



State-Owned Enterprises Reform Activity in Ukraine (SOERA)

**REQUEST FOR GRANT APPLICATIONS (RFA):
State-Owned Enterprises Reform Activity in
Ukraine (SOERA)**

A USAID/UKRAINE-FUNDED PROJECT

November 22, 2022

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Authors

This request for applications was prepared by:
USAID State-Owned Enterprises (SOE) Reform Activity in Ukraine (SOERA)
Deloitte Consulting LLP, 1919 N Lynn Street, Suite 1500, Arlington, VA, USA

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1 SUMMARY

State-Owned Enterprises Reform Activity in Ukraine (SOERA) Project Description

The United States Agency for International Development (USAID) State-Owned Enterprises (SOE) Reform Activity in Ukraine (SOERA) is a 7-year Indefinite Delivery/Indefinite Quantity (IDIQ) contract that aims to assist the Government of Ukraine (GOU) and other stakeholders advance critical reforms of Ukraine's SOEs. The USAID SOERA Task Order (TO) 1 was primarily focused pre-war on SOE reform and the transparent transfer of state property into private hands through privatization, lease, and public-private partnerships. Its aims were to improve SOE governance and oversight, develop a strategic management model for SOEs remaining in state ownership, strengthen SOE business operations and transparency, and advance the privatization and lease of SOEs, municipally-owned enterprises (MOEs), and state and municipal assets. Smart reform and privatization of Ukraine's SOEs continue to be necessary to reduce opportunities for corruption, increase private sector participation in the economy, and stimulate broad-based economic growth.

On February 24, 2022, Russia launched a full-scale invasion of Ukraine and dramatically altered the trajectory of Ukraine and the lives of its people. The war only increased the urgency of SOERA's mandate to support privatization and lease due to the need to make state property available to businesses that had lost their property due to the war, were forced to relocate, and aimed to better serve the wartime economy and prepare for reconstruction. The effective management of SOEs, as well as other forms of state property, has taken on greater urgency in light of the major role they play in supporting the wartime economy, and the mandate of SOERA has been expanded to provide support to the operations of SOEs so they can overcome the damage to the infrastructure and their supply chains and provide services to the Ukrainian population.

Consequently, USAID's State-Owned Enterprises Reform Activity in Ukraine (SOERA) intends to award a grant to support the SPFU address the challenges associated with the use, management, and privatization of state-owned enterprises and assets during wartime and in preparation for post-war reconstruction

State-Owned Enterprises Reform Activity (SOERA) RFA Summary:

Scope of Work: This solicitation requests applications from eligible USAID SOERA partners to implement organizational, analytic and IT support at the State Property Fund of Ukraine (SPFU). Applicants 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.

Period of Performance: The period of performance for the grant is eighteen (18) months from date of agreement execution, with possibility for extension/amendment for up to one (1) year. The application work plan and budget should reflect the eighteen (18) month period of performance.

Proposal Selection: All applications will be reviewed to check for eligibility and completeness of the submission. All eligible and complete applications will be reviewed by a Technical Selection Committee against the review criteria described in Section 6: Selection. The minimum score to be considered for grant funding is 70 points out of the total 100 points. Applicants not selected for award will be notified by the project in writing.

Funding Range: Subject to the availability of funds, Deloitte intends to award up to one 1 grant, ranging up to 46,100,000 UAH (equivalent to approximately USD \$1,260,000 depending on the currency exchange rate), with the possibility to increase funding in extension/amendment periods at the discretion of the project team and with USAID approval. Funding for this grant will be subject to donor approval, availability of funds and demonstrated successful past performance. Funding and reimbursement will be disbursed to the

grantee in Ukrainian Hryvnia (UAH) in accordance with Deloitte financial procedures.

Submission Deadlines: Applications are due on **January 18, 2022**. Questions should be received via email to the Grants RFA Contact (see below) by **December 16, 2022**. Responses to questions will be provided by **December 21, 2022**. Information Session for applicants will be held on **January 4, 2023**. Please email grants@soera.net.ua for details and the link to the information session meeting.

Submission Method: Applicants shall find full instructions and submit their technical and Financial Applications in the standard formats prescribed in this RFA at Grants Portal (<https://dgrants.fluxx.io/apply/soera>). First time Applicants will be required to register for an account and, upon approval, will receive an email notification with the necessary log-in credentials to access the portal.

Application Requirements: The Grants portal will require submission of the following components as part of the application. All must be complete and submitted by the deadline in order to be considered:

Attachment 1: Technical Proposal

Annex A: Grant Activity Implementation Plan

Annex B: Information of Previous Assistance Awards/Contracts

Attachment 2: Budget and Budget Notes

Annex C: Supporting Data for Cost Estimates

Attachment 3: Information about Applicant

Attachment 4: Certifications and Assurances from Applicant

Annex D: Documents Demonstrating Applicant's Eligibility and Capabilities

2 INSTRUCTIONS FOR APPLICANTS

General

- Entities invited to submit an application are under no obligation to do so.
- Applicants will not be reimbursed by USAID SOERA for any costs incurred in connection with the preparation and submission of their applications.
- 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 SOERA reserves the right to conduct discussions once a successful application is identified, or to make an award without conducting discussions based solely on the written applications if it decides it is in its best interest to do so.
- USAID SOERA reserves the right not to make any award.
- These Instructions to Applicants will not form part of the offer or Grant Award. They are intended solely to aid Applicants in the preparation of their applications.

RFA Contact Information

USAID SOERA Project Office

Attention: Katya Ivanova, USAID SOERA Grants Manager

Email: kivanova@deloitte.com

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 December 16, 2022, to the email address noted above. Only questions received by this date will receive a response.

Responses: By December 21, 2022, we anticipate providing responses to the requests for clarifications. All responses will be emailed to all Applicants.

Applications Due Date and Time

Closing Date: January 18, 2022

Closing Time: 1800 hours (5pm) Kyiv time

Application Delivery Address

Proposal packages should be submitted through the Grants Portal (<https://dgrants.fluxx.io/apply/soera>).

First time Applicants will be required to register for an account and, upon approval, will receive an email notification with the necessary log-in credentials to access the portal.

The portal details submission instructions for completing a web-based application form and contains a required document and budget attachments to be included with the application.

Type of Award

USAID SOERA anticipates the award of one [1] Fixed Amount Grant Award in response to this RFA# SOER-2022-003 with a ceiling amount of up to 46,100,000 UAH (equivalent to approximately USD \$1,260,000 depending on the currency exchange rate).

Submission Requirements

Language: The application and all associated correspondence must be in English. Any award document resulting from this request will be in English.

Currency: The cost must be presented in Ukrainian Hryvnia (UAH)

Method: Electronic submission via the Fluxx Platform (Grants Portal)

Authorized Signer: Application must be submitted by a person duly authorized to submit an application on behalf of the Applicant and to bind the Applicant to the Application.

Authorized Personnel: Via the Fluxx Platform, 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.

Eligibility

To be eligible to apply for and receive funding under the USAID SOERA, potential Applicants must meet the following criteria:

1. Local non-governmental organizations legally registered in Ukraine are eligible organizations for grant awards.
2. Shouldn't appear on the "List of Parties Excluded from Federal Procurement and Non-Procurement Programs";
3. Shouldn't be individual, political party, any governmental entity or official whether at national or municipal level;
4. Shouldn't be affiliated with SOERA or any of its directors, officers or employees;
5. Organizations whose objectives are not consistent with the broad objectives of the SOERA Project are also ineligible.

Additional eligibility criteria:

6. The organization must have at least two (2) years' experience;
7. The organization must have demonstrated experience in technical areas relevant to the scope of work or grant focus;
8. The organization must have experience implementing activities in the geographic area and technical area for which it is submitting an application; given the current local operating risks in Ukraine, it is expected that the organization may complete this work remotely to the extent feasible
9. The organization has minimum absorptive capacity and demonstrates the potential to acquire and monitor sufficient capacity to manage programs in a sustainable manner;
10. The organization has a functional financial system and operating bank account;
11. The organization's other relationships, associations, activities, and interests do not create a conflict of interest that could prevent full impartiality in implementation of the grant activities; and
12. In accordance with 2 CFR 25, recipients of grant awards, foreign or domestic, of \$25,000 or more are required to obtain a Unique Entity Identifier Number (UEI) and register themselves through the SAM.gov website.

Application Conditions Precedent

All applications must be submitted in the specified format within the Fluxx Platform. Any application 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 Selection:

- That the applicant organization is an eligible organization legally constituted under Ukrainian law for at least one year; That the Applicant organization has the managerial commitment, as evidenced by written board of director's resolutions, strategic plans (overall long-range plan for Applicant's organization) or other documentation, indicating that it is, or will be, implementing the objectives referred above
- That the Applicant organization has no advances from USAID or a USAID contractor which have been outstanding and unliquidated for longer than 90 days, and that the Applicant organization has no grant completion report required under a grant from USAID or a USAID contractor which is more than 30 days past due; and
- 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.

Late Applications

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 selection, 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 it becoming late was attributable to USAID SOERA, Deloitte, its employees or agents.

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 SOERA Project provided that the request is made before the offer closing date. They may do so by notifying the Grant Point of Contact (listed above) by email.

3 PROGRAM DESCRIPTION

Background and Specific Challenges to be Addressed by this Grant

In response to Russia's invasion of Ukraine launched on February 24, 2022, and the more urgent and immediate needs of the GOU counterparts, USAID State-Owned Enterprises Reform Activity in Ukraine (SOERA) intends to award a grant to support the SPFU's Office of Sustainable Investment (SIO) address the new challenges with state-owned enterprises and assets. Ukraine's SOEs stand out among Ukraine's state institutions as critical to reform in order to reduce corruption and increase economic development. SOEs are the largest employer in Ukraine, provide critical public services to citizens, and represent a substantial share of the national economy. However, Ukraine's SOEs are inefficient and compromised by mismanagement, corruption, poor governance, weak regulations, and poor economic performance. Especially now, during the war, it is imperative to support SPFU's operations, as they are coordinating relocation of enterprises, providing housing for enterprises' employees, standing up the new state-owned assets leasing program as privatization processes are on hold, and need additional support in communicating the new information to the public.

Objective

SOERA deploys its GUC program to develop the local capacity and maximize the use of local NGOs and associations to engage in SOE reform while focusing on building capacity of local institutions, to serve as watchdogs, facilitators of reform and promote innovative approaches for partnerships that leverage additional resources and achieve sustainable development outcomes. With the significant changes to the security and operating environment on the ground in Ukraine, the SPFU counterparts reached out to SOERA with a request for support across a broad range of organizational, analytic, legal, communications IT tasks to support SOE reform, privatization, leasing, liquidation, and bankruptcy. Reorganized processes for accelerated wartime leasing and privatization require organizational and IT support, the increased need to identify non-core assets for enterprise and refugee relocation requires more labor hours, the anticipated increase in leasing during and after the war requires continuation of automation of the leasing process, which is also designed to reduce corruption. The leasing and privatization of state-owned enterprises and assets and the consequent changed procedures require communications support to get information to the public. The amount of legislation and decrees being developed as a result of the war that affect SOEs and state property requires additional legal and technical support. The push for more privatization, liquidation, and leasing to get assets in the hands of people and enterprises who have suffered wartime losses, as well as to finance the war effort, will involve policy and organization support for liquidation, bankruptcy, and public private partnerships. The identification of assets and enterprises, the determination how they can be best transferred to the private sector, and the organization and support of those processes requires legal, analytical, IT, technical, organizational, and communications support.

Indicators

The following indicators and targets are approved SOERA program indicators and targets for the entire project for program Year 3. The grantee will be responsible to contribute to the progress towards these targets during the period of performance and report to SOERA on the monthly basis.

Indicator	Type	PY3/ 2023 Target
Number of SOEs privatized or leased as a result of USG assistance (Custom)	Outcome	100
Number of laws/policies /regulations/ procedures proposed, adopted, and implemented in accordance with international standards to advance SOE reform as a result of USG assistance (disaggregated by policy target area) (Custom)	Output/Outcome	12

Specific Tasks and Activities Under the Scope of Work

The specific tasks and resources needed under each expected result:

- 1) SOE and SOE assets identified and prepared for potential privatization, lease, liquidation, and bankruptcy. (5 consultants plus 5 consultants for technical real estate documentation preparation)
 - Identify non-core assets at state entities not subject to privatization for lease and privatization with an emphasis on the western regions of Ukraine
 - Program Developed and Implemented for Privatization/Lease of Non-core Assets
 - Coordinate with the Ministry of Economy on the transfer of SOE non-core assets and state-owned recreation facilities to the SPFU for lease and privatization
 - Analyze SOEs proposed for transfer (or transferred) to the SPFU to determine whether they should be privatized or liquidated; segment these SOES to best organize workflow and prioritize legislative changes necessary to maximize number of SOEs privatized and liquidated.
 - Analyze roadblocks to privatization for specific SOEs and prioritization of SOEs for privatization and lease
 - Prepare and assemble documentation, including technical, legal, valuation, and inventory documentation, required for privatization and lease of assets and enterprises. Should legislation allow, expand this support to the bankruptcy, corporatization, and liquidation of SOEs under SPFU management.
 - Schedule and monitor the process of document preparation for the processes in the previous point
 - Identify potential investors for development of SOEs and non-core assets to meet wartime and post-war needs

- 2) Support automation of SPFU leasing and leasing reporting, including TAPAS leasing automation project for the SPFU and potential follow on automation project (3 consultants)
 - Automation of reporting of leasing data to analyze lease transactions and assets available for leasing in order to produce SPFU quarterly reports on leasing, monitor lease transactions, and identify possible incidents of corruption.
 - Quality control of automation of leasing process to ensure conformance with leasing laws, regulations, and SPFU policies, including written instructions to IT-subcontractor for program revisions

- Provide quality control of data entry of auction and lease information; correction of errors, training to eliminate errors in future
 - Consult employees of the Central Office of the SPFU and the regional offices on using newly introduced tools for automation of leasing process
- 3) Information campaigns developed for leasing and privatization of state property, (2 senior and 2 junior consultants)
- Implement SOERA developed Public Communications Strategy
 - Prepare communications materials for business associations, regional state administrations and regional representatives to support and promote leasing and privatization activity
 - Organize events to promote awareness of and participation in SPFU leasing and privatization activity
 - Prepare and implement, and develop of content for, monthly media plans
 - Prepare and implement of media plan for the leasing and privatization
 - Monitor media and create materials for social networks and media
 - Develop media responses to unfavorable coverage and disinformation
 - Develop visual aids to explain amended processes for the lease and privatization of state property to potential lessors, lessees and investors
 - Communications material may be prepared only on the following topics: privatization, leasing, liquidation, bankruptcy, enterprise relocation, PPPs, corporatization. Any other topics must be agreed explicitly with SOERA.
- 4) Reviews of legislative initiatives, governmental decrees, and procedural documents on privatization, leasing, valuation, valuation registers, PPPs, SOE bankruptcy, liquidation, corporatization, and bankruptcy completed. Changes in internal procedures, and documentation to meet demands of increased privatization, liquidation, and leasing volumes. (4 consultants)
- Monitor the external environment and legislative changes affecting assets and enterprises being privatized
 - Develop proposals for laws, decrees, and regulations on privatization, leasing, liquidation, corporatization, bankruptcy, and valuation in wartime and post-war
 - Monitor legislative activity in the areas of privatization, lease, valuation, liquidation, bankruptcy, corporatization and wartime damage assessment, and preparation of reports to SPFU management.
 - Support SPFU in interagency collaboration with privatization, leasing, bankruptcy, liquidation, and PPP policy improvement
 - Prepare privatization and leasing procedural documents for registration at the Ministry of Justice
 - With the advent of new legislation and CMU resolutions, develop SPFU internal regulations and procedures for the amended processes of state property leasing, privatization. Liquidation, bankruptcy
- 5) Further development of business process management system for privatization advanced (1 consultant)

- Complete basic programming of the Business Process Management system for the entire privatization process for state enterprises
 - Continue work on basic programming for the privatization process of stand-alone assets
- 6) Management Information Systems and Database management improved (3 consultants)
- Support for automation tasks for SOE and privatization process management
 - Administer and maintain the site www.orenda.gov.ua, www.privatization.gov.ua
 - Deliver ad-hoc IT assignments related to assessment/valuation of state property, wartime damages and wartime privatization/leasing
 - Develop and implement new system of daily, weekly, and monthly reports on privatization preparation, privatization auctions, liquidation cases, privatization, leasing preparation, and leasing auctions
 - Continue development of a portal to enable SOEs to enter key operating figures (from official statements as well as subaccounts) more frequently than standard quarterly reports so that SPFU can monitor operations.
 - Expand the scope of the abovementioned portal to include more SOEs and, if appropriate, more operating indicators
 - Prepare analyses at the request of SPFU top management (on SPFU SOE portfolio, potential assets for lease and privatization, SPFU-administered property register, wartime damages, individual enterprises, enterprises and assets slated for transfer, and auction results) to support management decision making and information materials for other GOU entities, the general public, and potential investors
- 7) Qualified professional recruited to SPFU permanent staff (1 consultant)
- Provide advice on recruitment procedures, events, identification and assessment of potential candidates

Grantee may include any additions or modifications to this list as part of their proposal technical approach.

Deliverables

The grantee will submit the following deliverables:

- 1) Submit Program Progress Reports on a monthly basis (ideally to be submitted with invoice).
- 2) Submit Program Update Reports on a weekly basis including information and statistics on intermediate results accomplished. The report must include the accomplishments for the previous week and the forecast of work for the following week.
- 3) Submit Detailed Workplans and Assignments for the upcoming week for each consultant each Friday for approval by SOERA.
- 4) Submission of project indicator data to the SOERA team on a quarterly basis. (See section "Indicators" above for more information).
- 5) Final Report to include a paragraph from each billed technical expert. Summary of work completed to be submitted with the invoice.

Payment Terms

The approximate budget for the grantee amounts to 46,100,000 UAH (equivalent to approximately USD \$1,260,000 depending on the currency exchange rate). The budget items will be defined based on the grantee's proposal. The first payment will be requested as an advance and all other payments will be made monthly after submission of a monthly financial report.

Personnel

It is anticipated that the grantee would provide up to twenty (20) core consultants as well as necessary labor (staff or consultant) to support operations and administration of grant activities. In addition, there will be five (5) consultants to develop technical documentation for objects of real estate to be privatized. The grantee will conclude contracts with the consultants for six-month periods to allow for a review of their performance and the possibility of replacement.

Minimum requirements for core consultants:

- At least two communications consultants must have at least 10 years communications experience.
- At least two consultants must have at least 3 years of legal experience in privatization, SOE leasing.
- At least one consultant must have at least 3 years of legal experience in liquidation and/or bankruptcy.
- At least two consultants must have at least 3 years of experience in the field of SOE analysis, reform or management.
- At least two consultants must have at least 3 years of experience in financial analysis related to SOEs or management of enterprises.
- At least one consultant must have 2 years of legal experience in SOE leasing and 1 year technical process management.

All personnel require prior approval from the SOERA team and must comply with the USAID maximum daily compensation rate.

Grant Program Expected Results

The grantee is anticipated to accomplish the above objectives towards the following expected results:

1. Non-core assets identified for enterprise relocation and internally displaced person housing
2. Quarterly increases in number of assets and SOEs privatized, leased, and liquidated
3. Successful completion of TAPAS automation project for SPFU leasing
4. Quarterly information campaigns developed for leasing and privatization of state property
5. Review of legislative initiatives on privatization, leasing, valuation, valuation registers, PPP's, SOE management, SOE bankruptcy, corporatization, and SOE liquidation completed
6. Improved automation and management of privatization process
7. System of daily, weekly, and monthly reporting developed for privatization, leasing, and liquidation processes and auctions
8. Portal developed for monitoring SOEs under SPFU management
9. Successful database administration
10. Improved recruiting procedures
11. Changes to internal procedures, and documentation to meet demands of altered leasing, privatization, valuation, bankruptcy, and liquidation regulations completed

4 TECHNICAL APPLICATION CONTENTS

All complete applications received by the deadline will be reviewed for responsiveness to the specifications outlined in the guidelines. SOERA may reject applications that are:

- Incomplete;
- Do not respond to the scope of work in the solicitation;
- Do not comply with the format requirements; or
- Are submitted after the deadline.
- Submitted outside the Grants Portal/ Fluxx Platform

Applicant Data - see requirements in Grants Portal registration and application.

Technical Proposal

Sections of the Technical Proposal of the Grant Application Form and Guidelines should include the following elements:

1. Organizational Capacity

Provide a summary of the organization's key qualifications and capabilities. It should indicate who your organization is and what it does, and what a client can expect from your organization. Provide a brief description of your present and ongoing actions/projects that have a direct relationship to the proposed grant activity.

2. Past Performance

Describe the organization's experience implementing similar projects. Describe the organization's relationships with the target populations and demonstrated commitment to working closely with the target population to implement project activities. If your organization is new, describe similar projects where your personnel participated. Provide brief information on up to three (preferably similar) actions/projects managed by your organization for which your organization has received assistance awards or contracts over the past three years in Annex B.

3. Management Plan

Describe how the project will be managed, the composition and organizational structure of the proposed project team, roles and responsibilities. Include information on technical and managerial experience of the proposed project technical personnel. Provide CVs of all proposed personnel in Annex, including the Project Manager. Experienced, qualified personnel in relevant disciplines and areas should be provided for project management and staff. CVs should not exceed two pages each.

4. Technical Approach / Methodology

Describe technical and strategic approaches that will be used to implement the proposed activities and reasons for the proposed methodology. Identify best practices and evidence base/rationale that have informed the project interventions.

If the grant activity is the prolongation of a previous action, explain how it is intended to build on results from the previous action.

5. Budget, Budget Notes and Cost Reasonableness

For the budget, please follow instructions given in Fluxx, as well as the Budget and Budget Notes of the Grant Application Form and Guidelines.

5 BUDGET CONTENTS

Budget and Payment Terms

The approximate budget for the grantee amounts up to 46,100,000 UAH (equivalent to approximately USD \$1,260,000 depending on the currency exchange rate) for an eighteen (18) month period. The ceiling for budget items and payment terms will be set and associated payments made will be an actual cost-reimbursable basis will be finally defined based on the Applicant proposal and fixed in the Grant Award document.

Budget Content

The Applicant must:

- Include a detailed and realistic budget using the Excel template provided in the Grants portal. The budgets must be prepared in US Dollars and should be based on activities described in the Technical Proposal. Budget should not include costs that cannot be directly attributed to the activities proposed.
- Include detailed budget notes/clarification of calculation for each budget line item by milestones following the format of the template provided (see Attachment 2: Budget and Budget Notes). Supporting documentation to support cost data will be required prior to the award of grants. However, these documents will not be required at the time of application submission.

All Applicants 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: Recipients must comply with project requirements regarding VAT/service tax reporting for applicable VAT/service tax to be reimbursed. For USAID SOERA, the following prime USAID IDIQ Section H.17 applies to all grantees, with reporting requirements in place upon award and will be due to the SOERA project team in advance of quarterly and annual deadlines:

H.17 AIDAR 752.229-71 REPORTING OF FOREIGN TAXES (JULY 2007)

(a) Reports. The Contractor must annually submit a report by April 16 of the next year.

(b) Contents of Report. The reports must contain:

(i) Contractor name

(ii) Contact name with phone, fax, and email

(iii) Contract number(s)

(iv) Amount of foreign taxes assessed by a foreign government [each foreign government must be listed separately] on commodity purchase transactions valued at \$500 or more financed with U.S. foreign assistance funds under this agreement during the prior U.S. fiscal year.

(v) Only foreign taxes assessed by the foreign government in the country receiving U.S. assistance are to be reported. Foreign taxes by a third-party foreign government are not to be reported. For example, if an assistance program for Ukraine involves the purchase of commodities in Ukraine using foreign assistance funds, any taxes imposed by Ukraine would not be reported in the report for Ukraine.

(vi) Any reimbursements received by the Contractor during the period in (iv) regardless of when the foreign tax was assessed plus, for the interim report, any reimbursements on the

taxes reported in (iv) received by the Contractor through October 31 and for the final report, any reimbursements on the taxes reported in (iv) received through March 31.

(vii) The final report is an updated cumulative report of the interim report.

(viii) Reports are required even if the Contractor/recipient did not pay any taxes during the report period.

(ix) Cumulative reports may be provided if the Contractor/recipient is implementing more than one program in a foreign country.

(c) Definitions. For purposes of this clause: (i) "Agreement" includes USAID direct and country contracts, grants, cooperative agreements and interagency agreements. (ii) "Commodity" means any material, article, supply, goods, or equipment. (iii) "Foreign government" includes any foreign governmental entity. (iv) "Foreign taxes" means value-added taxes and custom duties assessed by a foreign government on a commodity. It does not include foreign sales taxes.

6 SELECTION

USAID SOERA intends to award grants resulting from this solicitation to the responsible Grantee(s) whose Application conforms to the solicitation and represents best value solutions after selection in accordance with the criteria/factors listed here.

The review criteria below are presented by major category so that Applicants will know which areas require emphasis in the preparation of Applications.

Application Selection Criteria	Points
Project Goal, Objectives, and Geographic Focus	15
Project Activities	15
Management Plan	20
Organizational Capacity	20
Budget, Budget Notes and Cost Reasonableness	30
Total points	100

Technical

USAID SOERA will evaluate each technical approach quantitatively based upon the review criteria 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 selection process. Applicants should note that Budgets must be sufficiently detailed to demonstrate reasonableness and completeness, and that Applications including budget information determined to be unreasonable, incomplete, or based on a methodology that is not adequately supported may be judged unacceptable.

Reasonableness: USAID SOERA will make a determination of reasonableness based on USAID SOERA's experience for similar items or services, what is available in the marketplace, and/or other competitive offers.

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 SOERA may request additional supporting information to the extent necessary to determine whether the costs are fair and reasonable.

7 REFERENCES, TERMS & CONDITIONS

References (chose from the list below as applicable)

- The U.S. Government regulations that govern this grant as found at the following websites:
<http://www.usaid.gov/sites/default/files/documents/1868/303.pdf>
<https://www.acquisition.gov/far/html/FARTOCP31.html>
https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl
- Required provisions for Simplified and Standard Grants to Non-U.S. Non-Governmental Organizations:
<http://www.usaid.gov/ads/policy/300/303mab>.
 - Required Provisions for a Fixed Amount Awards to Non-Governmental Organizations:
 - Mandatory Provisions from: <https://www.usaid.gov/ads/policy/300/303mat>.
 - Include ONLY the applicable “Required, As Applicable” provisions from: <https://www.usaid.gov/ads/policy/300/303mat>.

Terms and Conditions

- Issuing this RFA is not a guarantee that a grant will be awarded.
- Deloitte reserves the right, at its sole discretion, to issue a grant based on the initial review of offers without discussion.
- Deloitte may choose, at its sole discretion, to award a grant for part of the activities in the RFA.
- Deloitte may choose, at its sole discretion, to award a grant to more than one Recipient for specific parts of the activities in the RFA.
- Deloitte may request from short-listed applicants a second or third round of application either in the form of an oral presentation or a written response to a more specific and detailed scope of work that is based on a general scope of work in the original RFA.
- Deloitte has the right, at its sole discretion, to rescind an RFA, or rescind an award prior to the signing of a contract due to any changes in the direction of Deloitte's client (the U.S. Government), be it funding or programmatic, or for the sole convenience of Deloitte.
- Deloitte reserves the right to waive any deviations by organizations from the requirements of this solicitation that in Deloitte's sole discretion are considered not to be material defects requiring rejection or disqualification; or where such a waiver will promote increased competition.
- In the event that an offeror wishes to dispute any decision of Deloitte during the RFA process, including award, the offeror must submit a written appeal to Deloitte including all relevant and material evidence to support its position. Deloitte shall then review the written appeal and issue a final decision within fifteen (15) days or provide notice of the need for additional time.

Grant Agreement

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 SOERA 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 SOERA project).

Grant Disbursement and Financial Management

Recipients of grant funds will need to open a separate bank account before any funds are transferred from Deloitte. Grant disbursements will be disbursed in Local Currency and transferred electronically.

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 SOERA 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. Applications 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

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

Certification of Independent Price Determination

1. The offeror certifies that--

- 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 offeror, including but not limited to subsidiaries or other entities in which offeror 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;
- 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
- 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.

2. Each signature on the offer is considered to be a certification by the signatory that the signatory--

- 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

(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.

3. Offeror understands and agrees that --

- Violation of this certification will result in immediate disqualification from this solicitation without recourse and may result in disqualification from future solicitations; and
- 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 SOERA Grant Program will be administered according to Deloitte's policies and procedures as well as USAID's regulations for Non-U.S. Governmental Recipients or USAID's regulations for U.S. Non-Governmental Recipients. These include:

A. Implementing Partner Notices (IPN) registration

Applicant acknowledges the requirement to register with the IPN portal if awarded a grant resulting from this solicitation and receive universal bilateral amendments to this award and general notices via the IPN portal. The IPN Portal is located at <https://sites.google.com/site/usaaidipnforassistance/>. Detailed steps are given under article M9 of the Mandatory Standard Provisions for Fixed Amount Awards to Non-Governmental Organizations from ADS 303mat, which is annexed to this RFA.

B. Indirect Rates

Indirect rates such as fringe, overhead, and general and administrative (G&A (General & Administrative)) 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.

C. 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.

D. 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.

E. 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

F. Certifications for Non-US Non-Governmental Recipients

The following Standard Grant & Subcontractor Certifications are required by Deloitte and USAID:

- Assurance of Compliance with Laws and Regulations Governing nondiscrimination in Federally Assisted Programs (This assurance applies to Non-U.S. Governmental Organizations, if any part of the program will be undertaken in the U.S.);
- Certification Regarding Lobbying (22 CFR 227);
- Prohibition on Assistance to Drug Traffickers for Covered Countries and Individuals (ADS206, Prohibition of Assistance to Drug Traffickers);
- Certification Regarding Terrorist Financing;
- Certification of Recipient;
- Compliance with Anticorruption Laws.
- A completed copy of Representation by Organization Regarding a Delinquent Tax Liability or a Felony Criminal Conviction; and
- Certification Regarding Trafficking in Persons

END OF RFA DOCUMENT