



## REQUEST FOR APPLICATIONS FROM ARMENIAN ORGANIZATIONS

Education Development Center (EDC)—a US-based international non-profit organization—is requesting applications from qualified Armenian organizations to serve as Secretariat for the coordination, management, and implementation of a number of activities under the *Disabilities and Vulnerable Groups component* of the USAID-funded *Social Legacy Program (SLP)*. An electronic version of the proposal should be submitted to the following email address: [Armenia@edc.org](mailto:Armenia@edc.org) no later than July 27, 2008. The organization selected (Recipient) will receive a 14-month subgrant from EDC for USD\$71,000.

The sections below provide background information on EDC, the Social Legacy Program and its disabilities component; a description of the program to be conducted; application instructions; evaluation criteria; and other documentation needed to respond to this Request for Applications (RFA).

### 1. Introduction

EDC is a US-based international, nonprofit organization with more than 325 projects dedicated to enhancing learning, promoting health, and fostering a deeper understanding of the world<sup>1</sup>. We are currently active in 50 countries and are funded by different international donors including the United States Agency for International Development (USAID).

EDC has been awarded a Cooperative Agreement by USAID in Washington DC<sup>2</sup> to implement the Europe and Eurasia (E&E) Social Legacy Program (SLP) in a number of different countries in the region, including Armenia. This program supports the USAID Europe and Eurasia Social Transition Team, Office of Democracy, Governance and Social Transition (EE/DGST/ST) objective and overarching mission to *“enhance the ability of all persons to attain a better quality of life in E&E countries, by addressing social sector weaknesses that impede progress in their transition toward a market-oriented, democratic society and hinder their ability to compete in high-potential sectors and in the long-term, assisting countries to establish efficient and effective social systems appropriate to market democracies.”*

Through SLP, EDC is designing and implementing activities related to three program components: (1) labor markets; (2) corruption in education; and (3) disabilities and vulnerable groups. This RFA seeks to receive applications for the implementation of activities for component #3 (disabilities and other vulnerable groups) in Armenia.

The ultimate goal of the Disabilities and Other Vulnerable Groups component is to raise awareness about disability in Armenia in order to increase knowledge about disability, reduce stigma and discrimination against the disabled, and decrease the frequency with which disabled people are institutionalized. To meet this goal, EDC’s strategy is to support the development a formal national coalition (forum) of local organizations working with People with Disabilities (PWD). The national coalition would be composed of organizations that have recognized the importance of collaboration and are interested in joining forces to create a cross-cutting institution recognized by the government and the disability community as the

---

<sup>1</sup> For more information on EDC, please visit: [www.edc.org](http://www.edc.org)

<sup>2</sup> Please note that this award is managed out of Washington DC and not the Armenia Mission.

central advocacy organization for the disabled.

## **2. Background**

Armenia is fortunate to be one of the first countries to have signed the UN Convention of the Rights of Persons with Disabilities. It is also fortunate to have a national council on disabilities, a quasi-governmental body that includes representatives from the government and from the NGO community. The purpose of the national council is to formalize and coordinate the activities of the government and disability NGOs when responding to the identified needs of disabled persons in the country.

Both Armenia's national council (committee) and its response to commitments under the UN Convention are in their early stages. Progress on both fronts can be fostered by the presence of a unified and well-prepared national coalition of disability organizations that can serve the multiple roles of advocate, partner and watchdog. Recently there have been significant efforts to build a coalition of disability NGOs in Armenia. In addition, a number of informal 'working groups' of NGOs, most often clustered around particular disabilities, are active. EDC hopes that this new initiative can support ongoing efforts with additional resources and technical assistance.

Formal coalitions are different from informal working groups in that they bring together a broad range of local disability NGOs that have recognized the importance of collaboration and have joined forces to create a recognized, cross-cutting advocacy institution. Such coalitions are usually formally incorporated as separate organizations. They have core staff and can receive and disburse funds. They are recognized by both government and the disability community as the central advocacy organization for the disabled. One important activity of national coalitions involves the creation of a national advocacy strategy, which prioritizes various disability issues, determines how the different disability organizations included in the coalition will work together and what will be their advocacy approach for addressing priority issues.

The current USAID-funded disability advocacy opportunity described in this RFA therefore strives to foster the further development of the formal national coalition. By continuing to develop a national coalition, EDC and USAID hope to enable Armenian disability NGOs to develop a coordinated strategy keep Armenia's disability agenda moving forward. Specifically, this initiative will support:

- a) a series of **coalition development sessions**, open to all Armenian disability NGOs and stakeholders;
- b) a series of **disability issues sessions**, open to all Armenian disability NGOs and stakeholders, which will result in a vetted set of priority issue areas, and proposed approaches for addressing them;
- c) an initiative that is designed to provide visible improvements in one cross-cutting disability issue, for example barrier removal.

Development sessions will take place between September 2008 and April 2009. The cross-cutting initiative will take place in 2009.

## **2. Program Description**

### ***2.1 Detailed Activity Description***

An illustrative design and scheduling of coalition and issues sessions is presented below. Applicants can either follow the illustrative design and scheduling, or they can present an

alternative approach to further development of the coalition, as long as this fits within the timeframe and the budget allowed.

In their response, Applicants should clearly articulate whether they will maintain the illustrative design or will propose changes to this design. If changes are proposed, they should be clearly described and justified.

The successful Applicant will become the Secretariat for this activity. The Secretariat will be expected to organize, provide ongoing management for, and implement the coalition development and issues sessions (see below)—complemented by EDC on-site assistance for some of the sessions as well as ongoing EDC oversight of the activity as a whole—as well as support donor coordination efforts.

#### Illustrative Session Design and Scheduling:

- A. Three coalition development sessions: Each session will be designed to take the coalition to its next stage of development. These sessions (lasting 9 days total) will be open to **all** Armenian disability NGOs and stakeholders and held in a central location. To assure that participation is not limited by an organization's financial means, a select number of participants could be eligible for financial assistance. Applicants choosing to provide financial assistance should budget for and propose a financial assistance recipient selection strategy.

Also, to encourage regional peer support and learning, the Secretariat should budget and plan for between 1 and 3 representatives from the Georgian disability coalition as a recognized example of a successful disability coalition in the region, in one or more sessions.

- Session 1: Getting Started (expected to take place in September 2008)

Day 1 – What are some of the objectives, trajectories, challenges, successes, best practices, and pitfalls of disability coalitions globally and from the region?

Days 2 and 3 – What do these topics look like with respect to Armenia? These issues will be discussed and moved forward through working groups.

Day 4 – What things does the Armenian disability community agree upon? What issues must be resolved—and how and by whom—before things can move forward? What is the action plan and timetable for Armenia's coalition development? What specific results must be achieved before the next session? Who is responsible for each one?

- Session 2: Moving Along (expected to take place in January 2008)

Day 1 – Review planning status as of last session's close. Report out from working groups: Results? Remaining challenges? New challenges?

Day 2 – Develop a plan for sustaining coalition activities after EDC/SLP support ends.

Day 3 – Review general action plan and timetable and readjust as necessary. What specific results must be achieved before the next session? Who is responsible for each one?

- Session 3: Showing Results (expected to take place in April 2009)

Day 1 – Review planning status as of last session's close. Report out from working groups: Results? Remaining challenges? New challenges?

Day 2 – Formal Document Signing Ceremony

- B. Two disability issue and action development sessions: These sessions (lasting 4 days total) and open to approximately 15 people, are designed to allow coalition members to map out and prioritize the disability issues that they will tackle together, and to develop a plan for doing so. Support for participants should cover lodging, meals and transportation. Specific session designs will be completed by the Secretariat with input from EDC. However, illustratively, they might look as follows:

Session 1: This two-day session will allow participants to put all issues ‘on the table’; achieve consensus about priority issues; and, lay out an advocacy strategy for addressing these (expected to take place in October 2008).

Session 2: This two-day session will hone in on one issue in particular and will result in an issue statement that answers the following questions: What is the end goal for this particular issue? What different sides of the issue require immediate attention? Who must do what so that this issue shows signs of improvement? (expected to take place in November 2008)

- C. Cross-cutting Issue Initiative: Applicants should set aside approximately \$40,000 in their proposed budgets to cover activities related to this initiative. Guidelines for which issue to address will emerge from the second strategy development session, described above. Specific disbursement strategies will vary depending upon the issue and the approach chosen. For example, if the issue is barrier removal, perhaps the plan would require hiring a contractor to focus on particular buildings etc. If, however, the issue is media education, the funding modality might require subgrants to training institutions. That said, it is expected the Recipient will work with EDC during the initiative planning (November 2008) and implementation (January-September 2009) phases.

**2.2 Monitoring of Activities**

As project activities unfold, M&E data linked to specific activities will be collected and included in the most immediate Quarterly Report to be submitted to EDC (see next section for Reporting requirements).

Using the action plan and timetable developed during Session I of the Coalition Development Sessions, participating disability NGOs will establish WHAT steps must be taken to advance coalition development; WHO will take these steps; and, WHEN these steps will be taken. This action plan will serve as the monitoring instrument for evaluating the progress of coalition formation over the next sessions and months. As part of regular Secretariat reports as well as attendance at subsequent Sessions, EDC will evaluate progress against this plan.

<b>Proposed Result (Objective)</b>	<b>Baseline Activities</b>	<b>Monitoring Activities</b>	<b>Outcome Assessment Activities</b>	<b>Outcome Target</b>	<b>Remarks</b>
Armenian disability organizations are more capable of advocating with a unified voice.	1. Survey participating disability organizations to determine the nature of their engagement in collective advocacy activities within the past 3 years (# times, with whom, what issue, outcome. 2. Participating disability	Review Coalition Development Action Plan to determine if stated steps, timelines and	Review Coalition Development Action Plan to determine if activities were completed as	Further development of National coalition	Formation of a coalition assumes political and institutional will on the part of collaborating institutions and is not wholly within

---

organizations develop a Coalition Development Action Plan.	deliverable are on track	planned	the influence of EDC and/or other donors
--	--------------------------	---------	--

---

### **2.3 Reporting**

The Recipient will submit quarterly reports (QR) in English to the EDC Program Manager with the following content: a) executive summary; b) program activities; c) monitoring and evaluation data; d) challenges faced during the period and actions taken to address the challenges; e) a synopsis of what to expect for the next quarter; and f) summary of expenses.

Quarterly Reports are due three (3) weeks after the end of each quarter according to the US Government Fiscal Year. Thus, they are due on: January 21 (for the period comprehended between October – December of the previous year); April 21 (Jan – March); July 21 (April – June); and October 21 (July – Sept).

In most cases the QR should be short as it is used for EDC management purposes and contains basic required information. A longer report that the Recipient would like to use for documentation purposes could be included as an annex. EDC encourages the inclusion of photographs and other visuals in the QR.

### **3. Requirements**

To respond to this RFA, please submit the following documents as part of your application no later July 27, 2008.

#### **A. Institutional Capacity Statement (5 pages max)**

- Capacity statement should include a description of the organization and the specific characteristics that would contribute to the successful implementation of this initiative
- Capacity statement should address managerial oversight and financial capacity and organizational financial controls, as well as technical experience
- Description of previous and/or current work as it relates to this project (specifically in areas such as event planning, proposal development, grants management)
- A list of key staff (technical, management, financial).
- Description of previous and/or current USAID-funded projects.

#### **B. Proposed Approach to Initiative Planning and Oversight (15 pages max)**

The Applicant should present:

1. A proposed plan to organize and implement the **coalition development** sessions
2. A proposed plan to organize and implement the **issue and action development** sessions

Each plan should include a description of:

- a) The means by which the Secretariat will assure that the coalition and/or the cross-cutting activity is as representative as possible of the broad selection of disability NGOs that currently exist in Armenia?
- b) The substantive and management measures will the Secretariat take to maximize the coalition's and/or the cross-cutting initiative's prospects for success and sustainability?

- c) The goal of the sessions collectively and the objectives of each meeting
- d) The proposed thematic pacing and agendas (what would happen when, why, and with what outcomes?).
- e) Session logistics:
  - 1) Where and when should meetings be held?
  - 2) How should meetings be organized?
- f) A description of the challenges involved in managing and implementing sessions of this sort and the steps proposed to overcome these challenges.

C. Illustrative considerations of, and approaches to, possible themes for the Cross-Cutting Initiative (4 pages max).

- This section should include a description of each possible theme; a rationale for its inclusion; and possible approach(es) to addressing this theme. (Applicants should note that the description of themes and approaches to addressing them are illustrative, and that the purpose of the early issues meetings is to finalize this collectively.)

D. Budget and budget narrative (see budget template attached). Budget should not exceed US\$71,000, should cover a period of 15 months, and should be divided into:

- Costs associated with managing and implementing the Coalition Development Sessions, as well as managing the Cross-Cutting Initiative. Budget should include line items for labor, fringe or social benefits, consultants, travel, other direct costs (please detail these). Please do not include indirect costs unless you have a Negotiated Indirect Cost Recovery Agreement (NICRA) with the US Government. As part of the budget, the applicant may want to consider making financial support for attending meetings available to some/all NGOs; if so, the applicant should describe its approach and rationale for providing financial support.
- Costs associated with implementing the Cross-Cutting Initiative (via subgrants). Please make sure to include administrative costs associated with this activity.
- Demonstrated financial and grant management and fiscal oversight capacity

E. Proposed list of participant organizations that includes a brief description of each organization. The list will help EDC better understand the Applicant's outreach capacity to convene key stakeholders. The list would not necessarily constitute a final or definite list of participant organizations in the formation of the coalition or the cross-cutting initiative.

F. Cost Share. Applicant should propose a cost share of 40% of the total budget. Cost sharing may be proposed from any available and interested local and international funding sources, including but not limited to, government and public institutions (except US Government funding), individuals, corporations, NGOs, and foundations.

G. Appendices (no page limit):

- Most recent institutional audit report or audited financial statements.
- 1-2 letters from key collaborating and/or partnering organizations that speak for the type of collaboration of the applicant organization based on previous work.
- Curriculum Vitae of key project staff (2 page maximum) involved in the project and a description of relevant qualifications.

- A completed and signed copy of the attached certifications. Copies can be scanned and submitted electronically along with the application or they can be submitted by fax separately to the following fax number: + 1 – 617 – 332 6405.
  - Certification regarding Lobbying
  - Certification Regarding Terrorist Financing - Implementation of Executive Order 13224
  - Prohibition on Assistance to Drug Traffickers for Covered Countries and Individuals
  - Certification Regarding Debarment, Suspension, and Other Responsibility Matters – Lower Tier Covered Transaction
  - Certification of Compliance with Standard Provisions regarding Restriction on Organization’s Promoting, Supporting or Advocating Prostitution

#### **4. Evaluation Criteria**

The criteria presented below have been tailored to the requirements of this RFA and will guide the selection process. The relative importance of each criterion is indicated by approximate weight by points. A total of 100 points is possible. Applicants should note that these criteria serve to identify the significance of elements, which Applicants should address in their applications, and establish the standards against which all applications will be evaluated. However, it should be noted that EDC reserve the right to fund any or none of the applications submitted.

Applications will be evaluated in accordance with the technical evaluation criteria set forth below. Cost has not been assigned a numerical weight, but the cost submission of the application of Applicants submitting a technically acceptable application will be reviewed and costs will be evaluated for general reasonableness, allowability, and allocability. To the extent that they are necessary, negotiations may be conducted with the Applicant(s) whose application has a reasonable chance of being selected for award.

An award will be made to the responsible organization whose application offers the best value to this project, considering both technical and cost factors.

##### **A. Program Description (Total of 50 points):**

1. Clarity, balance, and responsiveness to the RFA
2. Merit of proposed fourteen (14) months plan for program implementation and demonstrated capacity to convene stakeholders; organize proposed sessions; and facilitate the implementation of strategies
3. Merit of the proposed strategy for working with other governmental and non-governmental organizations, agencies and other institutions working with People with Disabilities to assure on-going coordination of field implementation efforts to achieve the proposed results.
4. Merit of proposed strategy for institutionalizing the coalition for sustained efforts following completion of this RFA

##### **B. Proposed Staff (25 points):**

1. Merit of proposed staffing plan.
2. Merit of proposed candidates for key and other staff, and consultants, in terms of:
  - a. Relevant experience working with or for NGOs and government agencies that work with People with Disabilities in Armenia.
  - b. Demonstrated experience and competency in relevant project goals and activities;

- c. Experience in coordinating activities described in the Scope of Work including convening stakeholders and partnership building that produced documented results;
- d. Experience in working with USAID-supported cooperating agencies, donors, USAID missions, and/or international counterpart organizations;

**C. Institutional Capacity and Management Plan (25 points):**

1. Demonstrated institutional capability and experience in relevant project activities.
2. Strength and clarity of proposed in-country management plan and organizational structure, including specific accounting and operational controls aimed at ensuring the timely and efficient disbursement of operational funds required for the implementation of reconstruction and other projected field activities.
3. Demonstrated financial management and fiscal oversight capabilities

**5. Application Instructions**

**Please note that although USAID/Armenia is apprised of this initiative, the applicant should not contact the USAID Mission regarding this initiative, as it is being funded by USAID in Washington DC and managed directly by Education Development Center, in Boston MA, USA.**

- Please submit your **electronic** application no later than July 27, 2008 to:  
[Armenia@edc.org](mailto:Armenia@edc.org) Please address the application to  
Cornelia Janke, Program Manager and Gustavo Payan, Program Coordinator
- It is advised to convert all documentation to pdf (portable document format)
- Only certificates and other appendices can be submitted via fax.

**Appendices**

**CERTIFICATION REGARDING LOBBYING**

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, United States Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

**Statement for Loan Guarantees and Loan Insurance**

The undersigned states, to the best of his or her knowledge and belief, that: If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
*(Typed Name and Title) Date*  
*(Name of Organization)*

**CERTIFICATION REGARDING TERRORIST FINANCING – IMPLEMENTING  
E.O 13224**

**Certification Regarding Terrorist Financing Implementing E.O. 13224**

By signing and submitting this application, the prospective recipient provides the certification set out below:

1. The Recipient, to the best of its current knowledge, did not provide, within the previous ten years, and will take all reasonable steps to ensure that it does not and will not knowingly provide, material support or resources to any individual or entity that commits, attempts to commit, advocates, facilitates, or participates in terrorist acts, or has committed, attempted to commit, facilitated, or participated in terrorist acts, as that term is defined in paragraph 3.

2. The following steps may enable the Recipient to comply with its obligations under paragraph 1:

a. Before providing any material support or resources to an individual or entity, the Recipient will verify that the individual or entity does not (i) appear on the master list of Specially Designated Nationals and Blocked Persons, which list is maintained by the U.S. Treasury's Office of Foreign Assets Control (OFAC) and is available online at OFAC's website : <http://www.treas.gov/offices/eotffc/ofac/sdn/t11sdn.pdf>, or (ii) is not included in any supplementary information concerning prohibited individuals or entities that may be provided by USAID to the Recipient.

b. Before providing any material support or resources to an individual or entity, the Recipient also will verify that the individual or entity has not been designated by the United Nations Security (UNSC) sanctions committee established under UNSC Resolution 1267 (1999) (the "1267 Committee") [individuals and entities linked to the Taliban, Usama bin Laden, or the Al Qaida Organization]. To determine whether there has been a published designation of an individual or entity by the 1267 Committee, the Recipient should refer to the consolidated list available online at the Committee's website: <http://www.un.org/Docs/sc/committees/1267/1267ListEng.htm>.

c. Before providing any material support or resources to an individual or entity, the Recipient will consider all information about that individual or entity of which it is aware and all public information that is reasonably available to it or of which it should be aware.

d. The Recipient also will implement reasonable monitoring and oversight procedures to safeguard against assistance being diverted to support terrorist activity.

3. For purposes of this Certification-

a. "Material support and resources" means currency or monetary instruments or financial securities, financial services, lodging, training, expert advice or assistance, safehouses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel, transportation, and other physical assets, except medicine or religious materials."

b. "Terrorist act" means-

(i) an act prohibited pursuant to one of the 12 United Nations Conventions and Protocols related to terrorism (see UN terrorism conventions Internet site:

<http://untreaty.un.org/English/Terrorism.asp>); or

(ii) an act of premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents; or (iii) any other act intended to cause death or serious bodily injury to a civilian, or to any other person not taking an active part in hostilities in a situation of armed

conflict, when the purpose of such act, by its nature or context, is to intimidate a population, or to compel a government or an international organization to do or to abstain from doing any act.

c. "Entity" means a partnership, association, corporation, or other organization, group or subgroup.

d. References in this Certification to the provision of material support and resources shall not be deemed to include the furnishing of USAID funds or USAID-financed commodities to the ultimate beneficiaries of USAID assistance, such as recipients of food, medical care, micro-enterprise loans, shelter, etc., unless the Recipient has reason to believe that one or more of these beneficiaries commits, attempts to commit, advocates, facilitates, or participates in terrorist acts, or has committed, attempted to commit, facilitated or participated in terrorist acts.

e. The Recipient's obligations under paragraph 1 are not applicable to the procurement of goods and/or services by the Recipient that are acquired in the ordinary course of business through contract or purchase, e.g., utilities, rents, office supplies, gasoline, etc., unless the Recipient has reason to believe that a vendor or supplier of such goods and services commits, attempts to commit, advocates, facilitates, or participates in terrorist acts, or has committed, attempted to commit, facilitated or participated in terrorist acts.

This Certification is an express term and condition of any agreement issued as a result of this application, and any violation of it shall be grounds for unilateral termination of the agreement by USAID prior to the end of its term.

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
(*Typed Name and Title*) Date  
(*Name of Organization*)

**PROHIBITION ON ASSISTANCE TO DRUG TRAFFICERS FOR COVERED  
COUNTRIES AND INDIVIDUALS (ADS 206)**

USAID reserves the right to terminate this [Agreement/Contract], to demand a refund or take other appropriate measures if the [Grantee/ Contractor] is found to have been convicted of a narcotics offense or to have been engaged in drug trafficking as defined in 22 CFR Part 140. The undersigned shall review USAID ADS 206 to determine if any certification are required for Key Individuals or Covered Participants.

If there are COVERED PARTICIPANTS: USAID reserves the right to terminate assistance to, or take or take other appropriate measures with respect to, any participant approved by USAID who is found to have been convicted of a narcotics offense or to have been engaged in drug trafficking as defined in 22 CFR Part 140.

## **CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION LOWER TIER COVERED TRANSACTIONS**

### (a) Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, has the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. 1/ You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier covered Transaction," 2/ without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Non procurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause.

The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

(b) Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-  
-Lower Tier Covered Transactions

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Name of Applicant Organization \_\_\_\_\_

Name and Title \_\_\_\_\_  
\_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

1/ See ADS Chapter 303, 22 CFR 208.

2/ For USAID, this clause is entitled "Debarment, Suspension, Ineligibility, and Voluntary Exclusion (March 1989)" and is set forth in the USAID grant standard provision for U.S. nongovernmental organizations entitled "Debarment, Suspension, and Related Matters" (see ADS Chapter 303), or in the USAID grant standard provision for non-U.S. nongovernmental organizations entitled "Debarment, Suspension, and Other Responsibility Matters" (see ADS Chapter 303).

**CERTIFICATION OF COMPLIANCE WITH STANDARD PROVISIONS  
ENTITLED “CONDOMS” AND “PROHIBITION ON THE PROMOTION OR  
ADVOCACY OF THE LEGALIZATION OR PRACTICE OF PROSTITUTION OR  
SEX TRAFFICKING”**

[Name of Organization] certifies compliance as applicable with the standard provisions entitled “Condoms” and “Prohibition on the Promotion or Advocacy of the Legalization or Practice of Prostitution or Sex Trafficking.”

By \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

Type/Printed Name \_\_\_\_\_

**1. ORGANIZATIONS ELIGIBLE FOR ASSISTANCE (ASSISTANCE) (JUNE 2005)**

An organization that is otherwise eligible to receive funds under this agreement to prevent, treat, or monitor HIV/AIDS shall not be required to endorse or utilize a multisectoral approach to combating HIV/AIDS, or to endorse, utilize, or participate in a prevention method or treatment program to which the organization has a religious or moral objection.

**2. CONDOMS (ASSISTANCE) (JUNE 2005)**

Information provided about the use of condoms as part of projects or activities that are funded under this agreement shall be medically accurate and shall include the public health benefits and failure rates of such use and shall be Consistent with USAID’s fact sheet entitled, “USAID: HIV/STI Prevention and Condoms. This fact sheet may be accessed at: [http://www.usaid.gov/our\\_work/global\\_health/aids/TechAreas/prevention/condomfactsheet.html](http://www.usaid.gov/our_work/global_health/aids/TechAreas/prevention/condomfactsheet.html)

**3. PROHIBITION ON THE PROMOTION OR ADVOCACY OF THE LEGALIZATION OR PRACTICE OF PROSTITUTION OR SEX TRAFFICKING (ASSISTANCE) (JUNE 2005)**

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

(b) Except as noted in the second sentence of this paragraph, as a condition of entering into this agreement or any subagreement, a non-governmental organization or public international organization recipient/subrecipient must have a policy explicitly opposing prostitution and sex trafficking. The following organizations are exempt from this paragraph: the Global Fund

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

(c) The following definition applies for purposes of this provision: Sex trafficking means the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act. 22 U.S.C. 7102(9).

(d) The recipient shall insert this provision, which is a standard provision, in all subagreements.

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