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## HIV REFORM IN ACTION

Request for Applications:

“Creating the conditions for a sustainable response to the HIV epidemic”

RFA: 2016-11

**10 June 2016**

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## List of Acronyms and Abbreviations

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AIDS	Acquired Immune Deficiency Syndrome
CME	Continuous Medical Education
CPD	Continuous Professional Development
GoU	Government of Ukraine
HCT	HIV Counselling and Testing
HIV	Human Immunodeficiency Virus
HIVrIA	HIV Reform in Action (project)
HO	Home Office
HRH	Human Resources for Health
LLP	Limited Liability Partnership
MAT	Medication Assisted Treatment
MSM	Men who Have Sex with Men
NGO	Non-Governmental Organization
PEPFAR	President's Emergency Plan For AIDS Relief
PHC	Primary Health Care
PLWH	People Living with HIV
PLWHA	People Living with HIV/AIDS
PWID	People who Inject Drugs
RFA	Request for Application
SOW	Scope of Work
SW	Sex Workers
TA	Technical Assistance
TBD	To Be Determined
TEC	Technical Evaluation Committee
TOR	Terms of reference
UAH	Ukrainian Hrivnas (local currency)
USAID	United States Agency for International Development
USD	United States Dollar
USG	United States Government

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## 1 SUMMARY

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### 1.1 USAID HIV REFORM IN ACTION Project Summary

**HIV Reform in Action** is a five-year USAID project in Ukraine implemented by Deloitte Consulting from October 2013.

**The purpose of the project** is to strengthen Ukraine's health system to ensure effective and sustainable delivery of HIV/AIDS prevention, care and treatment services to key populations.

**The purpose will be achieved through the following major objectives:**

- (1) Enhance national leadership and capacity for evidence-based and gender-sensitive HIV policy programming and implementation;
- (2) Improve and optimize resource allocation and financing for the national and selected regional HIV/AIDS programs targeting key populations;
- (3) Optimize and strengthen human resources for health (HRH) for the delivery and scale-up of gender-sensitive HIV/AIDS services targeting key populations.

This Grant is issued under Objective 1 the HIV Reform in Action project will focus on funding allocations for RAPs in the regions and national funding allocations for implementation of the national sustainability strategy.

### 1.2 Requests for Application (RFA) Summary

The USAID HIV Reform in Action Project (HIVRiA Project) requests applications from qualified organizations to undertake activities named “**Creating the conditions for a sustainable response to the HIV epidemic**”.

This solicitation requests applications from eligible partners to achieve the following objectives:

1. Analyze, synthesize, and disseminate data and information to engage policy and advocacy audiences to act;
2. Design and conduct an Advocacy campaign aimed to ensure adequate funding for national and selected regional AIDS programs;
3. Strengthen capacity of change agents in advocacy, policy communications and strategic negotiations;
4. Conduct advocacy activities to promote electronic procurement of HIV/AIDS commodities.

Applications should present a technical approach and activities that will be undertaken to complete grant phases listed below and achieve the goals of the activities described in the detailed scope of work (SOW) specified in Section 3 of the RFA.

**Period of Performance:** The period of performance for the grant is about 8 month from the date of Grant Award. Grant activity is planned from **August 1, 2016 to March 30, 2017**. The application work plan and budget should reflect the period of performance.

**Proposal Evaluation:** A Technical Evaluation Committee will review all Applications against the evaluation criteria described in Section 6. **The minimum score to be considered for grant funding is 70 points.**

***Funding Range and Conditions:*** USAID HIV Reform in Action Project intends to award one grant **up to 100,000 USD**. Funding will be subject to donor approval, availability of funds and demonstrated successful past performance. **Funding will be disbursed in local currency (UAH).**

***Submission Deadlines:*** Your application is due by **23:59** Ukraine time (UTC + 02:00) on **July 1, 2016**. Questions regarding the grant should be submitted by the end of the business day **on June 20, 2016** and responses to questions will be provided by **June 22, 2016**.

Informational workshop/webinar will be held on **June 17, 2016**, at 15:00 Ukraine time to clarify grant procedures and grant objectives. Registration via e-mail [grant@hss-share.net.ua](mailto:grant@hss-share.net.ua) by **15:00** local time, **June 16, 2016**.

The RFA has three Attachments that are relevant to the application development:

Attachment 1: Application Template

Attachment 2: Budget template

Attachment 3: Grant Applicants Handbook (Includes Grant Award template)

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## 2 INSTRUCTIONS FOR APPLICANTS

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### 2.1 General

- All organizations are under no obligation to submit an application.
- Applicants will not be reimbursed by USAID HIV Reform in Action Project for any costs incurred in connection with the preparation and submission of the application.
- Applicants may submit only one application under this RFA.
- For the purposes of interpretation of these Instructions to Applicants, the periods named herein shall be consecutive calendar days.
- USAID HIV Reform in Action Project reserves the right not to make an award.
- These Instructions to the Applicants will not form part of the offer or Grant Award. They are intended solely to aid the Applicants in the preparation of their applications.

### 2.2 RFA Contact Information

HIV Reform in Action Project Office  
Attention: Olena Korduban  
Address: 52A, B. Khmelnytskogo Str., 5<sup>th</sup> floor, 01030 Kyiv, Ukraine  
Tel: +380 44 281 23 76  
Email: [grant@hss-share.net.ua](mailto:grant@hss-share.net.ua)

### 2.3 Questions and Clarifications

- **Method:** Only written questions and requests for clarification will receive a response. Send questions about this RFA by email to the RFA Contact noted above.
- **Date for receipt:** All questions and requests for clarification must be received by close of business (COB) **June 20, 2016** to the email address noted above. Only questions received by this date will receive a response.
- **Responses:** We anticipate providing responses to the requests for clarifications by **June 22, 2016**.
- An informational workshop will be held on **June 17, 2016 at 15:00 Ukraine time** to clarify grant procedures and grant objectives. Registration can be requested via e-mail [grant@hss-share.net.ua](mailto:grant@hss-share.net.ua) by **15:00 Ukrainian time, June 16, 2016**.

### 2.4 Application Due Date and Time

Closing Date: **July 01, 2016**  
Closing Time: **23:59** Ukrainian time (UTC + 02:00)

### 2.5 Application Delivery Address

The proposal packages should be sent electronically to the email address(es) listed below:

Olena Korduban, Grant Manager: [grant@hss-share.net.ua](mailto:grant@hss-share.net.ua)

All electronic file names should include the organization's name and the title of the document. The Applicant should retain copies for their records, as the application received will not be returned. Project staff will confirm receipt of proposals via email.

### 2.6 Type of Award

Deloitte anticipates the award of one Fixed Amount Award.

## 2.7 Submission Requirements

- **Language:** The application and all associated correspondence must be in English. However, applications submitted in Ukrainian will also be reviewed if applicant submits in English: 1) application's technical proposal; 2) CV's summary for Key Personnel including relevant experience and past performance, current job position, and unique skills.  
Any award document resulting from this request will be in English.
- **Currency:** The cost must be presented in UAH.
- **Method:** Electronic copy
- **Marking:** USAID Project HIV Reform in Action RFA # 2016-11
- **Authorized Signer:** Application must be signed by a person duly authorized to submit an Application on behalf of the Applicant and to bind the Applicant to the Application.
- **Authorized Personnel.** Provide name, title, email, and telephone number of the person or persons in the entity who are authorized to discuss and accept a grant, if awarded.

## 2.8 Eligibility

To be eligible to apply for and receive funding under an USAID HIV Reform in Action Project Grant Award, potential applicant must meet the following criteria:

- Non-government organizations and/or institutions (not-for-profit and for-profit), regional or national, legally established in the country, professional organizations and universities which have a provision in their bylaws for receiving grants, research institutions are eligible to apply.
- Individuals, political organizations, foreign owned organizations, government institutions and religious groups are **not eligible to apply**.
- **Have a DUNS number for grants over \$25,000. (USAID Project HIV Reform in Action applicants can apply on <http://fedgov.dnb.com/webform>)**
- **Have a SAM registration for grants over \$25,000. (USAID Project HIV Reform in Action applicants can apply on <https://www.sam.gov/>)**

**Eligible organizations must demonstrate:**

- ✓ It is an institution officially registered in Ukraine not less than 3 year;
- ✓ It has experience working with GOU and OSA representatives, MPs, stakeholders in the Ukrainian healthcare system;
- ✓ At least 2 year of previous experience in relevant to grant task areas
- ✓ Experience of technical assistance provision to government and/or no-government sector in healthcare system preferred
- ✓ Experience in conducting advocacy campaigns

## 2.9 Cost Share

**The applicants are expected to cost share the implementation of the proposed grant activity by a minimum of 10% of the total cost of the grant amount.** Cost sharing is a requirement for all grants funded under the USAID HIV Reform in Action Project. The cost share contribution may be financial or in-kind (in form of goods or services) and include costs incurred by the recipient from its own funds, or grant activity costs financed with cash, services or property contributed or donated to the recipient from other non U.S. Government sources. In-kind contributions may include labor, volunteer labor, office space, conference space, etc.

Sub awards will not be allowed under USAID HIV Reform in Action Project Grants Program. Subaward means an award of financial assistance to carry out the purposes of the program in the form of money, or property in lieu of money, made under an award by a recipient to an eligible sub-recipient or by a sub-recipient to a lower tier sub-recipient. The term includes financial assistance when provided by any legal agreement, even if the agreement is called a contract. A subaward does not include a procurement contract for commodities or services.

## 2.10 Application Conditions Precedent

All Applications must be submitted in the specified format (see Section 4: Technical Application Content and Section 5: Budget Content). Applications submitted in any other format will not be considered. The applicant must also include other supporting documentation (board resolution, articles of incorporation, etc.) as may be necessary to clearly demonstrate that it meets the following conditions precedent to Application Evaluation:

- that the Applicant organization is an eligible organization legally constituted under Ukrainian law not less than three years;
- that the Applicant has the managerial commitment, as evidenced by written board of directors resolutions, strategic plans (overall long-range plan for beneficiary's organization) or other documentation, indicating that it is, or will be, implementing the objectives referred above;
- that the Applicant has no advances from USAID or a USAID contractor which have been outstanding and unliquidated for longer than 90 days, and that the organization has no grant completion report required under a grant from USAID or a USAID contractor which is more than 30 days past due.
- that at the time of application there exists no condition within the Applicant organization or with respect to the Applicant organization's management which renders the organization ineligible for a grant directly or indirectly funded by USAID.

## 2.11 Late Applications

The Applicants are wholly responsible for ensuring that their applications are received in accordance with the instructions stated herein. A late application will not be eligible for consideration and will be rejected without evaluation, even if it was late as a result of circumstances beyond the Applicant's control. A late application will be considered only if the sole cause of its becoming late was attributable to USAID HIV Reform in Action Project, Deloitte Consulting, its employees or agents.

## 2.12 Modification/Withdrawal of Applications

Any Applicant has the right to withdraw, modify or correct its offer after such time as it has been delivered to USAID HIV Reform in Action Project provided that the request is made before the offer closing date.

## 2.13 Disposition of Applications

Applications submitted in response to this RFA will not be returned.



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## 3 STATEMENT OF WORK

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### “CREATING THE CONDITIONS FOR A SUSTAINABLE RESPONSE TO THE HIV EPIDEMIC” (RFA: 2016-11)

#### 3.1 Background and Specific Challenges to be Addressed by this Grant

Since the beginning of the epidemic, significant amount of services, including prevention for key affected populations, care and support for people living with HIV, MAT programs have been supported by external donors and implemented by CSOs (NGOs, charities, faith-based and other organizations), with virtually almost no funding from the government.

Complicated political and economic situation in the country further hampers effective implementation of the national response to HIV epidemics. National HIV Program (2014-2018) were endorsed with the laws of Ukraine and are being implemented now. However, their inadequate financing leads to non- achievement of programs’ objectives and targets. Actual funding of AIDS programs is below approved funding levels. Therefore, the current level of HIV program financing in Ukraine poses a high risk for transition.

In order to improve public funding of national HIV programs, the government should: provide resources in the amount defined in the national and regional programs; secure more efficient resource allocation; gradually increase public funding for prevention, treatment, care and social support interventions; introduce co-payment mechanisms. 100% coverage with antiretroviral drugs and OST programs remains a priority for the state through the centralized procurement of regimens referred to in clinical protocols under a separate budget line, with the creation of a 6-month emergency stock.

To perform these tasks, the Ministry of Health, in collaboration with national partners, has developed a draft national sustainability strategy. The strategy was publicly discussed and is expected to be adopted by the Cabinet of Ministers in the autumn of 2016.

The grant will help to conduct advocacy campaign for the approval of the sustainability strategy and full funding of the national and regional HIV programs will contribute to a sustainable HIV response in Ukraine.

#### 3.2 Grant Objective under this Statement of Work

This grant will contribute to the achievement of HIVRIA Objective 1 – Enhance national leadership and capacity for evidence-based and gender-sensitive HIV policy programming and implementation.

Under the award, the grantee is expected to achieve the following objectives:

5. Analyze, synthesize, and disseminate data and information to engage policy and advocacy audiences to act;
6. Design and conduct an Advocacy campaign aimed to ensure adequate funding for national and selected regional AIDS programs;
7. Strengthen capacity of **change agents** in advocacy, policy communications and strategic negotiations;
8. Conduct advocacy activities to promote electronic procurement of HIV/AIDS commodities.

The activities associated with the above objectives are discussed below.

**Objective 1. Analyze, synthesize, and disseminate data and information to engage policy and advocacy audiences to act**

- 1.1. Analyze current status of financing of HIV activities from national budget.
- 1.2. Analyze targets of the national and regional HIV programs in terms of their compliance with 90-90-90 targets.
- 1.3. Prepare and disseminate information and advocacy materials for decision makers, based on the Analysis results.

**Objective 2. Advocacy campaign to adequately fund National and selected regional AIDS program**

The goal of the Advocacy campaign is to engage national and regional leaders and to mobilize resources for programs aimed at preventing HIV transmission in-country and tailored to the needs of key populations:

- 2.1. Conduct high level meetings (e.g. parliamentary hearings) with MPs, representatives of CMU, MOH, MOF, Ministry of Economic Development and Trade, MSP, to agree upon funding for the implementation of the national HIV program for 2017-2018, and HIV services sustainability, scale-up and decentralization.
- 2.2. Conduct advocacy activities aimed at the adoption of the HIV/TB Transition and Sustainability Strategy and implementation plan.
- 2.3. Conduct regional level events with OSA, regional MPs and other key stakeholders to draw attention to HIV program funding and ensure allocation of oblast resources for RAPs
- 2.4. Conduct advocacy activities aimed at the revision of targets of the NAP with a focus on scale-up of ART and MAT/OST coverage based on UNAIDS Fast Track Strategy
- 2.5. Cover progress and success stories on the achievements in funds allocation in national and regional mass media.
- 2.6. Conduct other advocacy activities at the national and local levels.

**Objective 3. Strengthen change agents capacity in advocacy, policy communications and strategic negotiations**

Effective advocacy requires that public sector and civil society champions and networks are developed and supported to assume leadership in the policy formulation and adoption processes. The grantee will provide guidance and support to strengthen KPs and CSO/FBO networks and organizations to develop advocacy capacity and to increase the visibility and leadership of PLWH, MSM, SW and PWID networks and other key populations in policy dialogue at national and regional levels.

- 3.1. Build the capacity of 45 change agents from public sector and civil society at the national and sub-national levels in advocacy and oversight
- 3.2. Prepare report on best advocacy practices and lessons learned.

**Objective 4. Advocacy of the electronic procurement of HIV/AIDS commodities**

- 4.1 Conduct feasibility assessment for implementing PROZORRO electronic procurement system for purchasing HIV commodities
- 4.2 Piloting PROZORRO for HIV commodities in 1 region
- 4.3 Conducting trainings for 7 regions on electronic procurement (PROZORRO)
- 4.4 Running PROZORRO advocacy campaigns for procurement of HIV/AIDS commodities

**3.3 Expected Results and Deliverables**

The completion of these activities will contribute to the following expected results

**Objective 1 expected Results:**

- 1.1. Narrative report with the analysis of targets of the national and regional (covering all focal regions) HIV programs in terms of their compliance with 90-90-90 targets conducted.

1.2. Narrative report with the analysis of the financing of HIV activities from national and regional (covering all focal regions) budgets conducted.

1.3. Information materials disseminated among target audiences.

**Objective 2 expected Results:**

2.1 High level meetings at national and regional levels to guarantee funding implementation of HIV activities at the level stipulated in the national and regional HIV programs conducted.

2.2. Documented evidence of securing state (national and/or regional) funding for regional HIV programs provided in the target regions.

2.3. Sustainability Strategy adopted by CMU.

2.4. Amended NAP with revised targets for ART and MAT/OST coverage scale-up based on UNAIDS Fast Track Strategy prepared and agreed with stakeholders

2.5. Success stories on the achievements in funds allocation published in national and regional mass media. .

**Objective 3 expected Results:**

3.1 Change agents are equipped with knowledge and skills to hold conversations and advocate with high-level decision makers on evidence-based policy and oversight themes.

3.2 Report on successful advocacy events prepared.

**Objective 4 Expected Results:**

4.1. Staff of HCFs and OSAs trained on PROZORRO.

4.2. Practical experience on the use of the system is gained and disseminated

**3.4 Period and Place of Performance.**

The tasks will be undertaken in Ukraine at national level and 3 regions (Odessa, Mykolaiv, Dnipropetrovsk oblasts).

The period of performance is expected to span **August 1, 2016 to March 31, 2017.**

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## 4 TECHNICAL APPLICATION CONTENTS

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All complete applications received by the deadline will be reviewed for responsiveness to the specifications outlined in the guidelines. USAID HIV Reform in Action Project may reject application if it is:

- Incomplete;
- Does not respond to the scope of work in the solicitation;
- Does not comply with the format requirements; or
- Is submitted after the deadline.

Applicants responding to this request should adhere to the following guidelines:

- Written in English
- Formatting requirements:
  - A4 paper
  - 1 inch (2.54 cm) margins on all sides
  - Single-spaced
  - Times New Roman Font – 12 point
- Include all of the components listed in the section below, in the order specified
- Maximum of 10 pages for the technical proposal (cover page and Annexes do not count towards the 10 page limit).

The Application in response to this solicitation should be organized as follows:

### A. Cover Page

Include all of the following information:

- Name, address, phone/fax number, and email of the organization
- Title of proposed project
- Name of contact person
- Duration of project
- Date submitted

### B. Applicant Data (see Attachment 1)

### C. Technical Proposal (10 pages' maximum)

Sections of the proposal should use the headings italicized below, in order.

#### *1. Project Goal, Objectives, and Geographic Focus*

Briefly describe the context of the situation in which the project will be implemented. Explain the need for the project, using evidence and data to support your justification.

Describe the project goal and objectives. Be sure that objectives are SMART (specific, measurable, achievable, time-bound, and realistic). Indicate the performance targets and other results that will be reached over the life of the project. Specify where the proposed project activities will take place. The organization must demonstrate its ability to effectively implement services in the target area (e.g. it is already working in that area or has strong relationships and can quickly expand services to that area). Applicant must be able to demonstrate “additionality” of the proposed program. Additionality is defined as a rapid scale-up or expansion of an existing program that will require minimal overhead and operational costs.

#### *2. Technical Approach*

Describe technical and strategic approaches that the organization will use to implement the project interventions. Identify best practices and evidence base/rationale that have informed the project interventions. Demonstrate that strategy is in line with the project goals.

### ***3. Description of Projects milestones.***

Provide the list of grant activity milestones using the table below. Milestones are for a verifiable product, task, deliverable or goal of the applicant to be accomplished. For Fixed Amount Awards, budget is produced by milestones and fund disbursement is made based on verification of milestone completion (see Section 5 for more details). Grant activities will be monitored and evaluated against these milestones.

Milestone Name	Milestone Verification	Expected Time of Completion
	How will the recipient document the completion of the product, task, deliverable, or goal?	

### ***4. Past performance and achievements***

Describe experience and expertise based on Applicant’s past performance and achievements, including collaboration with national and international stakeholders.

Explain Applicant’s experience and achievements in implementing similar projects, including in cooperation with national and international stakeholders.

Describe Applicant’s relationships with the target audience it serves. Demonstrate commitment to working closely with the target audience to implement project activities.

### ***5. Coordination & Collaboration***

Describe roles and involvement of various parties and stakeholders in grant activity, including local authorities, target groups and partners, and explain why these roles have been assigned to them.

Describe how the grant activity will be coordinated with local authorities, educational institutions, regional departments of health, local administrations in selected regions, etc.

### ***6. Management Approach and Organizational Capacity***

Describe how the project will be managed, including the staff positions that will implement the project and the staff person responsible for managing the project on a day-to-day basis.

Describe systems that exist or will be put in place to enable the organization to effectively manage the project. Include an organogram and a table of positions and responsibilities for this project (as an Annex).

Indicate contacts who will liaise with the USAID HIV Reform in Action Project.

Describe the organization’s experience implementing similar programs. Describe the organization’s relationships with the target populations it serves and demonstrated commitment to working closely with the target population to implement project activities.

### ***Annexes (no page limit)***

Include the following items as Annexes to the technical proposal:

- A. Project Organogram/staffing table of responsibilities
- B. CV of Project Manager and Key Personnel (max 2 pages)
- C. Project Workplan (see attached Grant Applicants Handbook, Appendices)

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## 5 BUDGET CONTENTS

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**Budget and Payment Terms.** The approximate budget f is up to 100,000 US dollars. The budget items and associated payment terms and dates according to milestones listed below will be defined based on the Grantee’s application.

**Milestones:**

Please align budget items and associated payment terms and dates with the milestones listed below.

Milestone	Timeline

**Cost Share**

To be eligible for a grant award the applicants are expected to cost share the implementation of the proposed grant activity by a minimum of 10% of the total cost of the grant activity. Cost sharing is a requirement for all grants funded under USAID HIV in Action Project.

Cost share contribution may be financial or in-kind and include any of the following:

- Labor to carry out grant activities
- Payment of non-labor costs associated with grant activities
- Leveraged funds from other sources (non-US government)
- Equipment and facilities
- In-kind donations (include labor, volunteer labor, office space, conference space etc.)

Cost share contribution must meet all of the following criteria:

- Be verifiable in the Applicant records
- Not included as contributions for any other USG federally assisted program
- Necessary and reasonable for proper and efficient accomplishment of project objectives
- Allowable under the applicable USAID regulations
- Not paid by the United States Federal Government under another grant or agreement
- Provided for in the approved budget

Sub awards will not be allowed under USAID HIV in Action Grants Program.

**Budget Content**

The Applicant must:

- Include a detailed and realistic budget using the template provided (see Attachment 2). The budgets must be prepared in the local currency (UAH) and total amounts for each milestones should be calculated in US Dollars. Budget should be based on activities described in the Technical Proposal. Budgets should not include costs that cannot be directly attributed to the activities proposed.
- Include detailed budget notes following the format of the template provided (see Budget Notes). Supporting documentation to support cost data will be required prior to award of grants. However, these documents will not be required at the time of application submission.
- All bidders must have the financial and administrative systems to adequately account for the grant funds as detailed in the extensive attachments and referenced US Government websites.

*Taxes*

No taxes, fees, charges, tariffs, duties or levies will be paid under any Grants awarded from this RFA.

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## 6 EVALUATION

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HIV REFORM IN ACTIONS will evaluate both technical and cost categories to determine whether an application provides the best value.

The evaluation criteria will be used as a guide in determining which Applications will present the best value to HIV REFORM IN ACTIONS and USAID. Each Application will be evaluated against the evaluation criteria set forth below.

Application Evaluation Criteria	Points
1. Project Goal, Objectives, and Geographic Focus	5
2. Technical Approach	20
3. Description of Project Milestones	25
4. Past Performance and Achievements	25
5. Coordination and Collaboration	15
6. Management Approach and Organizational Capacity	15
7. Budget, Budget Notes and Cost Reasonableness	15
<b>Total points</b>	<b>120</b>

### *Technical Proposal*

USAID HIV Reform in Action Project will evaluate the technical approach quantitatively based upon the evaluation factors set forth above. A technical proposal can be categorized as unacceptable when it is incomplete, does not respond to the scope, does not comply with the format requirements, or is submitted after the deadline.

### *Budget*

The proposed budget will be analyzed as part of the Application evaluation process. The Budget must be sufficiently detailed to demonstrate reasonableness and completeness. An application, including budget information, determined to be unreasonable, incomplete, or based on a methodology that is not adequately supported may be judged unacceptable.

- 1) **Reasonableness.** USAID HIV Reform in Action Project will make a determination of reasonableness based on USAID HIV Reform in Action Project's experience for similar items or services, what is available in the marketplace, and/or other competitive offers.
- 2) **Completeness.** A detailed line item budget, budget notes, assumptions, and schedules that clearly explain how the estimated amounts were derived must adequately support the Applicant's budget. USAID HIV Reform in Action Project may request additional supporting information to the extent necessary to determine whether the costs are fair and reasonable.



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## 7 REFERENCES, TERMS & CONDITIONS

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### 7.1 References

The US Government regulations that govern this grant as found at the following website:

<http://www.usaid.gov/sites/default/files/documents/1868/303.pdf>

#### Required Provisions for a Fixed Amount Awards

- (1) Mandatory Provisions from ADS 303mat, Standard Provisions for Fixed Amount Awards to Nongovernmental Organizations.
- (2) Include ONLY the applicable "Required, As Applicable" provisions from ADS 303mat, Standard Provisions for Fixed Amount Awards to Nongovernmental Organizations.

#### **REQUIRED AS APPLICABLE STANDARD PROVISIONS FOR FIXED AMOUNT AWARDS TO NONGOVERNMENTAL ORGANIZATIONS**

RAA1. FIXED OBLIGATION GRANT ADVANCE PAYMENT AND REFUNDS (JUNE 2012)

RAA2. CENTRAL CONTRACTOR REGISTRATION AND UNIVERSAL IDENTIFIER (OCTOBER 2010)

**APPLICABILITY:** *This provision is required in accordance with 2 CFR 25, Award Term for Central Contractor Registration and Universal Identifier. Agreement Officers (AOs) must include this provision in all assistance solicitations and all awards, unless the AO exempts an organization from compliance with the provision under one of the following exceptions, from paragraph d. below:*

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

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

RAA3. REPORTING SUBAWARDS AND EXECUTIVE COMPENSATION (OCTOBER 2010)

RAA4. USAID ELIGIBILITY RULES FOR PROCUREMENT OF COMMODITIES AND SERVICES (JUNE 2012)

*This provision is only applicable when specific goods or services are listed as or in milestones.*

RAA5. FLY AMERICA ACT RESTRICTIONS (AUGUST 2013)

RAA6. OCEAN SHIPMENT OF GOODS (JUNE 2012)

RAA7. REPORTING HOST GOVERNMENT TAXES (JUNE 2012)

**APPLICABILITY:** *This provision is only applicable if a host country tax may possibly be charged on items specifically listed as or in milestones in agreements that obligate or subobligate FY 2003 or later funds except for agreements funded with Operating Expense, Pub. L. 480 funds, or trust funds, or agreements where there will be no commodity transactions in a foreign country over the amount of \$500.*

**RAA8. PATENT RIGHTS (JUNE 2012)**

*APPLICABILITY: This provision is applicable to awards to small business firms or nonprofit organizations for the performance of experimental, developmental, or research work funded in whole or in part with USAID funds.*

**RAA9. EXCHANGE VISITORS AND PARTICIPANT TRAINING (JUNE 2012)**

**RAA10. INVESTMENT PROMOTION (NOVEMBER 2003)**

**RAA11. PROTECTION OF HUMAN RESEARCH SUBJECTS (JUNE 2012)**

**RAA12. STATEMENT FOR IMPLEMENTERS OF ANTI-TRAFFICKING ACTIVITIES ON LACK OF SUPPORT FOR PROSTITUTION (JUNE 2012)**

**RAA13. ELIGIBILITY OF SUBRECIPIENTS OF ANTI-TRAFFICKING FUNDS (JUNE 2012)**

**RAA14. PROHIBITION ON THE USE OF ANTI-TRAFFICKING FUNDS TO PROMOTE, SUPPORT, OR ADVOCATE FOR THE LEGALIZATION OR PRACTICE OF PROSTITUTION (JUNE 2012)**

**RAA15. VOLUNTARY POPULATION PLANNING ACTIVITIES – SUPPLEMENTAL REQUIREMENTS (JANUARY 2009)**

**RAA16. CONSCIENCE CLAUSE IMPLEMENTATION (ASSISTANCE) (FEBRUARY 2012)**

**RAA17. CONDOMS (ASSISTANCE) (SEPTEMBER 2014)**

**RAA18. PROHIBITION ON THE PROMOTION OR ADVOCACY OF THE LEGALIZATION OR PRACTICE OF PROSTITUTION OR SEX TRAFFICKING (ASSISTANCE) (SEPTEMBER 2014)**

**RAA 19. METRIC SYSTEM OF MEASUREMENT (AUGUST 1992)**

**RAA20. ACCESS TO USAID FACILITIES AND USAID'S INFORMATION SYSTEMS (AUGUST 2013)**

**RAA21. LIMITATION ON SUBAWARDS TO NON-LOCAL ENTITIES (July 2014)**

*(For use in all solicitations and resulting awards where eligibility is restricted to local or regional entities. This provision must be used for all awards financed fully or in part with FY14 funds. Please refer to [ADS 303](#), section 303.3.6.6 a.(2), "Other Exceptions to Competition – Local Competition" for additional guidance.)*

## 7.2 Terms and Conditions

- Issuing this RFA is not a guarantee that a grant will be awarded.
- Deloitte reserves the right to issue a grant based on the initial evaluation of offers without discussion.
- Deloitte may choose to award a grant for part of the activities in the RFA.
- Deloitte has the right to rescind an RFA, or rescind an award prior to the signing of a contract due to any unforeseen changes in the direction of Deloitte's client (the US Government), be it funding or programmatic.
- Deloitte reserves the right to waive any deviations by organizations from the requirements of this solicitation that in Deloitte's opinion are considered not to be material defects requiring rejection or disqualification; or where such a waiver will promote increased competition.

### *Grant Award*

A grant agreement will include the approved project description, approved budget, payment terms, reporting requirements and relevant provisions. Once executed it is a legally binding agreement between Deloitte (on behalf of the USAID HIV Reform in Action Project) and the recipient organization. Once the grant agreement is signed, it cannot be modified without prior written approval from Deloitte (on behalf of the USAID HIV Reform in Action Project). Grant Award Template is enclosed in **Grant Applicants Handbook Appendices**.

### *Grant Disbursement and Financial Management*

The grants will be disbursed in local currency and transferred only through bank transactions.

### *Reporting*

The grant agreement will detail the reporting requirements. Recipients must be willing to adhere to the reporting schedule and requirements for both programming activities and financial monitoring.

### *Monitoring*

USAID HIV Reform in Action Project staff will monitor programmatic performance. Deloitte and USAID reserve the right to review finances, expenditures and any relevant documents at any time during the project period and for three years after the completion of the project and closeout. All original receipts must be kept for three years after the formal closeout has been completed.

### *Late Submissions, Modifications and Withdrawals of Applications*

At the discretion of Deloitte, any application received after the exact date and time specified for the receipt may not be considered unless it is received before award is made and it was determined by Deloitte that the late receipt was due solely to mishandling by Deloitte after receipt at its offices.

Applications may be withdrawn by written notice via email received at any time before award. The Application may be withdrawn in person by a vendor or his authorized representative, if the representative's identity is made known and the representative signs a receipt for the application before award.

### *False Statements in Offer*

The applicant must provide full, accurate and complete information as required by this solicitation and its attachments.

### *Certification of Independent Price Determination*

(a) The offeror certifies that--

- (1) The prices in this offer have been arrived at independently, without, for the purpose of restricting competition, any consultation, communication, or agreement with any other offer or, including but not limited to subsidiaries or other entities in which offered has any ownership or other interests, or

- any competitor relating to: (i) those prices, (ii) the intention to submit an offer, or (iii) the methods or factors used to calculate the prices offered;
- (2) The prices in this offer have not been and will not be knowingly disclosed by the offeror, directly or indirectly, to any other offeror, including but not limited to subsidiaries or other entities in which offeror has any ownership or other interests, or any competitor before bid opening (in the case of a sealed bid solicitation) or contract award (in the case of a negotiated or competitive solicitation) unless otherwise required by law; and
- (3) No attempt has been made or will be made by the offeror to induce any other concern or individual to submit or not to submit an offer for the purpose of restricting competition or influencing the competitive environment.
- (b) Each signature on the offer is considered to be a certification by the signatory that the signatory--
- (1) Is the person in the offeror's organization responsible for determining the prices being offered in this bid or application, and that the signatory has not participated and will not participate in any action contrary to subparagraphs (a)(1) through (a)(3) above; or
- (2) (i) Has been authorized, in writing, to act as agent for the principals of the offeror in certifying that those principals have not participated, and will not participate in any action contrary to subparagraphs (a)(1) through (a)(3) above; (ii) As an authorized agent, does certify that the principals of the offeror have not participated, and will not participate, in any action contrary to subparagraphs (a)(1) through (a)(3) above; and (iii) As an agent, has not personally participated, and will not participate, in any action contrary to subparagraphs (a)(1) through (a)(3) above.
- (c) Offeror understands and agrees that --
- (1) violation of this certification will result in immediate disqualification from this solicitation without recourse and may result in disqualification from future solicitations; and
- (2) discovery of any violation after award to the offeror will result in the termination of the award for default.

### ***Standard Provisions***

Deloitte is required to respect the provisions of the United States Foreign Assistance Act and other United States laws and regulations. The USAID HIV Reform in Action Project Grant Program will be administered according to Deloitte's policies and procedures as well as USAID's regulations for non-U.S. non-governmental recipients. These include:

#### **1. Indirect rates**

Indirect rates such as fringe, overhead, and general and administrative (G&A) that have not been approved by a U.S. Government agency in a NICRA (Negotiated Indirect Cost Rate Agreement) may not be charged to this award. All costs charged to the project shall be directly related to the project's implementation. For additional information, please see

[www.usaid.gov/procurement\\_bus\\_opp/procurement/cib/pdf/cib92\\_17.pdf](http://www.usaid.gov/procurement_bus_opp/procurement/cib/pdf/cib92_17.pdf).

#### **2. Activities that will not be considered for funding**

In keeping with the conditions above, programs that fall within the following categories or indicate they might participate in any one of the following shall be automatically disqualified:

- Activities related to the promotion of specific political parties.
- Reconstruction or building rehabilitation projects that are not accompanied by plans for wide community use and maintenance.
- Distribution of emergency/humanitarian assistance or funds.
- Religious events or activities that promote a particular faith.
- For-profit business activities that benefit a small select group, rather than providing increased opportunities to the larger community.
- Unrelated operational expenses.

### **3. Prohibited Goods and Services**

Under no circumstances shall the recipient procure any of the following under this award, as these items are excluded by the Foreign Assistance Act and other legislation which govern USAID funding. Programs which are found to transact in any of these shall be disqualified:

- military equipment;
- surveillance equipment;
- commodities and services for support of police or other law enforcement activities;
- abortion equipment and services;
- luxury goods and gambling equipment; and
- weather modification equipment.

### **4. Restricted Goods**

The following costs are restricted by USAID and require prior approval from Deloitte and USAID:

- agricultural commodities;
- motor vehicles;
- pharmaceuticals;
- pesticides;
- fertilizer;
- used equipment; and
- U.S. Government-owned excess property

### **5. Certifications for Non-US Non-Governmental Recipients**

Applicants are required to provide the following certifications, signed by the authorized representative of the organization:

1. Assurance of Compliance with Laws and Regulations Governing Non-Discrimination in Federally Assisted Programs (this certification applies to Non-U.S. organizations if any part of the grant activity will be undertaken in the United States);
2. Certification Regarding Lobbying;
3. Prohibition on Assistance to Drug Traffickers for Covered Countries and Individuals (ADS 206);
4. Certification Regarding Terrorist Financing, Implementing Executive Order 13224.

Applicants are also required to provide the following assurances, signed by the authorized representative of the organization:

- a. That the organization has not received any funding from the USAID HIV Reform in Action Project for the preparation of the Application;
- b. That the organization has no advances from USAID or a USAID contractor which have been outstanding and un-liquidated for longer than 90 days, and the organization has no grant completion report required under a grant from USAID or a USAID contractor which is more than 30 days past due;
- c. That the organization has legal authority to apply for USAID-sponsored assistance and the institutional, managerial and financial resources to ensure proper implementation of the proposed grant activity, including funds necessary to pay the organization's contribution to the total cost of the proposed grant activity;
- d. That the organization is not requesting funding for any indirect organizational costs under the application;
- e. That, at the time of application there exists no condition within the organization or with respect to the organization's management which renders the organization ineligible for a grant directly or indirectly funded by USAID;

- f. That the organization will give the USAID HIV Reform in Action Project and /or USAID and/or their designees, access to and the right to examine all records, books, papers, or documents related to grant award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives;
- g. That no motion for enforcement has been filed before the competent court for the purpose of collecting claims over financial resources of the organization;
- h. That the organization will initiate and implement the required Branding and Marking requirements after the receipt of the approval of the award and will comply with environmental standards which may be prescribed;
- i. That the organization will comply with the relevant regulations of the U.S. Government applicable for the awards under the USAID HIV Reform in Action Project Grants Program.

Applicants that fail to provide the necessary certifications and assurances will be deemed ineligible to receive a grant. USAID HIV Reform in Action Project will take reasonable steps to check that the relevant assurances provided above are correct based on the documents provided by the organization and other information.