



# USAID | UKRAINE

FROM THE AMERICAN PEOPLE

Issuance Date: August 20, 2015

Deadline for Receipt of Questions: September 8, 2015  
16:00 Hours Local Kyiv Time

Closing Date and Time for Submission of Applications: October 9, 2015  
16:00 Hours Local Kyiv Time

Subject: Notice of Funding Opportunity Number: RFA-121-15-000001

Activity Title: Policy for Ukraine Local Self-Governance (PULSE)

Ladies/Gentlemen:

The United States Agency for International Development (USAID), through the Regional Contracting Office in Kyiv, Ukraine is seeking applications from qualified organizations for funding of an activity entitled “Policy for Ukraine Local Self-Governance (PULSE).” Eligibility for this award is restricted to Ukrainian entities. Please see Section III of this Notice of Funding Opportunity (NFO) for eligibility requirements.

Please refer to the Program Description, Section I of this NFO for a complete statement of goals and expected results. The authority for this Notice of Funding Opportunity (NFO) is found in the Foreign Assistance Act of 1961, as amended. The CFDA Number for this funding opportunity is 98.001.

Any resulting awards will be subject to 2 CFR 700 and 2 CFR 200 - Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards.

USAID policy is not to award profit under assistance instruments. However, all reasonable, allocable, and allowable expenses, both direct and indirect, which are related to the agreement program and are in accordance with applicable cost principles under 2 CFR 200 Subpart E. of the Uniform Administrative Requirements may be paid under the anticipated award.

Applicants under consideration for an award that have never received funding from USAID will be subject to a pre-award survey to determine fiscal responsibility, ensure adequacy of financial controls, and establish an indirect cost rate. USAID encourages applications from potential new partners.

Subject to the availability of funds, USAID intends to issue an award in the amount not to exceed \$8,225,000 in total funding. The U.S. Dollar amount will be funded from USAID appropriated funds, to be allocated over a five-year period. USAID anticipates making an

award not later than January 1, 2016. One award is anticipated as a result of this NFO. USAID reserves the right to fund any or none of the applications submitted and will determine the resulting level of funding for the award. Cost sharing is not required.

Eligible organizations interested in submitting an application are encouraged to read this NFO thoroughly to understand the type of project sought and the application submission requirements and evaluation process.

To be eligible for award, the Applicant must provide all information as required in this NFO, meet eligibility standards in Section III of this NFO, including the requirements found in any attachments to this Grants.gov opportunity. This NFO consists of this cover letter plus the following Sections:

1. Section I – Program Description
2. Section II – Federal Award Information
3. Section III – Eligibility Information
4. Section IV – Application and Submission Information
5. Section V – Application Review Information
6. Section VI – Federal Award and Administration Information
7. Section VII – Federal Awarding Agency Contacts
8. Section VIII – Other Information

All applications must be received by the closing date and time indicated at the top of this cover letter at the place designated in the Technical Application section for receipt of applications. Applications and modifications thereof shall be submitted in envelopes with the name and address of the applicant and NFO number: RFA-121-15-000001.

Applicants are requested to submit both technical and cost portions of their applications in separate volumes. The award will be made to that responsible applicant(s) whose application(s) offers the greatest value.

Applicants shall upload applications to [www.grants.gov](http://www.grants.gov) and e-mail to [morlova@usaid.gov](mailto:morlova@usaid.gov); [RFPKyiv@usaid.gov](mailto:RFPKyiv@usaid.gov) and shall also submit paper copies. Please see Section IV of this NFO on submission instructions.

This funding opportunity is posted on [www.grants.gov](http://www.grants.gov) and may be amended. Any future amendments to this NFO can be downloaded from [www.grants.gov](http://www.grants.gov). Potential applicants should regularly check the website to ensure they have the latest information pertaining to this NFO. Applicants will need to have available or download Adobe program to their computers in order to view and save the Adobe forms properly. In you have difficulty registering on [www.grants.gov](http://www.grants.gov) or accessing the NFO, please contact the Grants.gov Helpdesk at 1-800-518-4726 or via mail at [support@grants.gov](mailto:support@grants.gov) for technical assistance.

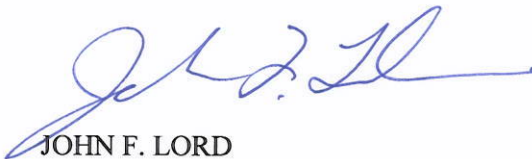
It is the responsibility of the recipient of this NFO document to ensure that it has been received from Grants.gov in its entirety. USAID bears no responsibility for data errors resulting from transmission or conversion processes associated with electronic submissions.

Any questions concerning this NFO should be submitted in writing to Ms. Marina Orlova, Acquisition & Assistance Specialist, via email at [morlova@usaid.gov](mailto:morlova@usaid.gov) and [RFPKyiv@usaid.gov](mailto:RFPKyiv@usaid.gov). The deadline for submission of questions for this NFO is September 8, 2015, 16:00 Kyiv, Ukraine local time. Responses to the questions will be made available to all potential applicants through an amendment to this NFO and posted on [www.grants.gov](http://www.grants.gov).

Award will be made to that responsible applicant(s) whose application(s) best meets the requirements of this NFO and the evaluation criteria contained herein. Issuance of this NFO does not constitute an award commitment on the part of the Government nor does it commit the Government to pay for costs incurred in the preparation and submission of an application. Further, USAID reserves the right to reject any or all applications received. In addition, final award or any resultant cooperative agreement cannot be made until funds have been fully appropriated, allocated, and committed through internal USAID procedures. While it is anticipated that these procedures will be successfully completed, potential applicants are hereby notified on these requirements and conditions for award. Applications are submitted at the risk of the applicant. All preparation and submission costs are at the applicant's expense.

Thank you for your interest in USAID programs.

Sincerely,



JOHN F. LORD  
Regional Agreement Officer  
USAID Regional Mission for Ukraine,  
Moldova, Belarus and Cyprus

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## **SECTION I – PROGRAM DESCRIPTION**

**Activity Title: Policy for Ukraine Local Self-Governance (PULSE)**

### **I. BACKGROUND**

#### **A. Problem Statement**

Ukraine’s sub-national government is ineffective and unresponsive to local needs, underfunded and disempowered by an overly centralized system, and weakened by rampant corruption. These challenges threaten Ukraine’s stability, economic development and democratic progress.

Many experts have suggested that decentralization is the most critical reform for Ukraine at the moment. To succeed, Ukraine needs a strong foundation of legal reforms (including constitutional amendments) and authorities that makes government more accountable to the citizens and ensures that their taxes are used in the people’s best interest. The goal is to give individual citizens and their elected leaders more control over the governance decisions that directly affect their lives and livelihoods. Local authorities best understand the needs of their communities. Putting more tax revenue and decision making power at that level meets European standards, as local leaders can respond more efficiently to needs for government services and jobs. Decentralization can strengthen Ukraine’s democracy and complete the process of building a new country that began on the Maidan. Citizens see few incentives to engage or participate in local decision-making, which contributes to the problem of weak local communities. By incorporating the views of more people into local decision-making around the country, decentralization can also be a powerful tool for countering Russian-generated separatist movements in the East. Decentralization can strengthen Ukraine’s economy by providing opportunities for local governments to have a stronger influence on their tax base and to project tax revenues. Mayors and city councils will have more say over local budgets and can support local development plans, as well as needed infrastructure improvements for attracting investment to their communities.

#### **B. Rationale for Decentralization**

Ukraine is attempting to undertake sweeping and dramatic reforms in order to respond to citizen demand and complete its democratic transformation. At the top of the ambitious reform agenda, the GOU has prioritized decentralization in response to public demands for comprehensive reform and to stabilize and protect Ukraine from Russian aggression. Defined as the transfer of power and resources from national governments to subnational governments or to the subnational administrative units of national governments, decentralization strengthens democratic governance by reducing the distance between citizens and their government. Decentralization’s “promise” is that, by bringing government closer to the people, diverse local demands (particularly in a conflict-ridden environment) can be accommodated (promoting stability), a larger number of citizens who otherwise wouldn’t have a voice, such as people with disabilities, can participate in the political system

(promoting democracy), and local governments will be more empowered to respond to the daily demands of citizens (promoting economic growth by attracting investment to their communities).

For Ukraine, decentralization is also seen as a mechanism for strengthening the Ukrainian state. By activating and institutionalizing democratic interactions in thousands of localities around the country, the Ukrainian government hopes decentralization can be a powerful tool for countering Russian pressure and pro-separatist sentiments in the East by incorporating the views of Ukraine's diverse communities into decision-making. Decentralization is not synonymous with federalization, in which power is in the hands of strong and autonomous regional governments. Rather, decentralization in Ukraine is intended to transfer authority and resources to the community level, which is the level of government closest to the people.

### **GoU Commitment to Decentralization**

After the EuroMaidan Revolution of Dignity that ended in early 2014, decentralization has become a flagship reform area for the Government of Ukraine (GoU). It is viewed as a means to devolve power from an overly centralized national government, which has become a root of many of the challenges for Ukraine's further development. Verkhovna Rada (Parliament) Speaker Volodymyr Hroysman has publicly asserted, "Ukraine is over-centralized and that is where most of its problems come from." Decentralization and local self-governance reform represent a key to economic success and political stability.

In October 2014, Ukraine elected many new reform-oriented deputies to the Verkhovna Rada of Ukraine, ushering in a parliament with demonstrated political will to pass legislation and implement comprehensive reforms. Local government association experts were engaged in preparing the Coalition Agreement. As a result, key provisions for carrying out decentralization reforms were included in the Agreement, and implementation became a priority for the Cabinet of Ministers and the Parliament. Speaker of the Parliament, Volodymyr Hroysman, championed decentralization reforms, promising to support passage of the needed reform legislation. Hennadiy Zubko, who succeeded Volodymyr Hroysman as Deputy Prime Minister and Minister of Regional Development, promised to continue preparing and implementing reforms.

At the end of 2014, Prime Minister Yatsenyuk successfully secured the approval of a new National Budget, including fiscal decentralization as provided in the Coalition Agreement, and with it increasing local resources for local governments and their ability to reallocate available resources. Fiscal decentralization demonstrated that the parliament is ready to support the decentralization changes. However, in preparation for local elections in October 2015, some parties expressed concern over the short timeframe to fully implement reforms, especially considering rural communities' misunderstanding and lack of support for decentralization.

Local elections planned for October 2015 have accelerated the process and urgent need to prepare and implement the reform. The International Monetary Fund (IMF) and World Bank have placed conditions for the Government of Ukraine to implement various reforms in order to receive credit and grant resources, without which Ukraine would go bankrupt. Cautiously

optimistic Ukrainian citizens are growing impatient awaiting reforms that have been promised since the end of the EuroMaidan Revolution of Dignity in February 2014. However, the challenge of implementing a robust reform program during a period of political transition, economic contraction, and military conflict in the East is a daunting one.

### **C. Legislative Framework and Constitutional Reform**

The current decentralization reform plan is outlined in two draft documents – the Concept of Local Government and Territorial Organization of Power in Ukraine (adopted by the Cabinet of Ministers in April 2014) and the draft of the Law on Amendments to the Constitution of Ukraine. The “Concept of Local Self-Government” presupposes the amendment of the Constitution of Ukraine (CoU), but it also goes into more detail than the constitutional amendments. The Government has identified the need for two action plans to be drafted, namely, (i) a package of legislation on constitutional amendments and follow-up local government legislation; and, (ii) a package of legislation that the parliament is able to pass not waiting for the Constitution to be amended.

Comprehensive changes to the legislation framework are needed to promote exhaustive and tangible developments in the complex decentralization process and to promote genuine local self-government based on a new organizational and territorial basis. Speaker Hroysman asserts that approximately 500 pieces of legislation are necessary to complete decentralization and local self-governance reforms. Approximately 70 percent of the decentralization agenda can be accomplished through legislative changes by devolving authorities, deregulating services, and empowering local governments with resources. For instance, one key piece of legislation already adopted for advancing decentralization is the Law on Voluntary Amalgamation (Consolidation) of Communities, signed into law on March 3, 2015. Community consolidation plans have already been initiated in at least twenty oblasts to-date. Another practical step toward increasing the scope of local government authority was the April 09, 2015 approval of the Law On Amendments to Certain Legislative Acts of Ukraine Regarding Semi-Decentralization of Powers in the Sphere of Architecture and Construction Control and Improvement of City Planning Legislation, decentralizing authority in the sphere of architectural and construction control and improvements for urban development. Now local authorities are able to directly influence the development of populated areas, facilitating greater responsiveness to the interests of communities and local decision-making that that will attract investment to their territories.

Other necessary legislation includes, but is not limited to: laws on administrative and territorial arrangement of Ukraine; new laws on local self-governance; laws on local state executive authorities; amendments to the Budget, Tax and Land Codes (to ensure adequate resource bases of the new local self-governance); and important changes to the legislation on housing, utility, administrative and social services. Other key decentralization issues that can be addressed through legislative changes without constitutional amendments include the amalgamation (consolidation) of communities; designating village representatives in consolidated communities (starosta); and increasing the scope of local government authorities and competences. Similarly, changes to civil service and staffing within local governments will be necessary to adequately fulfill these new roles and responsibilities.

## **Constitutional Reform**

Despite the role that legislation can play in the functioning of local governments, constitutional amendments are still needed to address the restructuring of local government institutions at the regional levels (rayon and oblast) and redistributing responsibilities and powers across all levels of local government. In March 2015, the Government of Ukraine launched the Constitutional Commission (CC), which includes a 59-member Commission charged with drafting amendments in line with international standards. The CC Working Groups focus on: 1) decentralization (including the balance of power); 2) judicial reform; and 3) human rights. The goal is to submit draft amendments to the parliament for first reading in July 2015 (followed by Constitutional Court and Venice Commission review) and then for second reading in September, in time for passage and implementation prior to the October 2015 local elections. The working groups have met regularly in the spring and summer of 2015 to draft amendments for consideration, with the decentralization working group most advanced in developing draft concepts and amendments.

In addition to the recently passed Law on Amalgamation of Communities in March 2015, the consolidation of the currently existing 11,500 hromadas (communities) into approximately 1,500 and the existing 490 rayons into approximately 100, as outlined in the Concept of Local Government, requires constitutional changes, specifically to articles #133, #142 and #119. The recently established Regional Development Council reinforced the need for constitutional changes including: 1) making the community the basic unit of local self-governance with the largest share of power; 2) fixing the principles of subsidiarity, ubiquity and financial self-sufficiency of local self-governance bodies; 3) establishing a three-tier system of local self-governance (community, rayon and oblast) with a clear division of powers and executive authorities at each level; and 4) better aligning the authorities of local self-governance bodies with a system of control by the voters and the state.

## **Fiscal Decentralization and Local Economic Development**

Due to amendments to the Tax and Budget Codes introduced in the end of 2014, the system of inter-budget relations and the system of preparing local budgets is now vested with additional resources and revenues and has been significantly reformatted. In 2015, local governments started to experience the first results of decentralization, with the total volume of local budget resources increasing by 34.1 billion UAH. The revenue part of local budgets increased by 16%, whereas the volume of local governments' own resources increased 2.3 times. Funding for the public education sector increased by 13% and for the healthcare sector by 12%. This new system provides opportunities for local governments to retain a larger portion of funds at the local level. In 2015, more local budgets turned from subsidized ones into 'donor' budgets and are now less dependent on centralized decision-making. Consequently, local governments received resources to renovate their housing and municipal utilities sector, develop infrastructure, repair roads, and address other priorities.

With regard to cities of rayon significance, a special law was approved stipulating that their financial support should remain at the level of 2014. In the case of consolidation with other communities as contemplated under the decentralization reform, these cities will receive the

same authority that cities of oblast significance enjoy, as well as a significant increase in own revenues and benefits from tax reform.

While fiscal decentralization is a prerequisite for local economic development, it is insufficient to fulfill all local economic development needs, thus communities need to become revenue generators by improving economic opportunities locally. Decentralization is one of the keys for the peace plan for Ukraine, and financial autonomy is central to the success of decentralization. Financial autonomy of local governments is achieved not only through amendments to the Budget Code and the Tax Code, but requires changing the system of inter-governmental transfers and redistribution of taxes that will increase discretionary funds in local budgets. Moreover, local governments play a critical role in stimulating local economic development and promoting a more nurturing environment for business development through proactive administrative and financial support and through enacting pro-business local ordinances. Local economic development will also improve local budgets, which is one of the other keys to the success of decentralization, as well as ensuring that both local officials and citizens experience tangible benefits from local government reform and a decentralized system of governance. Local economic development will increase jobs, improve municipal services and increase living standards, which will ultimately generate additional support for reforms in the country.

### **Participatory Democracy Legislation**

The Law of Ukraine “On Local Self-Governance in Ukraine” (Article 19) stipulates an option for adopting community charters. However, territorial communities are not obliged to adopt the charters; they do so on their own initiative or at the initiative of the territorial community members. These charters are gradually being incorporated into the everyday operations of local governments, particularly in bigger cities and oblast centers. However, approximately 9,500 villages, towns and cities in Ukraine have not prepared their charters. As opposed to the western model, community charters in Ukraine do not identify local government administrative systems and their formation, election principles, etc. In Ukraine they define historical, national and cultural, social/economic and other particularities in each given community, as well as procedures for citizen meetings, local initiatives and public hearings. Without a charter, citizens cannot fully exercise their rights and freedoms to effectively participate in matters of local governance.

In the context of Ukraine’s local governance reform, the role of community charters should be substantially enhanced. Preparation and adoption of such charters serves one of the initial steps towards self-identification and self-affirmation of communities as social groups. This will be particularly important for the newly consolidated territorial communities. Enhancing the role of community charters will invariably lead to increased citizen participation in local matters, as specified by the Additional Protocol to the European Charter of Local Self-Governance recently signed by Ukraine. Assistance is needed to provide a clear legal framework for community charters, expand the types of issues that can be addressed through charters (such as legal status of communities), and disseminate model community charters to local governments.

Table: Illustrative Key Areas of Decentralization Legislation  
 (\*Note: Each area may include many pieces of legislation)

<b>Key Categories of Decentralization legislation*</b>	<b>Anticipated timeframe</b>	<b>current status/progress</b>	<b>Next steps/Needs</b>
Fiscal decentralization	2015 - 2020	Budget code passed Dec. 2014 (1st stage)	2nd stage: more budget and tax code changes to increase efficiency of local taxes and matching local budgets and social standards
Administrative and Territorial reform	2015 - 2020	Community amalgamation law passed Mar. 2015	Amalgamation of rayons and territorial rearrangement of government institutions and corresponding legislation
Local Economic Development	2016 - 2021	Conceptual legislative framework completely absent	Amendments to the Tax, Land and Budget Codes
Administrative services	2016 -2017 - short term scenario 2017 - 2020 - long term scenario (linked to e-governance implementation and administrative reform)	Basic law on administrative services	Develop sectoral legislation, methodology and streamlining inter-agency relationships. Clarifying local government civil service responsibilities and e-governance
Management of municipal property and land	2016 -2017 - short term scenario 2017 - 2020 - long term scenario (linked to administrative	Draft law amending Ukrainian legislation on local government authority for local resource management	Framework legislation for local government and citizen control over the use of land.

Key Categories of Decentralization legislation*	Anticipated timeframe	current status/progress	Next steps/Needs
	reform; highly politically sensitive)		Accessibility of local governments and other relevant agencies to databases and state land and property cadastres. Anti-corruption legislation for allocation of land resources to local governments*
Participatory democracy legislation (i.e. Community Charters)	2016-2018	Allowed for in article 19 of Local Self-Governance Law, but further elaboration is needed	Providing clearer legal framework for community charters, increasing issues to be addressed in charters and disseminating model charters

### Public Support and Stakeholder Capacity for Decentralization Reforms

For the first time, there is unprecedented political will across all branches of government to implement local government reforms. However, it is still insufficient to ensure that such complex large scale reforms happen effectively and efficiently. Additionally, there are some stakeholders who are resistant to decentralization, including vested interests of some local officials against the reforms, and a lack of citizen understanding of what the reforms are about, with only 15% of aware of and supporting the reform effort. A major constraint is the absence of consensus among key stakeholders on such components of the reform as decentralization, administrative and territorial arrangement and community consolidation. Also absent, given the lack of the aforementioned consensus vision, is a policy dialogue mechanism for local governments to advance the policy reform agenda with all stakeholders.

The reform will bring an essentially new architecture of local government institutions at all levels of local self-governance (community, rayon and oblast) and new types of relationships with central government authorities. A critical mass of supporters from government officials, local official and citizens is needed to ensure that local government functions, operations and mechanisms work properly and deliver results for citizens. Moreover, local government elections in October 2015 will bring a cohort of new local officials and a new territorial arrangement of local government entities with a host of new consolidated communities. To ensure a smooth transition to this new system and to demonstrate its benefits for ordinary

citizens, broad communication and cooperation are needed among the expert community, government officials and media.

Another major impediment to the reform of local self-governance is the nation-wide absence of quality information about the benefits it entails. As a result, popular support for decentralization at the national level and local levels is lagging. Despite some improvements in the cooperation between government and media to inform citizens about the roles and responsibilities of local government under the reform and expected improvements of staple services, the quality of media coverage in this sphere remains poor. Many newspapers and television stations are controlled by oligarchs, are biased and generally do not cover local government issues. The Internet remains a limited tool for spreading information in Ukraine and cannot fully offset the deficiencies of more traditional media. While there is a great deal of discontent with public services in Ukraine, the general population does not understand how decentralization and local government reform is related to their grievances, and thus there is little grassroots support. Building a critical mass of supporters will ensure the reform is supported at the grass root level and becomes irreversible.

### **Stakeholder Capacity**

Based on the President's outline for decentralization in the Concept of Local Self-Government Reform, decentralization of power requires thorough reform of public authorities at the local level. It will also entail significant new responsibilities and powers for local officials, for which there will be significant capacity building needs to ensure their ability to carry out their new duties. The greatest needs in support of the decentralization reform are on the lowest level of government (hromada or community). The needs at the local level are substantial and include capacity building for local councils, facilitation of participatory budgeting, strategic planning, and support for local initiatives.

At the same time, central government authorities do not have sufficient cadre of staff or the ability to adequately and inclusively draft legislation within defined timeframes. They often rely on support from NGOs and outside experts. Many key government stakeholders and new Members of Parliament are insufficiently equipped to develop the requisite legislation; the technical divisions of the Ministry of Regional Development and the Parliament's local government caucus being notable exceptions. Advocating for the necessary legislative changes will require significant organizational and intellectual efforts and resources. The authors and drafters of the new legislation can often be the best advocates of the new laws, since they are most familiar with the essence and rationale behind the proposed amendments.

## **II. SUMMARY OF RELEVANT ANALYSIS**

This activity draws on USAID's long-standing experience working with local governments. In particular, it draws on the findings of independent assessments and evaluations such as:

**Local Governance Assessment:** The USAID Assessment of the local governance environment found that there are significant needs to support the reform process, including the legislative and regulatory framework for proper implementation of the reform. The realization of decentralization reforms will require negotiation and consensus building on

various points. Both local government and local civil society capacity varied across the territorial-administrative units in question. <http://www.usaid.gov/documents/1863/local-governance-and-decentralization-assessment-implications-proposed-reforms>

**Local Investment and National Competitiveness (LINC) Evaluation:** The evaluation of USAID's Local Investment and National Competitiveness (LINC) Project recommended that USAID encourage dialogue among public sector, private sector and civil society and that it focus investments on smaller municipalities. [http://pdf.usaid.gov/pdf\\_docs/pa00jztf.pdf](http://pdf.usaid.gov/pdf_docs/pa00jztf.pdf).

**DIALOGUE Evaluation:** The recent external evaluation of DIALOGUE pointed to the need to provide more capacity building support to local officials in carrying out their duties. Another key recommendation was the need to focus on (1) concrete, achievable results and improvements within the budget and resource constraints of local government, and (2) clear communication with citizens, which is necessary for local governments to gain the trust of citizens and support for reform. The evaluation also highlighted the continuing need for greater citizen understanding through improved outreach efforts on decentralization reforms. Similarly, there is a need for improved feedback loops between local governments and central authorities on draft legislation and regulations that will impact local authorities. <https://dec.usaid.gov/dec/content/Detail.aspx?ctID=ODVhZjk4NWQtM2YyMi00YjRmLTkxNjktZTcxMjM2NDBmY2Uy&rID=MzY0MDkx>

### III. RELATION TO MISSION STRATEGY

The purpose of Policy for Ukraine Local Self-Governance (PULSE) is to strengthen local governance to deepen democracy, improve conditions for development of communities and promote stability.

The activity will contribute to the following development objectives and intermediate results:

DO 1: More Participatory, Transparent and Accountable Governance Processes

IR 1.1: Improved Legislative and Policy Environment in Line with European Standards;

IR 1.1.4: Decentralized authority empowers local leaders;

IR 1.2: Improved Citizen Oversight and Engagement in Governance;

IR 1.2.4: Increased capacity of CSOs to provide oversight of government functions.

DO 2: Broad-based, Resilient Economic Growth as a Means to Sustaining Ukrainian Democracy

IR 2.3: LG more efficient and accountable;

IR 2.3.1: Local government more financially independent;

IR 2.3.2: Local government resources managed in an effective, transparent and accountable manner;

IR 2.3.3: Municipal services improved.

DO 3: Strengthened and Sustainable Health Systems to Improve Health Status in Focused Areas and Population Groups

IR 3.2: Improved Quality of Health Services

#### **IV. RELATIONSHIP TO USAID'S LOCAL GOVERNANCE PROJECT**

To address the challenges described above USAID approved in July 2015 a new Local Governance Project, a subsector strategy, aimed at strengthening Ukraine's local governance to deepen democracy, improve conditions for the development of communities and promote stability.

The development hypothesis for the Local Governance project is the following:

If the GOU implements a sound framework for decentralization, local governments effectively manage resources and services, and citizens engage in local governance processes and provide oversight, then local governance will be more transparent, participatory, and accountable to citizens.

PULSE is one of three activities supporting the USAID Local Governance Sector and is designed to focus primarily on the adoption and implementation of a sound national decentralization policy. PULSE will work in close cooperation with the ongoing Municipal Finance Strengthening Initiative (MFSI) and all future USAID local governance and decentralization activities to achieve their shared objectives. All Local Governance implementers are expected to closely collaborate on interventions to achieve objectives. PULSE should be flexible to respond to Ukraine's evolving decentralization environment and subsequent legislative changes that will affect the future configuration of local government. Other factors, such as the security situation and the outcome of the local elections in 2015, may also affect implementation.

The following key assumptions and risks were identified by USAID during the design of the activity. In approaching the implementation of PULSE, the implementer should consider ways to reduce these risks to successful achievement of activity results.

##### **Assumptions:**

1. GoU political will remains focused on passing reform legislation, especially decentralization policy reforms.
2. The conflict in the East and Russia's illegal annexation of Crimea will not impede the GoU's continued progress on decentralization reforms in other parts of the country.
3. Civil society engagement will continue to provide pressure on the GoU to adopt key reforms, especially decentralization reforms.

##### **Risks:**

1. The armed conflict escalates or spreads to other regions, further destabilizing the country and obstructing reforms.
2. There is further economic decline due to instability from conflict.
3. There is a loss of political will for decentralization reforms, for example: political gridlock stalls the decentralization process; constitutional reform is stalled or incomplete; the ruling coalition falls apart; the reform process is hijacked by vested interests; or citizens become impatient with decentralization reforms and lose interest in supporting them.

4. Local representatives of the national government are established without clear and limited responsibilities, resulting in ambiguous powers that could be abused for political purposes.
5. Corruption is decentralized because effective accountability mechanisms are not in place at the local level.
6. Local elections are delayed or derailed.

### **Coordination with Other USAID Projects and other Donors**

Coordination in providing assistance to decentralization and local governance is critical. Given that several other donors are now supporting or contemplating designing new projects on local governance, PULSE should regularly consult with other donors to avoid duplication and identify areas of collaboration.

In addition to coordinating with other projects within the local governance sector, USAID supports various projects related to the functions of local government. Across the Health, Economic Growth and Democracy and Governance portfolios USAID projects have important implications for the ability of local government to respond to community needs.

For instance, the Supporting Urgent Reforms to Better Ukraine's Business Environment and the Local Economic Governance (LEV) activities [www.eef.org.ua](http://www.eef.org.ua) will work with local governments to improve the country's business enabling environment. USAID's Development Initiatives for Advocating Local Governance in Ukraine (DIALOGUE) <http://www.auc.org.ua>, implemented by the Association of Ukrainian Cities (AUC), will come to a close in the last quarter of 2015. DIALOGUE was instrumental in building a positive environment for local government reforms and promoting broad-based support for decentralization. It also fostered constructive dialogue between local and central governments and improved the legal and institutional framework for the development of local government in Ukraine.

PULSE will coordinate closely with USAID-supported Municipal Finance Strengthening Initiative (MFSI II), particularly on issues related to municipal finance policy development. The Public Private Partnership Development Program (P3DP) <http://ppp-ukraine.org/en/> assists local governments in improving infrastructure and delivery of public services. The USAID activities in energy efficiency, family planning, tuberculosis control, agriculture, and HIV/AIDS work with local government officials in a sub-set of Ukraine's oblasts. PULSE will also be expected to work with other DG activities, such as RADA <http://radaprogram.org/en/>, UNITER [www.uniter.org.ua](http://www.uniter.org.ua), U-Media [www.umedia.kiev.ua](http://www.umedia.kiev.ua), and SPPU (CEPPS), which contribute to strengthening political and governance processes and impact the quality of local governance in the country. See current USAID programs at: <http://www.usaid.gov/where-we-work/europe-and-eurasia/ukraine/democracy-human-rights-and-governance>

## **V. ACTIVITY DESCRIPTION**

USAID will provide funding of up to \$8.225 million, subject to the availability of funds, for a five-year activity.

### **A. Purpose**

The purpose of the Policy for Ukraine Local Self-Governance (PULSE) activity is to strengthen local governance, deepen democracy, improve conditions for development of communities and promote stability.

### **B. Activity Objective and Results**

PULSE's objective is to support the GoU to adopt and implement a sound decentralization policy for Ukraine. The following expected results (ERs) are needed to achieve this objective:

- 1) ER 1: Decentralization enabling legislation reflects local government input
- 2) ER 2: Resources under local self-governments' authorities increased (fiscal decentralization)
- 3) ER 3: Capacity of key stakeholders increased

#### **Illustrative indicators for Activity Objective (may include, but are not limited to):**

- Expert survey opinion on status of Decentralization Implementation as measured through independent monitoring
- Number of communities successfully implementing policies and effectively using resources to demonstrate benefits of decentralization

By providing a voice for local governments in the development and rollout of decentralization policies, increasing the resources under the authority of local self-government and strengthening the capacity of key stakeholders, PULSE will provide direct and impactful support to help the GoU adopt and implement a sound decentralization policy framework for Ukraine.

### **C. Activity Expected Results and Illustrative Interventions**

#### **Activity Summary:**

A sound decentralization policy is one in which provides local governments the authority, resources, accountability and capacity to effectively carry out their function. Local government mandates must be clear and resources in their control should be aligned with their responsibilities. By improving the system of inter-governmental transfers and redistribution of taxes, there will likely be increased discretionary funds in local budgets which can be invested in the improvement of public services. Moreover, a sound framework

for the consolidation of community and rayon level governments will engender greater efficiencies in service delivery and further ensure successful decentralization.

PULSE will build upon previous USAID assistance, including USAID's DIALOGUE program, to create a positive environment for local government reforms and ensure broad-based support for decentralization. PULSE will promote a bottom-up approach to decentralization policy development, constructive dialogue between local governments and the central government, and improvements to the legal and institutional framework for the development of local government in Ukraine. PULSE should be flexible in responding to emerging policy opportunities and threats in order to respond to the evolving decentralization reform as it unfolds.

USAID recognizes that it may not be possible that one organization working alone will succeed in meeting the objectives of PULSE. Therefore, we strongly encourage the implementer to partner with other organizations, both Ukrainian (local partners) and from the region (non-local partners), as necessary to implement activities under PULSE.

## **EXPECTED RESULTS:**

### **1. Expected Result 1: Decentralization enabling legislation reflects local government input (40%)**

PULSE's support of decentralization legislation should be strategic to ensure that solid technical assistance in legislative development (including constitutional provisions) turns into real action. This includes engaging local governments directly to identify technical areas and needs for additional legislation, while enhancing legislative drafting activities with sectoral and regional analyses. Some examples of how this could be done include sectoral professional groups or task forces, local government regional advisory boards and/or regional boards for the implementation of the local government reform (LGR), and regional/oblast level meetings with mayors and local government officials.

PULSE will support Government of Ukraine and local stakeholders to develop a roadmap and strategy for prioritizing and sequencing legislation necessary to fully and appropriately implement decentralization. At the outset, it will be important for the implementer to support the Government of Ukraine and local stakeholders to assess recently passed decentralization legislation to determine the additional local government legislation required and set priorities for legislative drafting. The priority will be to promote 'catalyst' legislation, such as: amendments to the Constitution, law on local governance, law on local state administrations, and law on administrative and territorial arrangement. These laws will provide a strong foundation for subsequent decentralization-related laws, including tax and budget codes, sectoral legislation, and citizen participation in local government, among others. See Table 1 in the background section for illustrative legislation. It is also necessary to expand upon a pool of legislation drafting experts to provide consultations and feedback on drafting key legislation. Preparation of high quality draft laws initiated by local governments and prepared in strict accordance with the parliamentary legislation drafting technique is the key to their successful approval in the Verkhovna Rada. As elaborated in Expected Result 3,

this also includes key advocacy, public awareness, and stakeholder engagement to help secure approval of legislation. This activity will also include a mechanism for accessing regional and international experts. Polish expertise and cooperation is expected to be especially useful due to the relevance of Poland's decentralization experience.

Monitoring the development and implementation of legislation is also key to advancing broad-based reform efforts, especially for ensuring that new legislation complies with local government and community interests. To hold the GoU accountable and ensure that reforms stay on track, it will be important to have independent monitoring of the status of legislative changes and their implementation.

**Illustrative outcomes contributing to Expected Result 1 (may include, but are not limited to):**

- GoU adopts legislation with support of a pool of local and international experts
- Mechanisms for local government input into the decentralization policy are strengthened and utilized
- Decentralization implementation is monitored by key stakeholders

The following listed interventions and indicators are not intended to limit the types of activities that can occur in the different phases of project implementation. The applicant is encouraged to propose innovative activities approaches and additional indicators needed to achieve the desired results. Implementers shall include relevant and meaningful indicators at each level - intervention, outcome, Expected Results (ER) - which should be linked or flow from each level to the next. For example, each intervention must correspond to an outcome and each outcome must correspond to an ER. The relationship should be clear and/or explained in the narrative.

**Illustrative interventions under Expected Result 1 (may include, but are not limited to):**

- Expand upon the pool of technical and policy experts available to draft and advocate for legislation development
- Develop and disseminate models of community charters to local governments
- Facilitate stakeholder (local government officials, citizens, etc.) input into the development of national decentralization policy
- Support think tanks, independent experts and NGOs to monitor decentralization reform implementation
- Convene roundtables and other fora to give local government a voice in the development of decentralization legislation
- Support adoption and implementation key legislation and supporting regulations

**Illustrative Performance Indicators for Expected Result 1 (may include, but are not limited to):**

- Number of formal and regular institutional mechanisms for local governments to engage in policy dialogue about national legislation
- Number and significance of decisions taken at the central government level as a consequence of advocacy from either individual local governments or organizations or associations of local government.

- Number of laws which seek to devolve power implemented by the central government.

**2. Expected Result 2: Resources under local self-governments' authorities increased (fiscal decentralization) (30%)**

To ensure that resources under local self-governments' authorities are increased, PULSE must work extensively with the Ministry of Regional Development and the Ministry of Finance, as well as local government entities responsible for fiscal issues and local experts, many of whom have been critical to the reform process thus far. It will also be critical to coordinate fiscal reform of public financing with the political reforms of decentralization. This will require technical assistance from experts on fiscal decentralization with familiarization of numerous models from both the developing world and Europe (particularly Poland).

Accordingly, interventions under Expected Result 2 should focus on how Ukraine's system of taxation and other public revenues can be re-directed to the local level and how the national budget can redistribute subsidies to regions with substantial shortfalls in local revenues, based on rational fiscal policy rather than partisan politics. State actors considering fiscal decentralization should be introduced to different models from which to choose. (Polish examples may be useful in some cases, but other comparative systems may be more relevant). Particular attention should be paid to supporting policies that provide local governments with more control over revenues and expenditures, thus better positioning them to promote economic and social development. The PULSE implementer must closely coordinate with the USAID-supported Municipal Finance Strengthening Initiative (MFSI) project in implementing interventions and achieving outcomes and expected results. Although assistance to help local governments manage revenue and implement local economic development plans and strategies will be supported through another USAID activity, PULSE will nonetheless need to educate local governments on their new fiscal authorities and how they can use their resources strategically and effectively to demonstrate the benefits of fiscal decentralization.

**Illustrative outcomes contributing to Expected Result 2 (may include, but are not limited to):**

- Budget and tax codes amended to support fiscal decentralization
- Fiscal resources under the control of local governments are better aligned to political and administrative decentralization reforms
- Local governments empowered through legislation to use their resources more strategically and effectively and control corruption

The following listed interventions and indicators are illustrative and not intended to limit the types of activities that can occur in the different phases of project implementation. The applicant is encouraged to propose innovative activities approaches and additional indicators needed to achieve the desired results. Implementers shall include relevant and meaningful indicators at each level - intervention, outcome, Expected Results (ER) - which should be

linked or flow from each level unto the next. For example, each intervention must correspond to an outcome and each outcome must correspond to an ER. The relationship should be clear and/or explained in the narrative.

**Illustrative interventions under Expected Result 2 (may include, but are not limited to):**

- Assist the Ministry of Finance and the Ministry of Regional Development in establishing procedures for optimal local budget allocations.
- Support stakeholders (including, but not limited to the Ministry of Finance the Ministry of Regional Development) to develop policy recommendations or proposals for appropriate fiscal decentralization and local economic development.
- Develop a legislative and regulatory framework at the national level and toolkits at the local level to promote local economic and social development
- Educate policy makers on different models of fiscal decentralization.
- Provide technical advice to the Ministry of Finance and the Ministry of Regional Development on Budget and Tax Codes to allow for local revenue generation and a mechanism at the national level to redistribute funds.
- Support the development of a publicly available web-based system that chronicles local budgets and expenditures that could be used by watchdog groups for local budgetary oversight.
- Train local governments on strategically and effectively managing resources in order to demonstrate the value of fiscal decentralization.

**Illustrative Performance Indicators for Expected Result 2 (may include, but are not limited to):**

- Local government budgets disaggregated by source (own-source revenue, central government transfers, other sources)
- Percent of locally generated revenue retained locally.
- Percent of taxes or other revenue streams transferred from central to local government
- Percent of local revenue generated by local government.

**3. Expected Result 3: Capacity of Stakeholders Increased (30%)**

Ukraine is at the precipice of unprecedented decentralization reform that will transform its system of government and how it relates to citizens. Past attempts to implement decentralization reform have stalled due to lack of capacity and sustainable political will to complete the reform process. As the architecture of the reform is put in place through the legislative changes, it will be necessary for PULSE to simultaneously increase the capacity and commitment to develop and implement the reforms. Also important is sustaining support for the reform at all levels, both the higher level political will, as well as at the grassroots pressure to complete the reform and ensure its irreversibility.

The highly complex nature of decentralization reform requires capacity building among a range of stakeholders in order to ensure effective roll out of the reform and to translate the policy decisions into practical understanding of how to carry out the new authorities and responsibilities. PULSE will engage with diverse stakeholders involved in the decentralization process, including national government actors (especially the Ministry of Regional Development), new Members of Parliament, many of whom are insufficiently

equipped to either develop legislation or oversee its implementation, and local government officials at all levels.

Although training and other forms of capacity development for local government will feature primarily under a separate activity, some capacity building needs associated with understanding of legislative needs, legislative drafting techniques, legislative changes and organizational changes (such as new budget authorities) will be addressed under PULSE in close cooperation with other local governance activity implementers. For instance, such capacities, include, but are not limited to: 1) local governance policy development, including consultative processes, legislative drafting, and legislative strategies; 2) local governance policy implementation; and, 3) local governance policy oversight.

Particular emphasis will be paid to build capacity<sup>1</sup> of local government officials on responsibilities that flow from new legislation. This will also include assistance to GoU's reform implementation units whose responsibility is to prepare and implement the long-term plans for newly amalgamated communities. In addition to strengthening networking among local government officials, there will be a need to strengthen the two-way communication between local and central government, thus ensuring a strong feedback loop to facilitate effective decentralization policy development and implementation.

Another area of emphasis involves advocacy for adoption and implementation of decentralization reforms. Building a critical mass of supporters is essential to the success of decentralization reform efforts and it requires citizens to understand the benefits and advantages of decentralization reforms, as well as the short-term sacrifices and impacts that may result. The more that the broader public understands and accepts the reform, the easier to implement it.

**Illustrative outcomes contributing to Expected Result 3 (may include, but are not limited to):**

- Government officials informed and capable of carrying out new roles and responsibilities that flow from decentralization legislation
- Communication and coordination across levels of government to implement decentralization reform legislation is enhanced.
- Increased public awareness and public support for decentralization reforms.

The following listed interventions and indicators are illustrative and not intended to limit the types of activities that can occur in the different phases of project implementation. The applicant is encouraged to propose innovative activities approaches and additional indicators needed to achieve the desired results. Implementers shall include relevant and meaningful indicators at each level - intervention, outcome, Expected Results (ER) - which should be linked or flow from each level unto the next. For example, each intervention must correspond to an outcome and each outcome must correspond to an ER. The relationship should be clear and/or explained in the narrative.

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<sup>1</sup> Capacity development will include training of trainers, development of manuals and guidebooks, dissemination of models, mentoring, peer learning and other innovative methods.

**Illustrative Interventions under Expected Result 3 (may include, but are not limited to):**

- Provide capacity building to stakeholders and other national actors to implement changes under decentralization legislation
- Training for local government and state executive officials on implementation of reform legislation
- Roundtables and other types of dialogue across different levels of government to clarify roles and responsibilities in practice
- Support for GoU public outreach campaigns to explain the process and necessity of the reforms and to manage public expectations.
- Public opinion surveys to measure public commitment to decentralization reform and inform public outreach strategies
- Strategic messaging through print, television, radio, internet and other means of communication
- Support stakeholders to develop and disseminate models of community charters to local governments
- Support for the GoU's Office of Reform Implementation to support oblast state administrations to implement long term amalgamation plans.

**Illustrative Performance Indicators for Expected Result 3 (may include, but are not limited to):**

- Number and percentage of government officials, at all levels, who demonstrate understanding of new responsibilities under decentralization legislation
- Percentage of citizens who understand and support decentralization and local governance reforms, measured by public opinion survey.

## **VI. MANDATORY FACTORS**

### **A. Sustainability**

This activity targets the supply side of local governance, empowering local authorities through changes to the legislative framework and by strengthening their ability to provide basic local governance functions and services (administrative services, communal services, economic growth, health, etc.). There is demonstrable local demand and ownership for this project, as local government is the level of government closest to citizens and most responsive to local needs. In public perception surveys (IFES), citizens consistently rate local governments more favorably than other government institutions, presumably because these entities are closest to citizens.

Citizens and local governments are particularly interested in local ownership of devolved local authorities and budgets as an inherently self-reinforcing process. Local government officials have an inherent interest in not only receiving additional authorities, but also in improving their ability to perform and meet citizen demands at the local level. As local government officials live in the communities they serve, receive the same level of services (health, education, water, sanitation, etc.), as well as interact with the direct citizen beneficiaries on a daily basis, they are more intrinsically interested in the outcomes of effective local governance and decentralized authorities. Therefore, local government

officials have a greater interest in ensuring effective performance and continuation of successes achieved. Decentralization reforms will also help ready Ukraine for closer ties with the European Union.

## **B. Inclusive Development**

In Ukraine, Lesbian, Gay, Bisexual and Transgender (LGBT) persons, persons with disabilities (PWD), ethnic minorities, internally displaced persons (IDPs) and other vulnerable persons face violence, economic hardship, stigmatization, and political marginalization. The exclusion of these groups from the Ukrainian economic, social and political spheres is a violation of these peoples' basic human rights. Economically, such exclusion means lower rates of production and consumption, which ultimately leads to slower growth. To ensure that the political, economic and social rights of LGBT, persons with disabilities, ethnic minorities, IDPs, youth and other vulnerable persons are included in local governance, the implementer will undertake an intentionally inclusive approach to implementation that addresses the unique needs of marginalized persons. Furthermore, implementers will be required to ensure the project addresses the unique needs of historically marginalized or vulnerable groups in proposals and annual implementation plans.

USAID's commitment to inclusive development will be fully reflected in this project. Multiple opportunities exist for integrating inclusive development principles into trainings for local government officials. Further analysis will be required to develop recommendations to incorporate inclusive development and local systems, rules and norms into decentralization-related legislation, policies and procedures.

PULSE will ensure that 1) women and men have the same opportunities and are treated identically and without discrimination; 2) resources are fairly distributed, taking into account the different needs of women and men; 3) the wide-ranging social, political and economic effects of differences in gender roles are taken into account.

Specifically, PULSE implementer will:

- Build stakeholder awareness that gender analysis is an important component of the decentralization policymaking process;
- Promote and improve the application of gender analysis when assisting Ukrainian counterparts in drafting, reviewing and promoting decentralization laws and regulations;
- Ensure that government officials are aware of gender equality provisions in laws and policies pertaining to decentralization and are able to implement them;
- Elevate the voice of women in decentralization policy debates in all forums to ensure that gender-specific challenges are considered and addressed;
- Support the inclusion of women in formal decision making and take affirmative measures to ensure women take part in decision-making processes in decentralization;
- Clearly indicate the areas or aspects of the project in which gender is relevant and specifically show in the Work Plan and M&E Plan how gender issues will be

addressed, how results will be determined taking gender into account; and what resources will be provided to do this;

- Include gender modules in project training sessions;
- Strive for not less 30% and not more 70% of each sex representation at PULSE activities;
- Identify areas in which greater male participation can be encouraged as partners in promoting gender equality and as role models against gender stereotypes;
- Consider household needs and responsibilities before setting time/venue for a training session;
- Ensure project staff accountability for developing performance indicators for measuring program success in contributing to gender equality in Ukraine;
- Disaggregate project performance indicators data by sex as appropriate and feasible.

### **C. Reprogramming Triggers**

Significant changes in the Ukrainian political situation may affect program implementation and progress toward objectives. In such cases, USAID (in consultation with the US Embassy, as necessary) will review the implementation environment and determine (with the implementer, where appropriate) whether reprogramming is advisable or required. The core factor in such a review will be a determination of potential for meaningful program engagement.

Examples of significant impediments to program engagement include, but are not limited to: government resignation or collapse, followed by long-term interim or caretaker government; declaration of martial law, expanded conflict throughout the country; major constitutional changes (e.g. redistribution of power between the branches and/or strengthening one of the branches disproportionately). Other issues such as the presence or absence of political will in the program's counterparts (including both the legislative and executive branches) may also be considered as triggers.

If such impediments or other unforeseen developments impact the implementation of proposed activities, the implementing partner will consult closely with USAID to determine the appropriate course of action. In the short-term, USAID may defer, postpone, or reevaluate affected program components and sub-components. If USAID determines an impediment has made progress toward one or more objectives impossible, some program components may be eliminated and/or shifted.

**[END OF SECTION I]**

## **SECTION II – FEDERAL AWARD INFORMATION**

### **1. Estimated Total Funding Available and Number of Awards Contemplated**

USAID expects to award a Cooperative Agreement based on this NFO. Subject to funding availability, USAID intends to provide \$8,225,000 in total USAID funding over a 5-year period.

The Government may issue one, several or no awards resulting from this NFO to the responsible applicant(s) whose application(s) conforming to this NFO are the most responsive to the objectives set forth in this NFO. The Government may (a) reject any or all applications, (b) accept other than the lowest cost application, (c) accept more than one application, (d) accept alternate applications, and (e) waive informalities and minor irregularities in applications received.

The Government may make award on the basis of initial applications received, without discussions or negotiations. Therefore, each initial application should contain the applicant's best terms from a cost and technical standpoint. The Government reserves the right (but is not under obligation to do so), however, to enter into discussions with one or more applicants in order to obtain clarifications, additional detail, or to suggest refinements in the program description, budget, or other aspects of an application.

Neither financial data submitted with an application nor representations concerning facilities or financing, will form a part of the resulting agreement(s).

### **2. Start Date and Period of Performance for Federal Awards**

The estimated start date will be upon signature of the award, on or about January 1, 2016. The period of performance anticipated herein is five (5) years.

### **3. Substantial Involvement**

USAID always has some involvement in assistance awards (including monitoring performance, reviewing reports, and/or providing approvals, in order to effectively support the achievement of the expected results, in addition to the standard prior approvals). USAID considers collaboration with the awardee crucial for the successful implementation of this program. Substantial involvement is deemed necessary and therefore is anticipated between USAID and the recipient during the performance of this activity.

Substantial involvement under the proposed award shall include the following:

- Review, approval, as well as extension on submission of the Recipient's Initial Implementation Plan, Annual Implementation Plans (Work Plans), including the Monitoring and Evaluation (M&E Plan), with Activity Logical Framework as part of a M&E Plan. Any significant changes to the approved Implementation Plan and the

M&E Plan, as well as Activity Logical Framework, will require additional approval of the AOR.

- Review and approval of key personnel and any changes by the AOR; and
- Subawards: Approval of all subawards including extensions. The AOR will be substantially involved in approval of subawards.

The above substantial involvement will be delegated to the USAID Agreement Officer's Representative (AOR). The AOR will be responsible for oversight and technical direction of the recipient, both in writing and verbally. The recipient will be expected to meet regularly (via phone, email or in person) with the AOR or his/her designee to review the status of activities, and should be prepared to make periodic, unplanned verbal and written briefings to USAID as appropriate.

“Recipients shall immediately notify USAID of developments that have a significant impact on the award-supported activities. Also, notification shall be given in the case of problems, delays, or adverse conditions which materially impair the ability to meet the objectives of the award. This notification shall include a statement of the action taken or contemplated, and any assistance needed to resolve the situation.” This provision is applicable to all sub-grants as well as the prime recipient.

#### **4. Title to Property**

Property Title under the resultant agreement shall vest with the Recipient.

#### **5. Authorized Geographic Code**

The authorized Geographic Code for procurement of goods and services under this award is 110 as described in 22 CFR 228. However, due to the source of funding of some activities described in the Program Description of this NFO, the authorized Geographic Code for procurement of goods and services under this award could be 937. Specific details will be reflected in the resultant agreement.

#### **6. Purpose of the Award**

The principal purpose of the relationship with the Recipient and under the subject activity is to transfer funds to accomplish a public purpose of support to the Policy for Ukraine Local Self-Governance (PULSE) Activity described in the Program Description, in Section I of this NFO.

The successful Recipient will be responsible for ensuring the achievement of the activity objectives and the efficient and effective administration of the award through the application of sound management practices. The Recipient will assume responsibility for administering

Federal funds in a manner consistent with underlying agreements, activity objectives, and the terms and conditions of the Federal award. The Recipient using its own unique combination of staff, facilities, and experience, has the primary responsibility for employing whatever form of sound organization and management techniques may be necessary in order to assure proper and efficient administration of the resulting award.

**[END OF SECTION II]**

## SECTION III - ELIGIBILITY INFORMATION

### 1. Eligible Applicants

USAID encourages applications from potential new partners. USAID will not accept applications from individuals.

The eligibility requirements below apply to the principal Applicant:

Any local (Ukrainian) non-governmental or commercial organizations in Ukraine, who are able to respond to the NFO and be able to mobilize in a short period of time, are eligible to apply under this NFO.

USAID defines a local organization as one that:

- Is organized under the laws of the recipient country;
- Has its principal place of business or operations in Ukraine;
- Is majority-owned by individuals who are citizens or lawful permanent residents of the recipient country or is managed by the governing body, the majority of whose members are citizens or lawful permanent residents of Ukraine and
- Is not controlled by a foreign entity or by an individual or individuals who are not citizens or permanent residents of Ukraine.

The term “control” or “controlled by” in the above definition means having a majority ownership or beneficial interest, or the power, either directly or indirectly, whether exercised or exercisable, to control the election, appointment, or tenure of the organization’s managers or a majority of the organization’s governing body by any means, e.g., ownership, contract, or operation of law. The term “Foreign Entity” means an organization that fails to meet any part of the “local organization” definition.

Local organizations must meet the definition for local organization, as defined above, in Ukraine.

Applicants must have established financial management, monitoring and evaluation processes, internal control systems, and policies and procedures that comply with established U.S. Government standards, laws, and regulations. The Recipient must be a responsible entity. The AO may determine a pre-award survey is required to conduct an examination that will determine whether the prospective recipient has the necessary organization, experience, accounting and operational controls, and technical skills – or ability to obtain them – in order to achieve the objectives of the program and comply with the terms and conditions of the award. Pre-award surveys are time-consuming and award decisions are based on the survey findings.

To be eligible for award of a Cooperative Agreement, in addition to other conditions of this NFO, organizations must have a commitment to non-discrimination with respect to beneficiaries and adherence to equal opportunity employment practices. Non-discrimination

includes equal treatment without regard to race, religion, ethnicity, gender, and political affiliation.

Applicants are reminded that U.S. Executive Orders and U.S. law prohibits transactions with, and the provision of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of the Recipient to ensure compliance with these Executive Orders and laws. This provision must be included in all sub-awards issued under this Cooperative Agreement.

## **2. New Partners**

USAID encourages applications from new partners that have not previously received USG funding. However, resultant awards to these organizations may be delayed because USAID generally must conduct pre-award surveys of these organizations in order to make a risk assessment decision, in accordance with ADS 303.3.9.1. Please refer to Section V of this NFO, for additional information on pre-award surveys.

## **3. Number of Applications that May be Submitted**

Any one local entity may submit one application for funding in response to this NFO.

## **4. Cost Sharing**

Cost sharing is not required under this PULSE Activity.

## **5. Third Country Participant Training**

Third-country training must **not** take place in countries that are

- Considered unfriendly by the U.S. Department of State and to which travel by U.S. citizens is prohibited; or
- Identified as terrorist countries by the Department of State.

**[END OF SECTION III]**

## **SECTION IV – APPLICATION AND SUBMISSION INFORMATION**

The federal grant process is web-enabled, allowing for applications to be submitted on-line. Complete Application packages shall be submitted electronically through [grants.gov](https://www.grants.gov), and must be received no later than the closing date and time as indicated on the cover letter of the NFO. Instructions to submit applications electronically on-line in response to this NFO are found on Grants.gov in the “For Applicants” section – under “Apply for Grants.” Applicants are also encouraged to submit an electronic copy of their application via e-mail to [morlova@usaid.gov](mailto:morlova@usaid.gov) and [RFPKyiv@usaid.gov](mailto:RFPKyiv@usaid.gov).

Please e-mail Ms. Marina Orlova at [morlova@usaid.gov](mailto:morlova@usaid.gov) to verify your application has been received.

If your organization decides to submit an application, it must be received by the closing date and time indicated at the top of the cover letter. The applicant must provide all required information in its application, including the requirements found in any attachments to this NFO. Applicants should retain for their records one copy of all enclosures which accompany their applications.

To be eligible for award, the application should be prepared according to the structural format set forth below in (I) Technical Application Format and (II) Cost/Business Application Format. Applications which are received late or are incomplete run the risk of not being considered in the review process. Late applications will be considered for award only if the Agreement Officer determines it is in the Government’s interest.

USAID will consider only applications conforming to the format prescribed below. All applications received by the closing date and time indicated on the cover letter will be reviewed for responsiveness and programmatic merit in accordance with the specifications outlined in these guidelines and the application format. Section V. addresses the selection criteria and evaluation procedures for the applications.

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

(i) Mark the title page with the following legend:

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

(ii) Mark each sheet of data it wishes to restrict with the following legend:

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

#### **OTHER SUBMISSION REQUIREMENTS:**

- Unnecessarily Elaborate Applications – Unnecessarily elaborate brochures or other presentations beyond those sufficient to present a complete and effective application in response to this NFO are not desired and may be construed as an indication of the applicant's lack of cost consciousness. Elaborate art work, expensive paper and bindings, and expensive visual and other presentation aids are neither necessary nor wanted.
- Explanation to Prospective Applicants - Any prospective applicant desiring an explanation or interpretation of this NFO must request it in writing not later than September 8, 2015, 16:00 hour local Kyiv time to allow a reply to reach all prospective applicants before the submission of their applications. Oral explanations or instructions given before award of an Agreement will not be binding. Any information given to a prospective applicant concerning this NFO will be furnished promptly to all other prospective applicants as an amendment of this NFO, if that information is necessary in submitting applications or if the lack of it would be prejudicial to any other prospective applicants.
- Telegraphic or Faxed Applications – Telegraphic or faxed applications will not be considered.
- Language – All applications must be in English.

#### **1. POINT OF CONTACT FOR APPLICATION MATERIALS AND SUBMISSION INFORMATION**

##### **PAPER COPY SUBMISSION INFORMATION**

All applications (**both paper and electronic copy**) received by the closing date and time indicated on the cover letter (**October 9, 2015, 16:00 Hours, Local Kyiv Time**) will be reviewed for responsiveness and programmatic merit in accordance with the specifications outlined in these guidelines and the application format. Section V. addresses the selection criteria and evaluation procedures for the applications.

Applications shall be submitted in two separate parts: (a) Technical Application, and (b) Cost or Business Application. In addition to electronic submission via [www.grants.gov](http://www.grants.gov) and via e-mails [morlova@usaid.gov](mailto:morlova@usaid.gov) and [RFPKyiv@usaid.gov](mailto:RFPKyiv@usaid.gov) an original and one (1) paper copy of the Technical Application and an original and one (1) paper copy of the Cost Application shall be submitted. Both the technical and cost portions of the application shall have a cover

page which includes the point of contact for the organization, including name, title, address, phone and fax numbers and e-mail address.

Applicants shall upload applications to [www.grants.gov](http://www.grants.gov); plus email to [morlova@usaid.gov](mailto:morlova@usaid.gov) and [RPFKyiv@usaid.gov](mailto:RPFKyiv@usaid.gov) and shall also submit hard copies.

Applicants must submit the full application package (hard copies of both technical and cost applications) as follows:

**Paper copy submission.** Applications and modifications thereof shall be submitted (via a commercial courier or in person) in envelopes/boxes with the name and address of the applicant and the NFO number (referenced above) inscribed thereon, to:

**By Courier Service/Hand Delivery:**

UNITED STATES EMBASSY  
USAID/Ukraine/RCO  
Attn: Marina Orlova, A&A Specialist  
4 Igor Sikorsky Street  
Kyiv 04112 Ukraine  
Tel: (380-44) 521-5464

**PLEASE WRITE ON THE EXTERIOR OF THE PACKAGE IN LARGE PRINT:  
"RFA-121-15-000001"**

Note: Faxed applications are not acceptable.

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**DIRECTIONS FOR PAPER COPY SUBMISSION:**

**STEP 1:**

Applications must be delivered between the due date hours of 3PM and 4PM on 09 OCTOBER 2015 (Kyiv local time) ONLY at the Shipping and Receiving Entrance of the US Embassy. The Shipping and Receiving Entrance is located at the rear (north) entrance of the US Embassy on Zhabaeyeva Street. Please be sure to announce to the guard staff that you are delivering an application for a USAID grants competition. At time of delivery, should you experience any problems, please contact one of the following individuals:

Lydia Goudz, Administrative Assistant  
[lgoudz@usaid.gov](mailto:lgoudz@usaid.gov)  
Office: [+38 044 521 5467](tel:+380445215467)  
Mobile: [+38 066 236 7670](tel:+380662367670)

Marina Orlova, Acquisition & Assistance Specialist  
[morlova@usaid.gov](mailto:morlova@usaid.gov)  
Office: [+38 044 521 5464](tel:+380445215464)  
Mobile: [+38 068 201 31 74](tel:+380682013174)

If a different day or time is required for delivery prior to the due date and time listed on the cover letter of the NFO, please email Ms. Lydia Goudz ([lgoudz@usaid.gov](mailto:lgoudz@usaid.gov)) and Ms. Marina Orlova ([morlova@usaid.gov](mailto:morlova@usaid.gov)) AT LEAST TWO WEEKS IN ADVANCE OF THE DEADLINE to request a specific day and time for scheduled delivery.

Applications received by mail or at the Shipping and Receiving entrance without our advanced knowledge, even if prior to the deadline, cannot be categorically verified as having been received by the deadline, and no delivery receipt will be provided by personnel without scheduled delivery or outside the due date and time specified above.

Complete application packages (both electronic and hardcopy) must be received by USAID/Ukraine/RCO no later than the closing date and time indicated at the top of the NFO cover letter at the place designated for receipt of applications. Failure to include all information or to organize the application in the manner prescribed may result in rejection of the application as being unacceptable. Applicants should take account of the expected delivery time required by the application transmission methods, and are responsible to ensure timely delivery.

#### **STEP 2:**

All applicants are also required to submit their applications electronically. Please submit your application materials by email in several emails, if needed, as maximum file size per email is 800 MB. USAID will send confirmation emails when the electronic files are successfully received. If no email confirmation has been provided, then the electronic materials were not received. Applicants shall confirm with the undersigned that their submissions were successfully received by the required due date and time. Applicants are requested to submit the technical and cost portions of their applications in separate volumes so that they may be reviewed separately. Applicants should retain for their records one copy of all enclosures which accompany their application.

EMAIL ADDRESS FOR SUBMISSION: [morlova@usaid.gov](mailto:morlova@usaid.gov) and [RFPKyiv@usaid.gov](mailto:RFPKyiv@usaid.gov)

Applicants shall confirm with the undersigned that their submissions were successfully received by the required due date and time. Applicants should retain for their records one copy of all enclosures which accompany their application.

**Any questions concerning this NFO should be submitted in writing to the Acquisition and Assistance Specialist Ms. Marina Orlova via email at [morlova@usaid.gov](mailto:morlova@usaid.gov) and [RFPKyiv@usaid.gov](mailto:RFPKyiv@usaid.gov).**

**The deadline for submission of questions for this NFO is September 8, 2015, 16:00 hours Kyiv, Ukraine local time. Responses to the questions will be made available to all potential applicants through an amendment to this NFO and posted on [grants.gov](http://grants.gov).**

Applications which are received late or are incomplete run the risk of not being considered in the review process. Such late or incomplete applications will be considered in USAID's sole

discretion depending on the status of USAID's application review process as of the time of receipt and/or the quality of other applications received. Late applications will be considered for award only if the Agreement Officer determines it is in the Government's interest.

Applications should be prepared according to the structural format set forth below. Technical applications should be specific, complete and presented concisely. A lengthy application does not in and of itself constitute a well thought out proposal. Applications shall demonstrate the applicant's capabilities and expertise with respect to achieving the goals of this program. Applications should take into account the evaluation criteria found in Section V. of the NFO.

To facilitate the competitive review of the applications, applications should conform to the format prescribed below, in Section 2.Format and Content of Application.

## **2. FORMAT AND CONTENT OF APPLICATION**

### **I. TECHNICAL APPLICATION FORMAT**

Technical Applications (paper copy and electronic copy) **must be in English, in MS Word format and in PDF**, single spaced, utilizing Times New Roman 12-font size, typed on standard A4 sized paper with 2cm margins on top, bottom, left and right, numbered consecutively, and not exceed **34** pages. The cover page, dividers, table of contents, acronyms list, executive summary; and annexes will not count toward the page limitation of the Technical Application. Any pages that exceed the page limitation will not be considered by the Technical Evaluation Committee.

There is no page limit on the Cost Application.

Applications will be evaluated on a Best Value basis. As such, the technical application will have more significance than the cost application in the selection of a successful applicant. The technical application should demonstrate the applicant's capabilities and expertise with respect to achieving the goals of this program. Therefore, it should be specific, concise, and complete. It should take into account and be arranged in the order of the technical evaluation criteria specified in Section V.

Each applicant shall furnish the information required by this NFO. On the hard copies of applications, the applicant shall sign the application and certifications and print or type its name on the cover page of the technical and cost applications. Erasures or other changes must be initialed by the person signing the application. Applications signed by an agent shall be accompanied by evidence of that agent's authority, unless that evidence has been previously furnished to the issuing office.

Applicants shall acknowledge receipt of any amendment to this NFO by signing and returning the amendment. The Government must receive the acknowledgement by the time specified for receipt of applications.

## **APPLICATION CONTENTS:**

The technical application will be the most important item of consideration in selection for award of the proposed cooperative agreement. Therefore, it should be specific, complete and concise. The technical application will consist of six (6) sections as presented below and separated by tabs.

The following outlines the page limits for the application. Pages exceeding these page limits will not be evaluated. In addition, if the annexes contain information that relates to the technical application, they will not be scored (e.g. placing elements of technical understanding and proposed approaches in an annex is unacceptable).

The aggregate length of technical application should **not exceed 34 pages**.

The cover page, dividers, table of contents, acronyms list, and executive summary are not included in page limits of 28 pages, however the executive summary should not exceed 3 pages. Annexes do not have page limitations; however number of pages should be reasonable and include only minimum of necessary information.

- **Cover Page**

The cover page must include at a minimum the following information:

- NFO Number
- Project Title
- Name of the organization(s) submitting the proposal (the lead or primary Applicant clearly identified)
- Contact person for the prime Applicant, including this individual's name (both typed and his/her signature), title or position with the organization/institution, address, telephone and fax numbers and e-mail address.
- Any proposed sub grantees (or implementing partners) should be listed separately

Applicants should also state clearly whether the identified contact person has the authority to negotiate on behalf of the Applicant, or, if not, the contact information for the appropriate person with the authority to negotiate.

- **Table of Contents**

This page shall list all sections of the technical application with page numbers and attachments.

- **Acronyms List**

This page shall include list of acronyms of the technical application.

- **Executive Summary** (should not exceed 3 pages)

This section shall briefly describe:

- Key approach and core activities that will lead to anticipated results and stated objectives;

- How the overall project will be managed and implemented.

**TECHNICAL APPLICATION should not exceed 34 pages:**

There is a 20 page limit for the Technical Approach, Implementation Plan, and Staffing Plan. Additionally, there is an 8 page limit for the Monitoring and Evaluation (M&E) Plan, which includes the Activity Logical Framework (draft Logical Framework is attached to this NFO as Annex 1 and has to be filled in by the Applicants). There is an 3 page limit for the Institutional Capability and Past Performance.

1. Technical Approach (Program Description\*) (included in 20 pages)
2. Implementation Plan (Program Description\*) (included in 20 pages)
3. Staffing Plan (Program Description\*) (included in 20 pages)

\*These 20 pages, after any negotiated revisions, will become the successful applicant's Program Description in the Cooperative Agreement.

4. Monitoring and Evaluation (M&E) Plan,  
including Activity Logical Framework (8 pages)
  5. Institutional Capability (3 pages)
  6. Past Performance References (3 pages)
- TOTAL PAGES: 34**

Elaborate art work, expensive paper and bindings, and expensive visual and other presentation aids are neither necessary nor wanted.

**1. Technical Approach:** (should be included in 20 pages)

In this section, Applicants are not to merely repeat what is already described in this NFO. Applicants should focus on describing how they propose to achieve the objective(s) and make a significant contribution towards achieving the strategic purpose and priorities identified in the activity description. Applicants will present a convincing and compelling articulation of their technical approach and demonstrate why it is the most effective way to realize the objectives of this activity, including a reasonable course of action and tasks relevant to the current needs of Ukraine.

The technical approach must describe clearly and with enough details the conceptual approach, methodology and proposed activities for the implementation, accomplishment and evaluation of the objectives stated in this NFO. The rationale for the appropriateness of the suggested approach in Ukraine should be provided. The technical approach must clearly demonstrate the application of state-of-the-art approaches, models, tools and lessons learnt from other projects.

At a minimum, the approach should address the following:

- Discussion of the concrete expected results and how they will be achieved;
- Results and interventions applicants believe should be prioritized and why;
- Discussion of relevant and meaningful indicators at each level - intervention, outcome, Expected Results (ER) - which should each be linked or flow from each level unto the next. For example, each intervention must correspond to an outcome and each outcome must correspond to an ER. The relationship should be clear and/or explained in the narrative;
- Discussion on coordination with other USAID activities, stakeholders and other donor activities. Applicants should provide specific examples on how they will capitalize on possible synergies with other implementing partners and other USAID activities in this area. Applicants should provide examples of coordination with programs and activities launched or initiated by the GoU in sphere of local government reform and decentralization, thereby strengthening the impact the project;
- Strategy for capitalizing on existing local capacity and building on it to position the sub-recipient(s) to effectively manage the project;
- Strategy for the phase-out and sustainability of activities and results;
- Substantive attention on how applicants will incorporate gender considerations and other cross-cutting themes described in the program description into the project;
- Implementation timelines schedule; and
- Proposed plan for effective rapid launch of activities.

## **2. Implementation Plan** (should be included in 20 pages)

Applicants shall submit a draft implementation plan that describes how and when specific core activities will be developed over the life of the activity. Applicants must present a detailed explanation for the first year, with illustrative *key* activities, benchmarks, and results for the remaining years. The implementation plan should clearly outline links between the proposed results, conceptual approach, performance milestones, and a realistic timeline for achieving the semi-annual, annual, and end-of-program results. The implementation plan serves several purposes including a guide to program implementation, a demonstration of links between activities, strategic objectives and intended results, a basis for budget estimates, and the foundation for the monitoring and evaluation plan.

The implementation plan, at a minimum, shall include:

- Brief situation analysis in the context of what other donors and implementing partners and host-country governments are contributing;
- Life-of-program results;
- Milestones (or benchmarks) toward achieving those results over the duration of the program;
- Partner involvement and contributions to achieving the results;
- Timeline.

**3. Staffing Plan** (should be included in 20 pages)

This section shall address the composition and organizational structure of the proposed team and a description of each long-/short-term key or non-key team member's role, technical expertise, and estimated amount of time to be devoted to each relevant activity. The Applicant should specify the structure of the entire program team, including home office support and implementing partners (i.e., sub-recipient(s)). The applicant should demonstrate how it will ensure effectiveness and efficiency, in order to achieve maximum benefits and results, and how it will utilize Ukrainian professionals for country staff.

Applicants must submit a detailed Staffing Plan for USAID's review. Staffing Plans must, as a minimum, address the following:

- Placement of the program team within the larger organization(s); program organizational charts with linkages to the key staff's parent organization are recommended.
- Identification of key personnel and long-term staff positions, including their technical and managerial roles and responsibilities and qualifications, experience in international technical assistance projects and abilities of proposed key personnel relevant to successful implementation of the proposed technical approach.

Applicants shall propose key leadership positions. The leadership positions will be designated as Key Personnel under the resulting award:

- Chief of Party (COP) or equivalent title
- Deputy Chief of Party (DCOP) or equivalent

Key Personnel Qualifications are in Section VI. of this NFO.

Applicants should include in the staffing plan the desired complement of local personnel, including position titles, desired qualifications, and how their inclusion would best achieve the results of this project. Other information required includes:

- A clear chain of authority on the program team, including sub-awardee staff, if applicable (sub-awardee/subcontractor excludes local civil society organizations (CSOs) receiving support under this project);
- A clear line of communication and reporting which allows for early identification and proposed resolution of problems by the prime awardee and provision of related information to USAID;
- A clear, regular, and concrete means of communication between the prime recipient and its sub-awardees (including both Ukrainian (local partners or CSOs) or other non-local partners) which ensures a cohesive working relationship and achievement of results;
- A use of relevant expertise, with attention to gender balance, and the development of indigenous Ukrainian capacity;

- A regular means of informal communication with the Agreement Officer's Representative (AOR), in addition to the required programmatic and financial reporting;
- If the Applicant plans to collaborate with other organizations for the implementation of this activity, the services to be provided by each organization shall be described. [Note: indigenous organizations receiving sub-awards or technical assistance from the project would be considered recipients, and therefore should not be included in the proposal]
- The activity should have at minimum one staff member with gender programming and integration skills and expertise.

In an Annex to the Technical Application, Applicants should provide resumes for the candidates proposed **for all Key Personnel positions**. The Resumes should demonstrate that the proposed Key Personnel possess the skills and knowledge to effectively carry out their proposed responsibilities. Resumes may not exceed three pages in length and shall be in chronological order starting with most recent experience. Each Resume shall be accompanied by a signed Letter of Commitment from each candidate indicating his/her: (a) availability to serve in the stated position, in terms of days after Award; (b) intention to serve for a stated term of the service; and (c) agreement to the compensation levels corresponding to the Cost Application. References will be checked for all proposed long-term personnel; **a minimum of three references for each proposed long-term personnel is required**. Applicants should provide current phone, fax, and e-mail address information for each reference contact. In addition to the 2 key personnel listed above, the applicant should propose other short or long-term personnel and/or consultants to adequately support the technical expertise, management, and operational needs of the program.

Applicants are encouraged to maximize the use of local staff wherever possible. Local staff should be fluent in Ukrainian and English. Knowledge of other languages from the region is a plus.

#### **4. Monitoring and Evaluation (M&E) Plan**

8 pages

The application shall contain an illustrative (draft) Monitoring and Evaluation (M&E) Plan for the goal, purpose, objectives and expected results outlined in the Program Description. The M&E Plan shall also include performance indicators, data sources and collection methods, baseline information or a timeline for collecting it and targets. Performance indicators should comply with the following criteria: direct, objective, practical, adequate, and useful in managing for results. M&E Plan data should be based on fiscal year.

The M&E Plan will have the following suggested structure:

- Completed draft Activity Logical Framework (attached, Annex 1).
- Activity purpose and expected results as well as brief description of the linkages between the activity outputs and its expected results.
- Definition and detailed description of the performance indicators to be tracked including: unit of measure and disaggregation by sex, as appropriate and feasible; justification/management utility; baselines and annual targets; schedule for data

collection; individual responsibility for data collection and availability of data at USAID; and, detailed plans for data analysis, review and reporting.

The M&E Plan must explain how the applicant proposes to monitor the program and assess performance and progress toward achieving program results.

In designing the overall M&E Plan, applicants should consider the human and financial resources necessary for its implementation. It is the applicant's responsibility to ensure that all costs related to the implementation of the M&E Plan are included in the cost application.

## **5. Institutional Capability** 3 pages

Applicants must provide evidence of their technical and managerial resources and expertise (or their ability to obtain such) in program management, grants management, budget/financial management, technical assistance and capacity building provision, and training, as well as their experience in managing similar activities in the past.

The applicant should provide similar information for partnering organizations that will be directly involved in program implementation. Information in this section should include (but is not limited to) the following:

- Brief description of organizational history/expertise;
- Past experience and examples of accomplishments in developing and implementing similar activities, including:
  - Provision of technical assistance and organizational development and institutional capacity building in the areas of decentralization and local governance;
  - Collaborations with donors, host country governments, and other stakeholders including civil society;
  - Partnering with government ministries and institutions focused on decentralization reforms.
- Relevant experience with proposed approaches;
- Institutional strength as represented by breadth and depth of corporate experience in project relevant disciplines/areas;
- Major sub-awardee or subcontractor capabilities [defined as receiving more than 15% of the project budget] and expertise (excluding local partners receiving support under this project);
- Proposed management structure and financial controls.

## **6. Past Performance** 3 pages

Applicants must list all contracts, grants and cooperative agreements which the organization, both the primary applicant as well as any substantive sub-grantees (receiving more than 15% of the total award), has implemented involving similar or related programs over the past five three years.

Please include the following information under past performance information:

- Name, address, current telephone number and email address of responsible representative(s) from the organization for which the work was performed;
- Contract/grant name and number (if any), annual amount received for each of the last five years and beginning and end dates;
- Brief description of the project/assistance activity.

USAID may use past performance information obtained from other than the sources identified by the applicant/team member. USAID shall determine the relevance of similar past performance information. Past performance information will be used for both the responsibility determination and best value decision.

**Annexes** (are not included in 34 pages)

In the annexes the applicant shall include resumes for all key personnel candidates (per the details above, prescribed in section Staffing Plan).

Applicants shall also include signed letters of commitment for sub awardees and any partners that will have significant role in the implementation (receiving more than 15% of the total award) of the proposed project (excluding Ukrainian CSOs receiving assistance under this project).

## II. COST/BUSINESS APPLICATION FORMAT

Cost is a required evaluation criterion and will be evaluated separately. Although the Cost Application will not be assigned points, it is an important evaluation criteria, although less significant than non-cost (technical) factors.

The Cost/Business Application is to be submitted under separate cover from the technical application. The Cost/Business Application must be **in English**. Budget spreadsheets **must** be in **U.S. Dollars**, in **Microsoft Excel** format, signed pages in Word or PDF format.

The following sections describe the documentation that applicants for an Assistance award must submit to USAID prior to award. While there is no page limit for the cost application, applicants are encouraged to be as concise as possible, but still provide the necessary detail to address the following:

- **Detailed Budget (no page limit)**, which provides a breakdown by elements of cost (e.g. personnel, fringe, equipment, etc.) for the total estimated amount of implementation of the project according to your organization's approach. The budget shall include costs associated with all programmatic activities during the project implementation. Budget must be in U.S. Dollars.
- **Budget Narrative**, which provides detailed budget explanations and supporting justification of each proposed budget line item. It must briefly describe programmatic relevance and clearly identify the basis of estimate (i.e. how the budget number was determined fair and reasonable) for each cost element, such as market surveys, price quotations, current salaries, historical experience, etc. The budget narrative should demonstrate how the budget supports and allocates sufficient and appropriate funding for all elements of the program activities described in Section I. Funding Opportunity Description (Program Description) of this NFO.

The Applicant must sign and submit the following MANDATORY standard forms as a part of the cost application:

- **(MANDATORY) SF-424 (Application for Federal Assistance)**: This form is provided in Annex 5 of the NFO, or applicants may also download the form from the Grants.gov website. Applicants need only complete the fields in the form that are marked with an asterisk(\*), as applicable. The form must be signed and dated by an authorized representative of the applicant organization. Instructions on how to complete the form are available on the Grants.gov website at: <http://www.grants.gov/web/grants/form-instructions/sf-424-instructions.html>.
- **(MANDATORY) SF-424A (Budget Information – Non-Construction Programs)**: This form is provided in Annex 6 of the NFO, or applicants may also download the form from the Grants.gov website. Instructions for completing this form are available on the Grants.gov website at: <http://www.grants.gov/web/grants/form-instructions/sf-424a-instructions.html>.

- **(MANDATORY) SF-424B (Assurances – Non-Construction Programs):** This form is provided in Annex 7 of the NFO, or applicants may also download the form from the Grants.gov website. Instructions for completing this form are available on the Grants.gov website at:  
<http://www.grants.gov/web/grants/form-instructions/sf-424b-instructions.html>

The cost application should contain the budget categories as shown on the SF-424A:

- ***Personnel/Labor:*** Direct salaries and wages should be proposed in accordance with the organization's personnel policies. Details on the basis of estimate for each proposed salary should be sufficiently addressed in the budget narratives for all positions [key, consultants, short term technical assistance and non-Key Personnel]. Any proposed salary increase must be sufficiently justified and supported with the organization's personnel policies (to be provided as annex to the cost application).

Note: **Annual salary increase** and/or promotional increase may be granted in accordance with the Applicant's established policies but up to the maximum of 5%. Salary increases may be granted after the employee's completion of each twelve months of satisfactory services under the USAID award.

- ***Fringe Benefits:*** If accounted for as a separate item of cost, fringe benefits should be accounted in accordance with local labor law.
- ***Travel and Per Diem:*** The application budget and narrative should indicate the purpose of trip(s), number of trips, domestic and international, and the estimated unit cost of each. Specify the origin and destination for each proposed trip, duration of travel and number of individuals traveling. Proposed per diem rates must be in accordance with the Applicant's established policies and practices that are uniformly applied to federally financed and other activities of the Applicant.
- ***Equipment:*** The application should specify the procurement of any tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-Federal entity for financial statement purposes, or \$5,000. The application should indicate the quantity of the equipment to be purchased, the unit cost and the total price.
- ***Supplies:*** The application should specify the procurement of all tangible personal property other than those described in Equipment. A computing device is a supply if the acquisition cost is less than the lesser of the capitalization level established by the non-Federal entity for financial statement purposes or \$5,000, regardless of the length of its useful life. The application should indicate the quantity of the equipment to be purchased, the unit cost and the total price.

- ***Contractual:*** The application should include, if any, subaward(s). Applicants who intend to utilize subcontractors or sub recipients should indicate the extent intended and a complete cost breakdown, as well as all the information required herein for the Applicant. **Extensive (sub) contract/agreement financial plans should follow the same cost format as submitted by the Applicant.**
- ***Construction:*** Construction is not eligible under this award.
- ***Other Direct Costs (ODC):*** could include costs related to program activities described in the PD; communications, office rental, utilities, report preparation costs, other office operation costs, branding/marketing supplies, etc. The narrative should provide a complete breakdown and support for each item of other direct costs.

The following information should be taken into consideration when developing the budget:

- (1) Salaries and wages must be reflective of the “market value” for each position. Salaries and wages may not exceed the Applicant’s established written personnel policy and practice, including the Applicant’s established pay scale for equivalent classifications of employees, which shall be certified by the Applicant. Salaries for locally employed staff should not exceed the Local Compensation Plan for USAID/Ukraine.
- (2) This USAID-funded project implemented under the anticipated cooperative agreement will be for an estimated period of performance of five (5) years; also referred to as the award period. Unless the Applicant/Recipient demonstrates otherwise to the USAID Agreement Officer’s satisfaction, Cooperating Country Nationals (CCNs) employed by the Applicant/Recipient solely to work under the USAID-funded project under this agreement are considered by USAID as employed by the Applicant/Recipient for a specified period not to exceed the agreement period.
- (3) The name (if identified), annual salary, and expected level of effort of each candidate named or TBD and charged to the activity. Provide annual salary history for at least the three most recent years for all identified and proposed long-/short-term key and non-key personnel;
- (4) If applying fringe benefit rates, the applicant must provide information regarding how this rate is being applied for each category of employees and an explanation of the benefits included in the rate.
- (5) Travel, per diem and other transportation expenses detailed to include number of trips, expected itineraries, number of per diem days and per diem rates;
- (6) All equipment proposed to be purchased; and

- (7) Applicants should include any estimated USAID branding and marking costs in their budget. It is the applicant's responsibility to ensure that all costs related to the implementation of the M&E Plan are included in the cost application. Applicants need to account for resources required for implementing and monitoring the environmental compliance activities in the technical application and in the budget and describe associated costs in detail to the degree possible in the budget narrative.

## **RESPONSIBILITY DETERMINATION**

An award shall be made only when the Agreement Officer makes a positive determination that the applicant possesses, or has the ability to obtain, the necessary management competence in planning and carrying out assistance programs and that it will practice mutually agreed upon methods of accountability for funds and other assets provided by USAID. For the organizations that are new to USAID, or organizations with outstanding audit findings, it may be necessary to perform a pre-award survey. The cost/business applications of all applicants submitting a technically acceptable application will be evaluated for general reasonableness, cost realism, allowability and allocability.

Specifically, the Applicants shall submit the following information:

1. Applicants who do not currently have a Negotiated Indirect Cost Rate Agreement (NICRA) from U.S. Government agency shall submit the following information:
  - Copies of the applicant's financial reports for the previous 3-year period, which have been audited by a certified public accountant or other auditor satisfactory to USAID;
  - Cash flow and organizational chart; and
  - A copy of the organization's accounting manual.
  - Copies of applicable policies and procedures (e.g., accounting, purchasing, procurement, property management, personnel).
2. Certifications and Representations: Applicants are required to submit Certifications, Assurances and other Statements of the Recipient. Please note that these certifications are required for both the applicant and all sub-grantees. Applicants may view the current Certifications, Assurances and Other Statements of the Recipient in ADS 303: <http://www.usaid.gov/ads/policy/300/303mav> (Parts I-IV).
3. Applicants shall submit any additional evidence of financial responsibility deemed necessary for the Agreement Officer to make a determination of responsibility to manage USG funds. The information submitted should substantiate that the Applicant:
  - Has adequate financial, management and personnel resources and systems, or the ability to obtain such resources as required during the performance of the award;

- Has the ability to comply with the award terms and conditions, taking into account all existing and currently prospective commitments of the applicant, both nongovernmental and governmental;
- Has a satisfactory record of performance. Generally, relevant unsatisfactory performance in the past is enough to justify a finding of non-responsibility, unless there is clear evidence of subsequent satisfactory performance or the applicant has taken adequate corrective measures to assure that it will be able to perform its functions satisfactory;
- Has a satisfactory record of integrity and business ethics;
- Is otherwise qualified to receive an award under applicable laws and regulations.

### **DUN AND BRADSTREET UNIVERSAL NUMBERING SYSTEM (DUNS) NUMBER AND SYSTEM FOR AWARD MANAGEMENT (SAM)**

USAID may not make an award to an applicant until the applicant has complied with all applicable DUNS and SAM requirements and, if an applicant has not fully complied with the requirements by the time USAID is ready to make an award, USAID may determine that the applicant is not qualified to receive an award and use that determination as a basis for making an award to another applicant.

Each applicant (unless the applicant has an exception approved by the Federal awarding agency under 2 CFR 25.110(d)) is required to:

- (i) Be registered in SAM ([www.sam.gov](http://www.sam.gov)) **before submitting its application**. SAM is streamlining processes, eliminating the need to enter the same data multiple times, and consolidating hosting to make the process of doing business with the government more efficient;
- (ii) Provide a valid unique entity identifier DUNS number in its application; and
- (iii) Continue to maintain an active SAM registration with current information at all times during which it has an active U.S. Government award or an application or plan under consideration by a U.S. Government awarding agency.

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

Prospective applicants who are not currently registered in SAM are advised to begin the registration process IMMEDIATELY. For assistance with registering in SAM, please contact the supporting Federal Service Desk (FSD) at <https://www.fsd.gov/>. To obtain a DUNS number, please visit <http://fedgov.dnb.com/webform>.

Quick reference guides for new grantee registration in SAM are provided in Annexes 8 and 9 of this NFO.

## **FUNDING RESTRICTIONS**

The award will not allow for the reimbursement of pre-award costs.

USAID policy is not to award profit under assistance instruments. However, all reasonable, allocable, and allowable expenses, both direct and indirect, which are related to the agreement program and are in accordance with applicable cost principles under 2 CFR 200 Subpart E. of the Uniform Administrative Requirements may be paid under the anticipated award.

## **COOPERATIVE AGREEMENT AWARD**

The Government may award a cooperative agreement resulting from this NFO to the responsible applicant whose application conforms to this NFO and offers the greatest value (see Section V. of this NFO). The Government may (a) reject any or all applications, (b) accept other than the lowest cost application, (c) accept alternate applications, and (d) waive informalities and minor irregularities in applications received.

The Government may award a cooperative agreement on the basis of initial applications received, without discussions or negotiations. Therefore, each initial application should contain the applicant's best terms from a cost and technical standpoint. As part of its evaluation process, however, USAID may elect to discuss technical, cost or other pre-award issues with one or more applicants. Alternatively, USAID may proceed with award selection based on its evaluation of initial applications received and/or commence negotiations solely with one applicant.

An award will be made to the responsible applicant whose application offers the greatest value with technical, cost, and other factors considered.

A written award mailed or otherwise furnished to the successful applicant within the time for acceptance specified either in the application or in this NFO (whichever is later) shall result in a binding cooperative agreement without further action by either party. Before the application's specified expiration time, if any, the Government may accept an application, whether or not there are negotiations after its receipt, unless a written notice of withdrawal is received before award. Negotiations or discussions conducted after receipt of an application do not constitute a rejection or counteroffer by the Government.

Neither financial data submitted with an application nor representations concerning facilities or financing, will form a part of the resulting cooperative agreement unless explicitly stated otherwise in the agreement.

USAID is committed to achieving and maintaining a diverse and representative workforce and a workplace free of discrimination. Based on law, Executive Order, and Agency policy, USAID prohibits discrimination, including harassment, in its own workplace on the basis of race, color, religion, sex (including pregnancy and gender identity), national origin, disability, age, veteran's status, sexual orientation, genetic information, marital status, parental status,

political affiliation, and any other conduct that does not adversely affect the performance of the employee. Applicants are reminded that U.S. Executive Orders and U.S. law prohibits transactions with, and the provision of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of the recipient to ensure compliance with these Executive Orders and laws. This provision must be included in all subcontracts/sub-awards issued under the cooperative agreement.

Foreign Government Delegations to International Conferences: Funds in the cooperative agreement may not be used to finance the travel, per diem, hotel expenses, meals, conference fees or other conference costs for any member of a foreign government's delegation to an international conference sponsored by a public international organization, except as provided in ADS Mandatory Reference "Guidance on Funding Foreign Government Delegations to International Conferences <http://www.usaid.gov/policy/ads/300/350maa.pdf> or as approved by the Agreement Officer.

**[END OF SECTION IV]**

## **SECTION V – APPLICATION REVIEW INFORMATION**

The technical applications will be evaluated in accordance with the Technical Evaluation Criteria set forth below. Applicants shall organize the narrative sections of their technical applications in the same order as the selection criteria. Technical evaluation of applications will be based on the extent and appropriateness of proposed approaches and feasibility of achieving the strategic objectives, in accordance with the following criteria.

If award is not made on the initial applications, USAID may request clarification and supplemental materials from applicants whose applications have a reasonable chance of being selected for award. The entry into discussion is to be viewed as part of the evaluation process and shall not be deemed by USAID or the applicants as indicative of a decision or commitment upon the part of USAID to make an award to the applicants with whom discussions are being held.

Applications will be evaluated in accordance with the evaluation criteria set forth below:

- Technical merits of the applications;
- Past performance of the applicant;
- Cost effectiveness and cost realism of the application.

### **I. TECHNICAL EVALUATION CRITERIA**

A technical evaluation committee, using the criteria shown in this Section, will evaluate the technical applications. The various functional elements of the technical criteria are assigned weighted scores, so that the Applicants will know which areas require emphasis in the preparation of applications.

Where technical applications are considered essentially equal, cost may be the determining factor. Applicants should note that these criteria serve as the standard against which all applications will be evaluated and serve to identify the significant matters which applicants should address in their applications.

The relative importance of each criterion is indicated by the number of points assigned. A total of 100 points is possible. No points are assigned to the cost application although it will be reviewed and be used for the best value determination when making the award decision.

#### **Technical Approach**

**50 points**

Evaluation under this factor will focus on the soundness, clarity, realism, feasibility and sustainability in achieving all the project objectives and results identified in this NFO. The following considerations may be, but are not required to be, considered in the evaluation of this factor:

- Extent to which the proposed approach is well-conceived, clear, detailed, technically sound and ambitious, yet feasible in achieving all the objectives and special considerations identified in this NFO, and especially to Ukraine.
- Extent to which the applicant demonstrates level/depth of understanding of the issues and problems faced by Ukraine's local governments, CSOs and business communities in accomplishing program objectives in the decentralization process, and the appropriateness of the suggested approach for providing assistance to a range of Ukrainian local and central governmental organizations and non-governmental organizations, as well as coordinating and cooperating with the Government of Ukraine, international donors, implementing partners and other stakeholders.
- Extent to which the proposal clearly capitalizes on existing Ukrainian capacity to implement activities related to the activity objectives and seeks to further develop that capacity beyond the life of the activity.
- Extent to which the proposal demonstrates original, creative, and innovative approaches towards implementation of the decentralization process in Ukraine. Extent to which the proposal demonstrates lessons learned reflected in the proposed approach to good governance issues.
- Extent of clarity, appropriateness, consistency and soundness of an illustrative Monitoring and Evaluation (M&E) Plan for measuring progress in achieving expected intermediate and final results of the program, including suggested performance indicators of program impact, and a plan for collecting baseline and actual data.

## **Gender**

**5 points**

Extent to which the applicant identifies and addresses all relevant gender issues. USAID will assess the appropriateness of the proposed design, activities, staff and budget with regard to gender integration. Specifically, the application selection criteria will include applicant's ability to develop innovative approaches to identifying and addressing gender inequalities during the project implementation.

## **Personnel and Management Plan**

**20 points**

Evaluation under this factor will focus on the quality and appropriateness of the proposed personnel, management and staffing plan and their ability to operate independently and timely to deliver the results of the program in the technical proposal. The following will be considered in the evaluation of this factor:

- Qualifications of the Key Personnel. Experience and capability of the proposed Key Personnel in managing complex good governance or related programs, particularly in Ukraine. Proven track record of successfully building and effectively managing diverse teams of employees. Expertise in advancing governance reform and related

decentralization programming; demonstrated effective interpersonal skills, creative problem-solving and ethical management; and prior experience in working with USAID and/or other international donors.

- Appropriateness of the composition and organizational structure of the team to achieving the expected results. Relevant and demonstrated experience in successful similar programs in Ukraine. A clear and effective staffing plan with roles and responsibilities among different positions adequately delineated to demonstrate an efficient and effective use of human resources in meeting the objectives identified in this NFO.

### **Institutional Capacity**

**15 points**

Demonstrated organizational capability and experience in Ukraine of the applicant and proposed partners(sub-awardees) in managing technical and administrative aspects of similar complex good governance programs, achieving measurable and sustainable development results and working effectively with key government and CSO stakeholders. Cost effective approaches to organizational structure, including involvement of international decentralization expertise.

### **Past Performance**

**10 points**

Past performance of the applicant and any proposed sub-awardees will be evaluated based on the implementation of programs of similar size and scope, and ability to achieve results. References may be asked to comment on both quality and timeliness of service, business relations, customer satisfaction with performance, effectiveness of key personnel, and effectiveness in quickly staffing a project and launching program activities.

Performance information will be used for both the responsibility determination and best value decision. USAID may use performance information obtained from other than the sources identified by the Applicant(s) and any partners/sub awardees.

### **Total (Technical Evaluation Criteria)**

**100 Points**

## **II. COST EVALUATION**

Cost has not been assigned a weight but will be evaluated for realism, reasonableness, allowability, allocability, and cost effectiveness. The pre-award evaluation of cost effectiveness will include an examination of the application's budget detail to ensure it is a realistic financial expression of the proposed project and does not contain estimated costs which may be unallocable, unreasonable, or unallowable.

Other considerations are the completeness of the application adequacy of budget detail and consistency with elements of the technical application. In addition, the organization must

demonstrate adequate financial management capability, to be measured by a responsibility determination.

### **BEST VALUE DECISION**

Award will be made to the Applicant whose application offers the best value. Best value is defined as the greatest potential benefit as compared to the cost of the activity and USAID's cost to manage it.

For this NFO, technical proposal merit is considered significantly more important than cost relative to deciding which Applicant provides the best value. Cost realism, effectiveness and reasonableness will be the determining factors in the event that the applications receiving the highest ratings are closely ranked. Therefore, after the final evaluation of the application, the Agreement Officer will make the award to the Applicant whose application offers the best value considering technical, cost and other factors.

Other areas of review and discussion will vary according to the circumstances pertaining to the application.

To facilitate review of Cost Applications, please use the Budget Format provided in the Annex 2 of this NFO. While it is not required, the Government requests that you use it when submitting the Cost Application required by this NFO.

### **III. PRE-AWARD SURVEYS**

Prior to making an award under this competition, USAID may perform a pre-award survey of a prospective NGO recipient if USAID determines that any of the following criteria apply, in accordance with USAID ADS Chapter 303.3.9.1:

- USAID is uncertain about the prospective recipient's capacity to perform financially or programmatically.
- The prospective recipient has never had a USAID grant, cooperative agreement, or contract. This requirement does not apply to Fixed Amount Awards.
- The prospective recipient has not received an award from any Federal agency within the last five years. This requirement does not apply to Fixed Amount Awards.
- USAID has knowledge of deficiencies in the applicant's annual audit (Single Audit or equivalent).
- The USAID Agreement Officer determines it to be in the best interest of the U.S. Government.

Accounting systems, audit issues, and management capability questions may be reviewed as part of this process in order to determine whether the prospective recipient has the necessary organization, experience, accounting and operational controls, and technical skills in order to achieve the objectives of the program, or whether specific conditions will be needed. If notified by USAID that a pre-award survey is necessary, applicants must prepare in advance

the required information and documents. A pre-award survey does not commit USAID to make an award to any organization.

**[END OF SECTION V]**

## **SECTION VI – AWARD AND ADMINISTRATION INFORMATION**

### **1. Federal Award Notices**

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

1. A written award mailed or otherwise furnished to the successful applicant within the application's validity time as specified either in the application or in this NFO (whichever is later) shall result in a binding Cooperative Agreement without further action by either party. Before the application's specified validity expiration time, the Government may accept an application, whether or not there are negotiations after its receipt, unless a written notice of withdrawal is received by the applicant before award. Negotiations or discussions conducted after receipt of an application do not constitute a rejection or counteroffer by the Government.
2. Applicants must set forth full, accurate and complete information as required by this NFO. The penalty for making false statements to the Government is prescribed in 18 U.S.C. 1001.
3. Neither financial data submitted with an application nor representations concerning facilities or financing, will form a part of the resulting Cooperative Agreement unless explicitly stated otherwise in the agreement.
4. USAID reserves the right to perform a pre-award survey which may include, but is not limited to: (1) interviews with individuals to establish their ability to perform agreement duties under the project conditions; (2) a review of the prime recipient's financial condition, business and personnel procedures, etc.; and (3) site visits to the prime recipient's institution.

### **2. Award Administration**

USAID/Ukraine Missions will be responsible for the negotiation and obligation, and subsequent management and administration, of award which develop from successful application. The Mission Agreement Officer will be responsible for conducting negotiations, making the awards, and obligating costs to recommended partner(s). He/she will only do so after making a positive risk assessment or responsibility determination that the applicant possesses, or has the ability to obtain, the necessary management competence in planning and carrying out assistance programs and that it will practice mutually agreed upon methods of accountability for funds and other assets provided by USAID. The Agreement Officer will

also designate an Agreement Officer Representative (AOR) to assist in the technical management and oversight of the award.

Resulting awards to **local (Ukrainian), non-governmental organization** will be administered in accordance with Chapter 303 of USAID's Automated Directives System (ADS), including ADS 303mab, Standard Provisions for Non-U.S. Nongovernmental Organizations. The Standard Provisions for Non-U.S. Nongovernmental organizations are available at <http://www.usaid.gov/ads/policy/300/303mab>. ADS Chapter 303 is available at <http://www.usaid.gov/ads/policy/300/303>.

Additional policies and federal regulations are available at the following websites:

- 2 CFR 700:

<http://www.ecfr.gov/cgi-bin/text-idx?SID=c51d0ac519854fd1da7a3c31f3b3f301&node=pt2.1.700&rgn=div5>

- 2 CFR 200:

<http://www.gpo.gov/fdsys/pkg/CFR-2014-title2-vol1/xml/CFR-2014-title2-vol1-subtitleA-chapII.xml>

Authority to Obligate the Government: The Agreement Officer is the **only** individual who may legally commit the Government to the expenditures of public funds. No costs chargeable to the proposed Cooperative Agreement may be incurred before receipt of either a fully executed Cooperative Agreement or a specific, written authorization from the Agreement Officer.

## REPORTING:

### 1. Financial Reporting

Financial reporting requirements shall be in accordance with the Standard Provision RAA1. "Advance Payment and Refunds (December 2014)"

In addition, fifteen days prior to the end of each quarter, the recipient shall submit accruals information to the AOR. Accruals information shall consist of current status of the expenditures and accrued amounts from the inception of the award through the end of the upcoming Quarter or the award end date and shall be submitted in the following format:

Name of Recipient: \_\_\_\_\_  
Award Number: \_\_\_\_\_  
Total Obligated Amount: \_\_\_\_\_  
Total Estimated Cost of the Award: \_\_\_\_\_

A. Total Cumulative Amount Disbursed by USAID to date: \_\_\_\_\_  
B. Total Estimated Expenses as of end of the Quarter: \_\_\_\_\_

## 2. Program Reporting

The Recipient will provide the following documents to the USAID Agreement Officer (AO) and the Agreement Officer's Representative (AOR), as specified below and in the Substantial Involvement Provisions.

### A. Initial Implementation Plan:

Within 60 days of the signing of Cooperative Agreement, the Recipient will present an Initial Implementation Plan to the USAID AOR for review and approval (electronic copy). The AOR must provide written comments on the draft Plan and when the Plan is finalized, the AOR will provide written approval.

The Initial Implementation Plan should include a list of tasks to be completed during the year, grouped under the objective that they seek to support. For each task, the Recipient should: 1) explain in brief its connection to the objective; 2) define the necessary steps to complete the tasks; 3) assign responsibilities for completing those steps; 4) provide any quantitative or qualitative targets; and, 5) provide a timeline for the implementation of the task. The Plan should indicate the legal/regulatory issues that the Recipient will target for that year.

The AOR will review the Plan and provide comments and recommendations for changes no later than 30 days after receipt of the draft. The Recipient shall incorporate AOR's comments and recommendations into the final version of the Initial Implementation Plan and submit it for AOR's written approval. After the Plan is finalized, the AOR will provide written approval. All substantial changes in the Initial Implementation Plan require prior written approval of the AOR.

### B. Monitoring and Evaluation (M&E) Plan:

Within 60 days of the signing the Cooperative Agreement and before major activity implementation actions begin the Recipient shall submit an activity M&E Plan together with the Initial Implementation Plan to the USAID AOR for review and approval.

The AOR will review the plan and provide comments and recommendations for changes no later than 30 days after receipt of the draft. The Recipient shall incorporate AOR comments and recommendations into the final version of the M&E Plan and submit it for AOR written approval within 15 days. After the plan is finalized the AOR will provide written approval. All substantial changes in the M&E Plan require prior written approval of the AOR.

Activity M&E Plan submitted to USAID should include only those indicators that the USAID Mission needs for activity management, rather than the entire set of all indicators an activity implementer uses for its management purposes. Activity budget must include costs of data collection, analysis, and reporting as a separate line item to ensure that adequate resources are available.

The Recipient should develop a detailed M&E Plan that will be subject to USAID review and approval. The M&E Plan should include a comprehensive strategy for monitoring and reporting progress made towards activity purpose and results. The M&E Plan should contain the following required elements:

- project purpose and results as well as brief description of the linkages between the project outputs and its expected results;
- performance indicators and their descriptions;
- unit of data measurement;
- disaggregation by sex (as appropriate and feasible);
- data sources;
- description of data collection methods;
- baseline information (year and value) or a timeline for collecting it;
- annual targets;
- schedule for data collection;
- names of individuals responsible for data collection;
- availability of data at USAID; and,
- detailed plans for data analysis, review and reporting.

The Recipient should complete the draft Logical Framework (Log Frame) as part of the project M&E Plan, with the proposed activities against each of the objectives, and key results with corresponding meaningful, practical, gender-sensitive and attributable outcome and output indicators and related means of verification for these data as well as critical assumptions. NB: The project's purpose, objectives and key results cannot be changed, while specific activities, outputs and inputs together with the indicators should be proposed by the Applicant. The draft Log Frame is attached (Annex 1 of the NFO).

Performance indicators should comply with the following criteria: direct, objective, practical, adequate, and useful in managing for results. M&E Plan data should be based on US fiscal year.

According to USAID regulations, performance indicator data reported externally, including annual Performance Reports sent to USAID/Washington, must have a data quality assessment (DQA). The purpose of the DQA is to ensure that managers are aware of the strengths and weaknesses of the data and the extent to which the data can be trusted to influence management decisions. DQA must be conducted within six months prior to reporting data to USAID for new indicators, and every three years thereafter. Conducting DQA on a rolling basis will reduce the burden of handling indicators all at once.

To be useful in managing for results and credible for reporting, the implementing partner should ensure that the performance data meet the following five data quality standards: validity, reliability, timeliness, precision and integrity. If performance data do not fully meet all five standards, the known data limitations should be documented. USAID will integrate the DQA into ongoing activities. Activity AOR can combine a random check of partner data during a regularly scheduled site visit and include data quality items into site visit reports. This minimizes the costs associated with the DQA. When conducting a DQA, AOR will

examine the data in light of the five quality standards noted above, reviewing the systems and approaches for collecting data and whether they are likely to produce data of an acceptable quality over time.

An activity implementer, as part of the award, can conduct the DQA, provided that USAID staff review and verify DQAs. This may entail site visits to physically inspect records maintained by the activity implementing partner. The activity implementer will document DQA findings, including decisions concerning data quality problems and steps identified to address them. The activity implementer will share DQA findings and action plan to address data quality issues with the AOR. The AOR will follow up with the activity implementer to check progress on implementation of the action plan within the timeline outlined in the action plan against each action.

The M&E Plan is subject to final approval by USAID and is separate from the regular financial and other reports required by the standard Cooperative Agreement provisions.

USAID reserves the right to propose an activity implementer to integrate into the M&E Plan a number of indicators to help USAID measure the immediate activity results.

USAID may elect to organize and carry out an independent performance evaluation of this activity. The activity implementer shall fully cooperate with USAID and the evaluation team to ensure that the evaluation accurately reflects activity results, outcomes, and/or impacts.

*NOTE:* The M&E Plan must be developed strictly in accordance with the criteria stipulated in ADS 203: <http://www.usaid.gov/sites/default/files/documents/1870/203.pdf>.

### *C. Annual Implementation Plans:*

Annual implementation plans for subsequent years are due to the AOR 60 days before the end of the preceding award year (electronic copy). Annual Implementation Plans should include all the sections as the initial implementation plan discussed above. In addition, the subsequent annual Implementation Plans shall review the activities of the year that is ending, the activities that were implemented, the results achieved, and problems that existed and how they were resolved. These subsequent Annual Implementation Plans shall propose program adjustments to reflect any lessons learned.

The AOR will review the plan and provide comments and recommendations for changes no later than 30 days after receipt of the draft. The Recipient shall incorporate AOR comments and recommendations into the final version of the Annual Implementation Plan and submit it for AOR written approval within 15 days. After the Plan is finalized, the AOR will provide written approval. In addition, all substantial changes in Implementation Plan require prior written approval of the AOR.

*D. Monthly Activity Schedule*

USAID also expects the Awardee to submit (electronically) to the AOR by the 25th calendar day of each month, a calendar of planned events for the upcoming month. USAID will post events on the Mission's website, as appropriate, and use the monthly calendar to plan site visits in a timely manner. In addition, the Recipient will submit weekly activity updates and will alert USAID to any extraordinary events should they occur.

*E. Quarterly Performance Reports*

The Recipient shall submit quarterly performance reports to the USAID AOR to reflect results and activities of each preceding quarter. Reports are to be submitted within 15 days of the end of each quarter. These reports shall summarize the outcomes of the Recipient's activities during the particular reporting period, document any program accomplishments or progress towards results during the reporting period, compare those results to the planned tasks in the Implementation Plans and Monitoring and Evaluation (M&E) Plan, and discuss any potential constraints that might prevent the Recipient from meeting agreed upon targets and benchmarks. Reports should also contain, as an attachment, a list of all subgrants issued under the award during the reporting period, information on study tours and their participants taken place during the reporting period and other relevant information. The list should contain the name and contact information for each subgrantee, the title and duration of the program, the amount of the award, and a brief description of the program.

The quantitative results should be presented in quarter as well as aggregated format to show the progress towards the annual targets. Quarterly reports should also include any additional qualitative information the Recipient would like to include to demonstrate the results achieved vis-à-vis the project's objectives during the reporting period.

Reports are to be submitted within 15 calendar days of the each quarter that is, "MONTH" (Quarter 1), "MONTH" (Quarter 2), and "MONTH" (Quarter 3) of each fiscal year of implementation. An annual report will be provided in lieu of the fourth yearly quarterly report.

Quarterly reports should contain, at a minimum:

- Current and cumulative progress (activities completed, benchmarks achieved, performance standards completed) since the last report by program area; reported against project objectives and by funding stream
- Problems encountered and whether they were resolved or are still outstanding;
- Proposed solutions to new or ongoing problems
- At least one success story which provides information that demonstrates the impact that the activity/program has had during the reporting period through materials such as narratives, quotes, photos and captions. These *success stories* shall also be submitted separately via the Agency's Telling Our Story website (<http://www.usaid.gov/stories/>). Note: the USAID/Ukraine Mission's

Communications Officer can assist in editing stories prior to their posting on the website.

- Documentation of best practices that can be taken to scale
- List of upcoming events with dates
- Pipeline analysis (e.g. burn rate; accruals) broken down by funding stream

*F. Annual Performance Reports:*

The Recipient shall submit annual performance reports (an electronic copy) to the USAID AOR. An annual report will be provided in lieu of the fourth yearly quarterly report. These reports must summarize the outcomes of the Recipient's activities during the particular reporting period, document any program accomplishments or progress towards results during the reporting period, compare those results to the planned tasks in the Implementation Plan and Monitoring and Evaluation (M&E) Plan, and discuss any potential constraints that might prevent the Recipient from meeting agreed upon targets and benchmarks. Reports should also contain, as an attachment, a list of all sub-grants issued under the award during the reporting period. The list should contain the name and contact information for each sub-grantee, the title and duration of the project, the amount of the award, and a brief description of the project.

Additionally, the Recipient will be expected to gather and provide data for USAID's Annual Report, Operational Plan, and periodic portfolio reviews.

*G. Final Report:*

A final performance report (two hard copies and one electronic) will be required under this award. The Final Report is due 90 days after the award's completion date. USAID will review and comment within 30 days of receipt. The Final Performance Report shall contain the following information:

- Overall description of the activities under the program during the period of this Cooperative Agreement, and the significance of these activities;
- Description of the methods of assistance used and the pros and cons of these methods;
- Life-of-project results towards achieving the project objectives and the performance indicators;
- Analysis of how the indicators illustrate the project's impact (impact data will be supplied as approved in the M&E Plan and will be measured against projections);
- Summary the program's accomplishments, as well as any unmet targets and the reasons for them;
- Summary of challenges, issues and problems that emerged during program implementation and the lessons learned in dealing with them;
- Comments and recommendations regarding unfinished work and/or future needs and directions for assistance in Ukraine;
- Recommendations for what issues no longer require donor assistance;
- Possible lessons learned.

The Recipient shall submit the original and one copy of the USAID approved Final Report to the AOR and Agreement Officer and one additional copy shall be submitted to the Bureau for Program and Policy Coordination, Development Experience Clearinghouse PPC/DEI.

E-Mail all documents via the web at: <http://dec.usaid.gov>. Paper copies or non-electronic materials should be sent to:

Development Experience Clearinghouse  
M/CIO/KM  
RRB M.01  
U.S. Agency for International Development  
Washington DC 20523

The title page of all reports forwarded to USAID must include a descriptive title, the author's name, grant number, the project number and title, the grantee's name, the name of the USAID office, and the publication or issuance date of the report.

#### KEY PERSONNEL REQUIREMENTS

Key personnel are those considered to be essential to the work being performed under this cooperative agreement. The key personnel are required to work in a full-time basis under this cooperative agreement. Key personnel and changes to key personnel are subject to approval by the USAID AOR prior to their employment under this award. Applicants should propose key positions.

1. Chief of Party (COP)
2. Deputy Chief of Party (DCOP)

Key Personnel Qualifications:

**Chief of Party (COP):** The proposed Chief of Party (COP) must have a track record of successful project management and experience in local governance strengthening to include:

- Extensive experience working in local governance strengthening or related fields, particularly in Ukraine;
- successful track record in supervising, designing, managing, and implementing donor-funded technical assistance projects for local governance strengthening;
- deep understanding of the political and economic situation in Ukraine and of the current local government environment;
- Excellent interpersonal skills and the ability to lead and work on a multi-partner team;
- Demonstrated ability to establish strong working relationships with senior officials in government, parliament, political parties, with media and civic leaders, business people and international donors;
- Excellent English, Ukrainian and Russian communication skills – both written and oral;

- Post-Graduate degree or equivalent in Political Science, Public Administration, or other relevant field.

**Deputy Chief of Party (DCOP):** The proposed Deputy Chief of Party (DCOP) or primary advisor/technical expert must have experience of successful project management and experience in legislative development to include:

- Extensive experience in local governance strengthening or related fields;
- professional experience in implementing donor-funded projects and strong management experience with preference for USAID funded donor experience;
- thorough knowledge and understanding of the Ukrainian context and of local governance development issues in Ukraine;
- strong interpersonal skills to maintain good relations with relevant partners and counterparts, including government, parliament, media, civil society, donors and other partners;
- well organized, able to work independently, skilled at handling multiple tasks, diplomatic, and able to adhere to deadlines;
- degree in Political Science, Public Administration, or other relevant fields.
- Excellent English, Ukrainian and Russian communication skills – both written and oral.

Applicants are not required to name other long-term staff, other than key personnel, or provide CVs thereto, but should include in the staffing plan the desired complement of personnel, including position titles, desired qualifications, and how their inclusion would best achieve the results of this activity.

#### **BRANDING STRATEGY AND MARKING PLAN:**

It is a federal statutory and regulatory requirement (see Section 641, Foreign Assistance Act of 1961, as amended and 2 CFR 700.16) that all USAID programs, projects, activities, public communications, and commodities that USAID partially or fully funds under a USAID grant or cooperative agreement or other assistance award or sub-award must be marked appropriately overseas with the USAID identity. In accordance with ADS 320.3.3 Branding and Marking Requirements for Assistance Awards USAID's policy is that programs, projects, activities, public communications, or commodities implemented or delivered under co-funded instruments – such as grants, cooperative agreements, or other assistance awards that usually require a cost share – generally are “co-branded and co-marked.”

The successful applicant will be required to submit a branding strategy and marking plan for the Agreement Officer approval. The Applicant may request a presumptive exemption to marking requirements established in 2 CFR 700.16. More information on Branding strategy and Marking plan are available at <https://www.usaid.gov/branding/assistance-awards>.

The branding strategy and marking plan will become a material element of the cooperative agreement. Information on USAID's branding “assistance” applies to this NFO. ADS Chapter 320 sections concerning “acquisition” do not apply to this NFO. ADS Chapter 320 can be found on USAID website: <http://www.usaid.gov/policy/ads/300/320.pdf>.

When requesting a Branding Strategy and Marking Plan, the Agreement Officer will establish a reasonable time frame for submittal, review, and negotiation. If the Apparently Successful Applicant(s) fail(s) to submit or negotiate an acceptable Branding Strategy within the time specified by the Agreement Officer, that/those Applicant(s) become(s) ineligible for award.

The Agreement Officer will review the proposed Branding Strategy and Marking Plan for adequacy to ensure that it complies with the Agency branding and marking guidance that can be found at

<http://www.usaid.gov/branding/> and at  
<http://www.usaid.gov/policy/ads/300/320.pdf>.

Applicants need to include anticipated costs for branding strategy and marking plan in the budget and describe these costs in detail to the degree possible in the budget narrative. The Agreement Officer will ensure that any estimated costs associated with branding and marking are included in the Total Estimated Amount of the grant or cooperative agreement or other assistance award.

The Solicitation Standard Provisions for the Branding Strategy and Marking Plan are provided in Annex 4 of this NFO.

#### ENVIRONMENTAL COMPLIANCE:

1) The Foreign Assistance Act of 1961, as amended, Section 117 requires that the impact of USAID's activities on the environment be considered and that USAID include environmental sustainability as a central consideration in designing and carrying out its development programs. This mandate is codified in Federal Regulations (22 CFR 216) and in USAID's Automated Directives System (ADS) [ADS 201](#) and [ADS 204](#), which, in part, require that the potential environmental impacts of USAID-financed activities are identified prior to a final decision to proceed and that appropriate environmental safeguards are adopted for all activities. Applicant's environmental compliance obligations under these regulations and procedures are specified in the following paragraphs of this NFO.

2) In addition, the recipient must comply with host country environmental regulations unless otherwise directed in writing by USAID. In case of conflict between host country and USAID regulations, the latter shall govern.

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

4) A Request for Categorical Exclusion (RCE) number 2014-UKR-010 (Annex 3 of this NFO) has been approved for the Activity funding this NFO. It will cover program activities

through September 2019. Program activities, that to be undertaken after September 2019, will likely be covered by a RCE Amendment or another approved Regulation 216 environmental documentation. USAID has determined that a Categorical Exclusion applies to all activities discussed in the Section I, Program Description, of this NFO.

5) As part of its initial Implementation Plan, and all Annual Implementation Plans thereafter, the Recipient, in collaboration with the USAID Agreement's Officer's Representative (AOR) and Mission Environmental Officer or Bureau Environmental Officer, as appropriate, shall review all ongoing and planned activities under this award to determine if they are within the scope of the approved Regulation 216 environmental documentation.

6) If the Recipient plans any new activities outside the scope of the approved Regulation 216 environmental documentation, it shall prepare an amendment to the documentation for USAID review and approval. No such new activities shall be undertaken prior to receiving written USAID approval of environmental documentation amendments.

7) Any ongoing activities found to be outside the scope of the approved Regulation 216 environmental documentation shall be halted until an amendment to the documentation is submitted and written approval is received from USAID.

Applicants need to account for resources required for implementing and monitoring the environmental compliance activities in the technical application and in the budget and describe associated costs in detail to the degree possible in the budget narrative.

**[END OF SECTION VI]**

## **SECTION VII – AGENCY CONTACTS**

Any prospective applicant desiring an explanation or interpretation of this NFO must request it in writing by the deadline for questions specified in the cover letter to allow a reply to reach all prospective applicants before the submission of their applications. Any information given to a prospective applicant concerning this NFO will be furnished promptly to all other prospective applicants as an amendment of this NFO, if that information is necessary in submitting applications or if the lack of it would be prejudicial to any other prospective applicants.

Any questions or comments concerning this NFO must be submitted in writing by email to Ms. Marina Orlova [morlova@usaid.gov](mailto:morlova@usaid.gov) and [RFPKyiv@usaid.gov](mailto:RFPKyiv@usaid.gov) by the deadline for questions indicated at the top of this NFO's cover letter.

**[END OF SECTION VII]**

## **SECTION VIII – OTHER INFORMATION**

### **ANNEXES:**

ANNEX 1 - DRAFT LOGICAL FRAMEWORK

ANNEX 2 – BUDGET FORMAT

ANNEX 3 – REQUEST FOR CATEGORICAL EXCLUSION 2014-UKR-010

ANNEX 4 – SOLICITATION STANDARD PROVISIONS

ANNEX 5 – SF-424 (Application for Federal Assistance)

ANNEX 6 – SF-424A (Budget Information – Non-construction Programs)

ANNEX 7 – SF-424B (Assurances – Non-Construction Programs)

ANNEX 8 – Quick Start Guide for New Grantee Registration in SAM (in English)

ANNEX 9 – Quick Start Guide for New Foreign Registrations in SAM (in Ukrainian)



## ANNEX 1 - Draft Logical Framework

Activity title: Policy for Ukraine Local Self-Governance (PULSE)

Date:

NARRATIVE SUMMARY		INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS
Activity Purpose: Strengthen local governance, deepen democracy, improve conditions for development of communities and promote stability.				
Activity Objective: Support the GoU to adopt and implement a sound decentralization policy for Ukraine				
Expected Result 1: Decentralization enabling legislation reflects local government input				
Outputs/Outcomes:				
Inputs/Interventions:				
Expected Results : Resources under local self-governments' authorities increased (fiscal decentralization)				
Outputs/Outcomes:				
Inputs/Interventions:				

	Expected Result 3: Capacity of key stakeholders increased			
	Outputs/Outcomes:			
	Inputs/Interventions:			



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## ANNEX 2 – BUDGET FORMAT

### BUDGET FORMAT

	<u>Yr.1</u>	<u>Yr.2</u>	<u>Yr.3</u>	<u>Yr.4</u>	<u>Yr.5</u>	<u>Total</u>
<u>LABOR</u>						
COP						
DCOP						
Other non-key personnel						
Consultants						
TOTAL LABOR:						
Fringe Benefits						
<u>TRAVEL</u>						
International						
In-Country						
TOTAL TRAVEL:						
<u>OTHER DIRECT COSTS</u>						
Program Related Costs (activities described in the PD)						
Subawards (if any)						
Office Expense, Supplies (including equipment)						
Other costs						
TOTAL OTHER DIRECT COST:						
TOTAL ESTIMATED COST:						

ANNEX 3 - REQUEST FOR CATEGORICAL EXCLUSION 2014-UKR-010 (ATTACHED)

ANNEX 4 – Solicitation Standard Provisions (ATTACHED)

ANNEX 5 – SF-424 (Application for Federal Assistance) (ATTACHED)

ANNEX 6 – SF-424A (Budget Information – Non-construction Programs) (ATTACHED)

ANNEX 7 – SF-424B (Assurances – Non-Construction Programs) (ATTACHED)

ANNEX 8 - Quick Start Guide for New Grantee Registration in SAM (in English) (ATTACHED)

ANNEX 9 - Quick Start Guide for New Foreign Registrations in SAM (in Ukrainian)  
(ATTACHED)

[End of Notice of Funding Opportunity]