatim in subawards in accordance with the terms of paragraph (a).

III. EQUAL PARTICIPATION BY FAITH-BASED ORGANIZATIONS (JUNE 2016)

a. Faith-Based Organizations; Encouraged Faith-based organizations are eligible, on the same basis as any other organization, to participate in any USAID program for which they are otherwise eligible. Neither USAID nor entities that make and administer subawards of USAID funds shall discriminate for or against an organization on the basis of the organization's religious character or affiliation. Additionally, religious organizations shall not be disqualified from participating in USAID programs because such organizations are motivated or influenced by religious faith to provide social services, or because of their religious character or affiliation. Decisions about awards of USAID financial assistance must be free from political interference or even the appearance of such interference. Awards must be made on the basis of merit, not the basis of the religious affiliation of an Applicant, or lack thereof. A faith-based organization may continue to carry out its mission, including the definition, development, practice, and expression of its religious beliefs, within the limits contained in this provision. For more information, see the USAID Faith Based and Community Initiatives Web site and 22 CFR 205.1.

b. Explicitly Religious Activities Prohibited.

(1) Explicitly religious activities include activities that involve overt religious content such as worship, religious instruction, prayer, or proselytization.

(2) The recipient must not engage in explicitly religious activities as part of the programs or services directly funded with financial assistance from USAID. If the recipient engages in explicitly religious activities, the activities must be offered separately, in time or location, from any programs or services directly funded by this award, and participation must be voluntary for beneficiaries of the programs or services funded with USAID assistance.

(3) These restrictions apply equally to religious and secular organizations. All organizations that participate in USAID programs, as recipients or subawardees, including religious ones, must carry out eligible activities in accordance with all program requirements and other applicable requirements governing USAID funded activities.

(4) Notwithstanding the restrictions of b.(1) and (2), a religious organization that participates in USAID-funded programs or services:

(i) May retain its independence and may continue to carry out its mission, including the definition, development, practice, and expression of its religious beliefs, provided that it does not use direct financial assistance from USAID to support or engage in any explicitly religious activities or in any other manner prohibited by law;

(ii) May use space in its facilities, without removing religious art, icons, scriptures, or other religious symbols; and

(iii) May retain its authority over its internal governance, and may retain religious terms in its organization's names, select its board members on a religious basis, and include religious references in its organization's mission statements and other governing documents.

c. Implementation in accordance with the Establishment Clause: Nothing in this provision shall be construed as authorizing the use of USAID funds for activities that are not permitted by Establishment Clause jurisprudence or otherwise by law.

d. Discrimination Based on Religion Prohibited: The recipient must not, in providing services, discriminate against a program beneficiary or potential program beneficiary on the basis of religion or religious belief, refusal to hold a religious belief, or a refusal to attend or participate in a religious practice.

e. A religious organization's exemption from the Federal prohibition on employment discrimination on the basis of religion, set forth in Sec. 702(a) of the Civil Rights Act of 1964, 42 U.S.C. 2000e-1 is not forfeited when the organization receives financial assistance from USAID.

f. The Secretary of State may waive the requirements of this section in whole or in part, on a case-by-case basis, where the Secretary determines that such waiver is necessary to further the national security or foreign policy interests of the United States.

g. This provision must be included in all subawards under this award.

IV. CONFLICT OF INTEREST (August 2018)

a. A conflict of interest in the award, administration, or monitoring of subawards arises when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of these parties, has a financial or other interest in or a tangible personal benefit from a non-federal entity considered for a subaward. The officers, employees, and agents of the non-federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from subrecipients or parties to subawards. However, pass-through entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the pass-through entity.

b. The recipient must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of subawards. The recipient safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

c. The non-federal entity must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflicts of interest means that because of relationships with a parent company, affiliate, or subsidiary organization, the non-federal entity is unable or appears to be unable to be impartial in conducting a subaward action involving a related organization.

d. The recipient must have a system or systems in place to address, resolve, and disclose to USAID any conflicts of interest as described in this provision that affect any subaward regardless of the amount funded under this award.

e. The recipient must disclose any conflict of interest and the recipient's approach for resolving the conflict of interest to the cognizant Agreement Officer for the award within 10 calendar days of the discovery of the conflict of interest.

f. Upon notice from the recipient of a potential conflict of interest and the approach for resolving it, the Agreement Officer will make a determination regarding the effectiveness of the recipient's actions to resolve the conflict of interest within 30 days of receipt of the recipient's notice, unless the Agreement Officer advises the recipient that a longer period is necessary.

g. The recipient cannot request payment from USAID for costs for transactions subject to the conflict of interest pending notification of USAID's determination. Failure to disclose a conflict of interest may result in cost disallowances.

h. For conflicts of interest, including organizational conflicts of interest, involving contracts, the recipient must follow 2 CFR 200.318, general procurement standards.

i. The recipient must insert the substance of this provision, including paragraph (i), in all subawards under this award, at any subaward tier.

**V. PROHIBITION ON THE PROMOTION OR ADVOCACY OF THE
LEGALIZATION OR PRACTICE OF PROSTITUTION OR SEX TRAFFICKING
(ASSISTANCE) (SEPTEMBER 2014)**

(a) The U.S. Government is opposed to prostitution and related activities, which are inherently harmful and dehumanizing, and contribute to the phenomenon of trafficking in persons. None of the funds made available under this agreement may be used to promote or advocate the legalization or practice of prostitution or sex trafficking. Nothing in the preceding sentence shall be construed to preclude the provision to individuals of palliative care, treatment, or post-exposure pharmaceutical prophylaxis, and necessary pharmaceuticals and commodities, including test kits, condoms, and, when proven effective, microbicides.

(b)(1) Except as provided in (b)(2), by accepting this award or any subaward, a nongovernmental organization or public international organization awardee/subawardee agrees that it is opposed to the practices of prostitution and sex trafficking.

(b)(2) The following organizations are exempt from (b)(1):

(i) the Global Fund to Fight AIDS, Tuberculosis and Malaria; the World Health Organization; the International AIDS Vaccine Initiative; and any United Nations agency.

(ii) U.S. non-governmental organization recipients/subrecipients and contractors/subcontractors.

(iii) Non-U.S. contractors and subcontractors if the contract or subcontract is for commercial items and services as defined in FAR 2.101, such as pharmaceuticals, medical supplies, logistics support, data management, and freight forwarding.

(b) (3) Notwithstanding section (b)(2)(iii), not exempt from (b)(1) are non-U.S. recipients, subrecipients, contractors, and subcontractors that implement HIV/AIDS programs under this assistance award, any subaward, or procurement contract or subcontract by:

(i) Providing supplies or services directly to the final populations receiving such supplies or services in host countries;

(ii) Providing technical assistance and training directly to host country individuals or entities on the provision of supplies or services to the final populations receiving such supplies and services; or

(iii) Providing the types of services listed in FAR 37.203(b)(1)-(6) that involve giving advice about substantive policies of a recipient, giving advice regarding the activities referenced in (i) and (ii), or making decisions or functioning in a recipient's chain of command (e.g., providing managerial or supervisory services approving financial transactions, personnel actions).

(c) The following definitions apply for purposes of this provision:

“Commercial sex act” means any sex act on account of which anything of value is given to or received by any person.

“Prostitution” means procuring or providing any commercial sex act and the

“practice of prostitution” has the same meaning.

“Sex trafficking” means the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act (22 U.S.C. 7102(9)).

(d) The Recipient must insert this provision, which is a standard provision, in all subawards, procurement contracts or subcontracts for HIV/AIDS activities.

(e) This provision includes express terms and conditions of the award and any violation of it shall be grounds for unilateral termination of the award by USAID prior to the end of its term.

VI. REPORTING SUBAWARDS AND EXECUTIVE COMPENSATION (DECEMBER 2015)

a. Reporting of First-Tier Subawards.

(1) Applicability. Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this award term).

(2) Where and when to report.

(i) You must report each obligating action described in paragraph a.(1) of this award term to www.fsrs.gov.

(ii) For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)

(3) What to report. You must report the information about each obligating action that the submission instructions posted at www.fsrs.gov specify.

b. Reporting Total Compensation of Recipient Executives.

(1) Applicability and what to report. You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if –

- (i) The total Federal funding authorized to date under this award is \$25,000 or more;
- (ii) In the preceding fiscal year, you received—

(A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

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

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

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

- (i) As part of your registration profile at www.sam.gov/.
- (ii) By the end of the month following the month in which this award is made, and annually thereafter.

c. Reporting of Total Compensation of Subrecipient Executives.

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

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

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

(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and

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

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

(i) To the Recipient.

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

d. Exemptions.

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

(1) Subawards, and

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

e. Definitions.

For purposes of this award term:

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

(i) A governmental organization, which is a State, local government, or Indian tribe;

(ii) A foreign public entity;

(iii) A domestic or foreign nonprofit organization;

(iv) A domestic or foreign for-profit organization;

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

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

(3) Subaward:

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

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

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

(4) Subrecipient means an entity that:

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

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

- (i) Salary and bonus.
- (ii) Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
- (iii) Earnings for services under nonequity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
- (iv) Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.
- (v) Above-market earnings on deferred compensation which is not tax-qualified.
- (vi) Other compensation, if the aggregate value of all such other compensation (for example, severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

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

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

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

- (1) Must notify potential subrecipients that no entity (see definition in paragraph c. of this award term) may receive a subaward from you unless the entity has provided its DUNS number to you.
- (2) May not make a subaward to an entity unless the entity has provided its DUNS number to you.

c. Definitions. For purposes of this award term:

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

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

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

(i) A governmental organization, which is a State, local government, or Indian tribe;

(ii) A foreign public entity;

(iii) A domestic or foreign nonprofit organization;

(iv) A domestic or foreign for-profit organization; and

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

(4) Subaward:

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

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

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

(5) Subrecipient means an entity that:

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

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

**VIII. CONSCIENCE CLAUSE IMPLEMENTATION (ASSISTANCE) –
SOLICITATION PROVISION (February 2012)**

i. An organization, including a faith-based organization, that is otherwise eligible to receive funds under this agreement for HIV/AIDS prevention, treatment, or care—

1) Shall not be required, as a condition of receiving such assistance—

(i) to endorse or utilize a multisectoral or comprehensive approach to combating HIV/AIDS; or

(ii) to endorse, utilize, make a referral to, become integrated with, or

otherwise participate in any program or activity to which the organization has a religious or moral objection;

and

2) Shall not be discriminated against in the solicitation or issuance of grants, contracts, or cooperative agreements for refusing to meet any requirement described in paragraph (i)(1) above.

ii. An Applicant who believes that this solicitation contains provisions or requirements that would require it to endorse or use an approach or participate in an activity to which it has a religious or moral objection must so notify the cognizant Agreement Officer in accordance with the Mandatory Standard Provision titled "Notices" as soon as possible, and in any event not later than 15 calendar days before the deadline for submission of applications under this solicitation. The Applicant must advise which activity(ies) it could not implement and the nature of the religious or moral objection.

iii. In responding to the solicitation, an Applicant with a religious or moral objection may compete for any funding opportunity as a prime partner, or as a leader or member of a consortium that comes together to compete for an award. Alternatively, such Applicant may limit its application to those activities it can undertake and must indicate in its submission the activity(ies) it has excluded based on religious or moral objection. The offeror's proposal will be evaluated based on the activities for which a proposal is submitted, and will not be evaluated favorably or unfavorably due to the absence of a proposal addressing the activity(ies) to which it objected and which it thus omitted. In addition to the notification in paragraph (ii) above, the Applicant must meet the submission date provided for in the solicitation.

IX. LIMITATION ON SUBAWARDS TO NON-LOCAL ENTITIES (JULY 2014)

(a) By submission of an application and execution of the award, the Applicant/recipient agrees that at least fifty (50) percent of the cost of award performance incurred for personnel must be expended for employees of the prime/local entity.

(b) By submission of an application and execution of the award, the Applicant/Recipient represents that it is an individual, a corporation, a nonprofit organization, or another body of persons that:

- (1) Is legally organized under the laws of;
- (2) Has as its principal place of business or operations in;
- (3) Is majority owned by individuals who are citizens or lawful permanent residents of; and
- (4) Is managed by a governing body the majority of who are citizens or lawful permanent residents of the country in which this award will be primarily performed.

(c) For purposes of this provision, "majority owned" and "managed by" include, without limitation, beneficiary interests and the power, either directly or indirectly, whether exercised or exercisable, to control the election, appointment, or tenure of the organization's managers or a majority of the organization's governing body by any means.

F.4 Quarterly Financial Reporting

i. Quarterly financial reporting:

The recipient will submit a quarterly Financial Report to the Agreement Officer's Representative (AOR) within 30 days after the end of each quarter of the fiscal year during the performance period.

Quarterly financial reports should contain, at a minimum:

- Total funds awarded to date by USAID into the agreement;
- Total funds previously reported as expended by Recipient main line items;
- Total funds expended in the current quarter by the Recipient by the main line items;
- Total un-liquidated obligations by main line items; and,
- Unobligated balance of USAID funds

ii. Annual Program Expenditure Reporting:

Since 2018, the USG introduced a new annual reporting requirement of expenditures of PEPFAR programs at the end of each fiscal year. The Expenditure Reporting (ER) will be an ongoing PEPFAR activity and is being institutionalized as part of routine PEPFAR reporting. All PEPFAR implementing partners are required to adhere to this reporting requirement. The goal of this interagency exercise is to better understand the costs USG incurs to provide a broad range of HIV services and support and subsequently use this information to improve program planning. Recipients of PEPFAR funding are required to capture PEPFAR Program Expenditures in an Excel form which will be uploaded and submitted using the Data for Accountability, Transparency and Impact (DATIM).

Program Planning and Reporting

The recipient will submit reports to the USAID AOR as described below:

i. Annual Implementation work plans

The Recipient will submit annual implementation plans to the Agreement Officer's Representative (AOR). The annual implementation plans will describe activities to be conducted at a greater level of detail than the Program Description, but shall be cross referenced with the applicable sections in the agreement Program Description and the related year's Country Operational Plan (COP).

ii. Monitoring, Evaluation and Learning Plan

A rigorous monitoring and evaluation system for the Activity, including adequate staffing, technical support and information systems for routine data collection and analytics, is required.

PEPFAR indicators will be used to report performance. A complete list of the indicators used by PEPFAR can be found in PEPFAR's Monitoring Evaluation and Reporting (MER) Indicators Reference Guide at www.pepfar.gov. The Recipient will work closely with USAID to finalize indicators and set performance targets based on USAID and PEPFAR guidance and requirements. The Recipient will be responsible for data collection, analysis, and performance reporting required by USAID and PEPFAR per defined daily, weekly, monthly, quarterly and annual results reporting cycle. Data will be used to evaluate Recipient performance, drive decisions, guide course corrections as needed, and determine future funding. Data are reported to USAID/Burundi and the Office of the Global AIDS Coordinator/Washington (OGAC) using the Data for Accountability Transparency and Impact (DATIM) among other systems. Within 60 days of the award, the Recipient will submit to USAID for approval a Monitoring, Evaluation and Learning (MEL) Plan covering the life of the Activity. The MEL Plan is a performance management tool to plan

and manage the process of assessing and reporting progress toward achieving objectives, and will include specific, detailed plans to document, monitor and evaluate program performance. The MEL Plan will be updated annually with results must achieved against targets.

The MEL plan must describe how:

- Results will be measured;
- Baseline data will be measured;
- Outputs will contribute to results;
- Program data will be collected, collated, analyzed and used.
- Layering of interventions will be tracked for beneficiaries;
- OVC outcome indicators will be tracked;
- Program learning will be systematically documented and used;
- Enrolment tools and case management tools will be developed and used, especially for OVC; and

The MEL Plan will establish specific, quantifiable performance indicators and targets for overall results included in the original application and activities in the annual work plans; describe the establishment of monitoring systems to measure program progress against overall objectives; and present a plan for data collection and measurement of program objectives and expected outputs, including collection of baseline data, and for the use of data collected by the program to improve program planning and performance. Efforts should be made, to the extent possible, to build on existing national data.

For each indicator, the MEL Plan should provide interim and final targets, data sources, collection methods, and baseline information or a timeline for collecting it. Additional indicators should be developed by the Recipient in collaboration with the AOR, such as measures of reductions in risk behaviors or increases in service uptake among target populations. Data sources and collection methodologies should also be noted for each monitoring and evaluation component. In addition to the direct program output indicators, the Recipient should provide data on the coverage and layering of interventions, as well as an evaluation plan for project outcomes. The Recipient should include qualitative data on program achievements and results.

The MEL Plan must demonstrate understanding of PEPFAR indicators, other program indicators, and reporting requirements, including a log frame that explains how data will be collected, verified and reported to document project progress. Data quality is a critical component of USAID, and the Recipient should develop systems to ensure data quality and be prepared for data quality audits and Site Improvement through Monitoring System (SIMS) assessments. The MEL Plan will be revised as appropriate on an ongoing basis in collaboration with the USG and the Host Government and routine data quality assessments will be required.

iii. Performance Reporting

a. Quarterly Progress Reports

The Recipient shall submit quarterly narrative performance reports to USAID to reflect results and activities of each preceding quarter utilizing a reporting template provided by USAID. Reports are to be submitted within 30 days of the end of each quarter, or by a date as directed by USAID. Narrative performance reports shall be submitted by email to the AOR and the Agreement Officer. The narrative report shall describe progress made during the reporting period and assess overall progress to that date versus agreed upon indicators including the agreement-level outputs achieved, using the agreement-level performance indicators established in the annual implementation plan for that quarter. The reports shall also describe the accomplishments of the Recipient and the progress made during the past quarter and shall include information on all activities, both ongoing and completed during that quarter. The quarterly

reports shall highlight any issues or problems that are affecting the delivery or timing of services provided by the Recipient. The reports will include financial information on the expense incurred, available funding for the remainder of the Activity and any variances from planned expenditures.

In addition to submitting the detailed report to the AOR, the Recipient will be required to input achievements directly into the reporting system that PEPFAR is using at the time of reporting, which currently is DATIM and DHIS. The frequency of reporting into the system depends on the PEPFAR indicators that the project reports on. PEPFAR regularly provides guidance on the frequency of reporting for each indicator. The guidance will be shared with the Recipient as it becomes available.

The quarterly progress reports shall include the following information at a minimum: (i) a summary of activities and key achievements; (ii) a description of progress made during the reporting period and actual achievements; and (iii) an assessment of overall progress to date against PEPFAR-defined performance indicators, and the planned outputs for the reporting period in the annual implementation plan.

The reports should also highlight key accomplishments and any issues that are affecting the timing of activities, steps being taken or proposals being made to resolve issues, plans and intended outputs for the following quarter.

b. Annual Performance Reports (APR)

The Recipient will be required to prepare and submit performance reports reflecting more detailed data on achievements against the PEPFAR indicators on an annual basis in the Annual Progress Report (APR) or as requested by the US Government Office of Global AIDS Coordinator (OGAC). This report shall include information on the agreed upon list of indicators, the original targets, the targets achieved to date and a narrative for each indicator which include reasons justifying the under or over achievement. This report shall be submitted to the AOR by October 30th in order to ensure that information on partner performance, especially numbers reached, is incorporated into the Country APR. OGAC may on occasion have other performance reporting requests that the Recipient will be expected to comply with in a timely manner. The annual progress report shall be a review of the previous year's accomplishments relative to the MEL Plan, including challenges and success stories. Problems or issues encountered and how they were resolved shall be presented in the report. The report shall be submitted to the AOR within 30 calendar days after the end of the USG fiscal year (September 30). It shall be submitted in lieu of the fourth quarterly performance report. The annual report shall include a discussion, supported with quantitative and qualitative evidence, (which evidence shall remain auditable under the terms of the agreement and USAID program implementation procedures), of progress against indicators and/or impacts achieved to date. This shall include clear identification of which impacts achieved were within the manageable interests of the Recipient and which were likely catalyzed by Recipient-supported initiatives, leading to substantial, sustained achievement of results. The final versions of the annual progress reports require AOR approval.

c. Final Agreement Completion Report The Recipient shall prepare and submit three copies of a final/completion report to the AOR which summarizes the accomplishments of this agreement, methods of work used, budget and disbursement activity, and recommendations regarding unfinished work and/or program continuation. The final/completion report shall also contain an index of all reports and information products produced under this agreement. The report shall be submitted no later than 90 days following the estimated completion date of the agreement.

d. Close-out Plan Six months prior to the completion date of the agreement, the Recipient will submit a closeout plan for AOR approval. The close-out plan will include, at a minimum, an illustrative property disposition plan, a plan for the phase-out of in-country operations, a delivery schedule for all reports or other deliverables required under the cooperative agreement and a timetable for completing all required

actions in the close-out plan, including the submission date of the final property disposition plan to the Agreement Officer.

F.6 Development Experience Clearinghouse Requirements

Consistent with ADS 540 Development experience documentation may be submitted.

- Online: <http://www.usaid.gov/results-and-data/information-resources/development-experience-clearinghouse-dec>
- By mail (for pouch delivery):

USAID Development Experience Clearinghouse
M/CIO/ITSD/KM/DEC
Ronald Reagan Building M. 01
U.S. Agency for International Development
Washington, DC 20523

For questions on DEC submissions, contact
M/CIO/ITSD/KM/DEC
Telephone: +1 202-712-0579
E-mail: DocSubmit@usaid.gov

F.7 Branding Strategy & Marking Plan

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

Branding Strategy

- 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 AOR 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 timeframe specified by the AO 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. USAID/ Burundi will require implementing partners to procure magnets to label USAID funded vehicles. When vehicles are being used for non-administrative purposes, the magnets should be adhered; at all other times the magnets should be removed. These costs are subject to the revision and negotiation with the AO 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 <https://www.usaid.gov/branding>, unless the NOFO 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 announcement, billboards, Web sites, and so forth, as appropriate.
 - (iii) Provide any plans to announce and promote publicly this program or project to host country citizens, such as media releases, press conferences, public events, and so forth. Applicant must incorporate the USAID Identity and the message, “USAID is from the American People.”
 - (iv) Provide any additional ideas to increase awareness that the American people support this project or program.
- (5) Information on any direct involvement from host-country government or ministry, including any planned acknowledgement of the host-country government.
- (6) Any other groups whose logo or identity the applicant will use on program materials and related materials. Indicate if they are a donor or why they will be visibly acknowledged, and if they will receive the same prominence as USAID.
- f. The AO 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.

Marking Plan

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 landmark, 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 <https://www.usaid.gov/branding>. The NOFO 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 AO 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 AO 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 AO 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 AO 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.

F.8 Environmental Compliance

F.8.1 General

- The Foreign Assistance Act of 1961, as amended, Section 117 requires that the impact of USAID’s activities on the environment be considered and that USAID include environmental sustainability as a central consideration in designing and carrying out its development programs. This mandate is

codified in Federal Regulations (22 CFR 216) and in USAID's Automated Directives System (ADS) Parts 201.5.10g and 204 (<http://www.usaid.gov/policy/ADS/200/>), which, in part, require that the potential environmental impacts of USAID-financed activities are identified prior to a final decision to proceed and that appropriate environmental safeguards are adopted for all activities. The recipient environmental compliance obligations under these regulations and procedures are specified in the following paragraphs of cooperative agreement.

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

F.8.2 Compliance with the IEE

An Initial Environmental Examination (IEE) has been approved for the USAID Burundi PAD funding this Activity. The IEE covers activities expected to be implemented under this Award. USAID has determined that a Negative Determination with conditions applies to one or more of the proposed interventions. This indicates that if these interventions are implemented subject to the specified conditions, they are expected to have no significant adverse effect on the environment. The applicant shall be responsible for implementing all IEE conditions pertaining to interventions to be funded under this award. USAID has determined that a Negative Determination with conditions applies to one or more of the proposed activities. This indicates that if these interventions are implemented subject to the specified conditions, they are expected to have no significant adverse effect on the environment. The recipient shall be responsible for implementing all IEE conditions pertaining to activities to be funded under this NOFO.

F.8.3. Implementation Plans

- As part of its initial Implementation Plan, and all Annual Implementation Plans thereafter, the recipient, in collaboration with the USAID AOR and Mission Environmental Officer (MEO) or BEO, as appropriate, shall review all ongoing and planned interventions under this fixed amount award to determine if they are within the scope of the approved Regulation 216 environmental documentation.
- If the recipient plans any new interventions outside the scope of the approved Regulation 216 environmental documentation, it shall prepare an amendment to the documentation for review and approval of MEO or BEO. No such new intervention shall be undertaken prior to receiving written USAID approval of environmental documentation amendments.
- Any ongoing 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 from USAID.

F.8.4 Mitigation Measures and Monitoring

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

- Unless the approved Regulation 216 documentation contains a complete Environmental Mitigation and Monitoring Plan (EMMP) or a project Mitigation and Monitoring (M&M) plan, the recipient shall prepare an EMMP or M&M Plan describing how the recipient will, in specific terms, implement all IEE and/or EA conditions that apply to proposed project activities within the scope of the award. The EMMP or M&M Plan shall include monitoring the implementation of the conditions and their effectiveness.
- Integrate a completed EMMP or M&M Plan into the initial implementation plan.
- Integrate an EMMP or M&M Plan into subsequent Annual implementation plan, making any necessary adjustments to activity implementation in order to minimize adverse impacts to the environment.

END OF SECTION F

SECTION G: FEDERAL AWARDING AGENCY CONTACT(S)

G.1 Agreement Officer for this Award resulting from this NOFO

Peggy L. Manthe
USAID/Rwanda,
pmanthe@usaid.gov

G.2 Points of Contact for Questions and Submission of Applications

Peggy L. Manthe
USAID/Rwanda
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Liliane Gatunange
Acquisition & Assistance Specialist
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END OF SECTION G

SECTION H: OTHER INFORMATION

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

List of Annexes

The following documents are included as Annexes to the NOFO to provide additional information to the prospective applicants.

Annex A - List Acronyms

Annex B - Budget Template

Annex C - Eligibility Checklist

Web links

- Grants.gov : www.grants.gov
- PEPFAR Gender Strategy:
<https://www.pepfar.gov/reports/guidance/genderstrategy/index.htm>
- The following link includes useful information for potential Applicants about working with USAID: <https://www.usaid.gov/work-usaid/how-to-work-with-usaid>
- SF-424 series: <http://www.grants.gov/web/grants/forms/sf-424-family.html>
- Cable no. 119780 - Salary Supplements for Host Government Employees
: <http://www.usaid.gov/ads/policy/300/119780>

END OF SECTION H