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| Funding Opportunity Title: | Building the Future of Ukraine Logistics and Export |
| Announcement Type: | Annual Program Statement (APS) |
| Funding Opportunity Number: | APS-ERA-003 |
| Issuance Date: | March 1, 2024 |
| Questions for Evaluations Due By: | Questions will be accepted on an on-going basis. |
| Deadline for Submission of Applications: | Applications will be accepted on an on-going basis. |
| APS Closing Date: | Window 1: Applications received by: April 15, 2024 Window 2: Applications received by: May 31, 2024 Window 3: Applications received by: August 31, 2024 |
| Submit Applications to: | Grants_ERA@dai.com |

To interested applicants:

The purpose of this Annual Program Statement (APS) is to solicit applications for grant funding. DAI Global, LLC, through the United States Agency for International Development (USAID), is seeking applications from prospective partners under the USAID Economic Resilience Activity (ERA) that support two critical objectives of Ukraine's economic recovery: **i) agricultural export and logistics capacity, with a focus on grain trade; and ii) improving Ukraine's export infrastructure, technology and processes along its western borders.** The geographic focus under consideration is Ukrainian government-controlled areas of all of Ukraine.

Eligible areas of support are limited to those identified by the USAID Economic Resilience Activity in Section 1 of this APS. Awardees will be expected to share evaluation results and key lessons and periodically disseminate information on the outcomes resulting from the grants to the broader community.

DAI on behalf of USAID anticipates awarding multiple grants to fund successful applications submitted in response to the APS. The competitive process under this APS will be open for limited period through August 31, 2024. DAI will review eligible applications submitted through funding windows:

- Window 1: Applications received by: April 15, 2024
- Window 2: Applications received by: May 31, 2024
- Window 3: Applications received by: August 31, 2024

DAI reserves the right to close the APS sooner for programmatic or funding availability reasons.

The duration of the grants awarded under this APS may be up to 12 months. Longer durations may be considered on a case-by-case basis. DAI may choose to incrementally or fully fund the selected application(s) under this APS. The number of awards and amount of available funding is subject to change, and DAI reserves the right to (1) fully fund a grant; (2) partially fund a grant or (3) decline to award a grant at any stage of the APS process for programmatic, environmental, or compliance reasons.

Applications that do not comply with the objectives of this APS will not be considered. The applicants must demonstrate success in managing cultural and political considerations in the region as well as success in addressing the DAI's development objectives.

USAID ERA staff will hold two online applicant conferences regarding on the scope of the APS where potential applicants may ask questions and obtain detailed information about the application process:

- March 13, 2024, at 15 pm. To participate, please register using this [link](#).
- May 24, 2024, at 11 am. To participate, please register using this [link](#).

All registered participants will receive a link to the event via the email provided during registration.

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SECTION I - FUNDING OPPORTUNITY DESCRIPTION

(1) Description of the Proposed Program

Background

Ukraine’s efforts to win the future – emerging from Russia’s full-scale war ready to accelerate its development as a sovereign, independent, democratic, and prosperous state – require a dynamic, inclusive economic recovery. Through partnerships with the government and robust private sector engagement, ERA has supported economic growth and resilience in Ukraine since 2018. Following Russia’s brutal invasion of Ukraine in February 2022 and subsequent occupation of the part of Ukraine, ERA shifted from its focus on Eastern Ukraine to cover development priorities across the country that address Ukraine’s urgent needs in export logistics and infrastructural improvements.

USAID’s Economic Resilience Activity (ERA) is one of USAID’s core partners implementing the \$350 million Agriculture Resilience Initiative – Ukraine (AGRI-Ukraine) that was established in 2022 to bolster Ukrainian agricultural exports and alleviate the global food security crisis exacerbated by the war. Under AGRI-Ukraine, ERA partners with public and private companies to complement and leverage urgently-needed grain export transportation and transshipment investments.

ERA also directly supports the Government of Ukraine, including the State Agency for Restoration and Development of Infrastructure of Ukraine (SARDI), the State Customs Service, and Ukrainian Railways, to upgrade 42 of Ukraine’s border crossing points (BCPs). Modern and more efficient border infrastructure and customs procedures will reduce export costs and increase export capacity, enabling Ukraine to scale trade and advance its path to EU integration.

Objectives

The interventions funded under this APS will be organized around ERA’s two objectives: **1) increased agri-logistics and export capacity that achieves USAID AGRI-Ukraine objectives;** and **2) improved processes, relationships and procedures that increase export cargo management capacity and EU integration at BCPs.**

Objective 1: AGRI-Ukraine:

Applicants who apply to Objective 1 of the APS should specify which sub-objective(s) will be achieved under their grant and include eligible activities.

| Sub-objectives | Eligible Activities |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.1 Agri-logistics companies improve knowledge of international best practices on grain trade, sales, and marketing, develop and improve export sales to new markets (e.g., EU, North Africa). | <ul style="list-style-type: none">• Technical assistance that improves agri-logistic firms’ knowledge and practices.• Interventions aimed at strengthening market connections with buyers in Europe and North Africa; arranging export-oriented business events: visits, trade shows for new market development. |
| 1.2 Co-funding high-demand agri-logistics equipment. | <ul style="list-style-type: none">• Supporting the specific equipment manufacturers in Ukraine to scale up the sale of agri-logistic equipment. |

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| | <ul style="list-style-type: none"> • In-kind grants (for equipment procured by ERA) that increase exports, with a focus on agricultural commodities or strategic imports through Danube Sea Ports. |
| 1.3 Upskilling and improving agri-logistics current and prospective staff competency on use of transport, logistics and laboratory equipment for grain export. | <ul style="list-style-type: none"> • Development and implementation of training programs focused on upskilling and improving staff competency on use of agri-transport, logistics and laboratory equipment. • Supporting educational institutions (TVETs) or training centers with simulators of grain transportation, loading, unloading and transshipment equipment. • Improvement of laboratory staff competencies related to grain export. • All of the above with additional emphasis and programming focused on women and youth and increasing opportunities for conflicted affected persons and persons with disabilities (PWDs). |

AGRI-Ukraine Key Performance Indicators: as a result of the grants implemented under Objective 1, the following are illustrative examples of results (outcomes) being sought:

- Increased volume and value of agricultural exports;
- Value of private sector investments leveraged;
- Improved EU integration and harmonization;
- 1,000 agri-logistics staff's competence improved;
- 300 students at TVET schools gained skills on using agri-logistics equipment;
- Established/improved collaboration between private sector and TVET schools;
- 250 laboratory staff obtained new skills on using new equipment;
- Middle management at agri-logistics firms applies new knowledge and practices to improve efficient and volumes of grain trade;
- New and better employment in the agri-logistics and export industry.

Objective 2: Export cargo processing capacity at BCPs

Applicants who apply to Objective 2 of the APS should specify which sub-objective(s) will be achieved under their grant and include eligible activities.

| Sub-objectives | Eligible Activities |
|----------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2.1 Improve the process in BCPs, which leads to improving export capacity. | <ul style="list-style-type: none"> • Mapping the processes at BCPs, conducting assessments, identifying barriers, and developing and implementing improvement recommendations in partnership with State Customs. • Conducting an assessment of administrative barriers for export and development of an action plan to overcome the barriers. • Measuring and quantifying the impact of improvements |

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| <p>2.2 Improve cross-border collaboration between Ukrainian customs and bordering customs officers in EU and Moldova.</p> | <ul style="list-style-type: none"> • Arranging and conducting joint conferences, lessons learned meetings for improving cross-border collaboration between customs of Ukraine and EU, and Moldova; • Identification of issues of non-collaboration between customs of Ukraine and EU/Moldova; • Improving material and technical base of custom offices through provision of export-related equipment. |
|---------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

BCP Key Performance Indicators: As a result of the grants implemented under Objective 2 of this APS, the following are illustrative examples of results (outcomes) being sought:

- Shortened time for export cargo processing measured by the number of export trucks per day processed.
- Processes at BCPs are improved (shorter duration, increased through-put or some other quality measure) and optimized.
- Rail, road, and port barriers for export are reduced, and processes are improved, measured by the number of people benefiting and the number of BCPs with demonstrated improvements.
- Improved problem resolution and communications between customs offices of two sides.
- Increased information and data sharing between customs of Ukraine and EU/Moldova.
- Workers at BCPs and/or drivers report new and better employment at BCPs.

(2) Administration of Award

Awards to U.S. organizations will be administered in accordance with 2 CFR 200 Subpart E, ADS 303, and USAID Standard Provisions for the U.S. nongovernmental organizations. In accordance with ADS 302, the total value of an individual grant to a U.S. organization must not exceed US\$ 250,000 (this limitation does not apply to grant awards to non-US organizations). For non-U.S. organizations, the USAID Standard Provisions for non-U.S. non-governmental organizations would apply¹.

SECTION II – APPLICATION REVIEW INFORMATION

(1) Eligible Organizations

This APS is issued as a public notice to ensure that all interested and qualified organizations have a fair opportunity to submit applications for funding. **Only applicants legally recognized and registered may apply for a grant** (registration documents and statutes, if any, must be submitted). Grants may be awarded to:

- Individual agri-logistics firms or associations or agri-logistics equipment manufacturers
- Market analytic agencies, business event organizers;
- Associations, non-government organizations, consulting firms, training service providers;
- Government entities, e.g., custom offices;

¹ Applicants may obtain copies of the referenced material at the following websites:
 2 CFR 200: <https://www.ecfr.gov/cgi-bin/text-idx?SID=0a5b7fee6378930cce72564449dd8bb7&mc=true&node=sp2.1.200.d&rgn=div6>
 Standard Provisions for U.S. Nongovernmental Recipients: <https://www.usaid.gov/about-us/agency-policy/series-300/references-chapter/303maa>
 Standard Provisions for Non-U.S., Nongovernmental Recipients: <https://www.usaid.gov/about-us/agency-policy/series-300/references-chapter/303mab>

- Research and educational institutions.

ERA strongly encourages applications from new potential partners.

Some organizations are legally restricted from receiving U.S. Government funded assistance. Organizations excluded from the federal procurement and non-procurement programs:

- Any entity that has been found to have misused the USAID funds in the past;
- Political parties, groupings, or institutions or their subsidiaries and affiliates;
- Organizations that advocate or promote anti-democratic policies or illegal activities;
- Faith-based organizations whose objectives are for discriminatory and religious purposes, and whose main objective for the grant is of a religious nature;
- Any entity included in any supplementary information concerning prohibited individuals or entities that may be provided by USAID;
- Any entity whose name appears in the System of Award Management (SAM) with an active exclusion; appears on the Specially Designated Nationals (SDN) and Blocked Persons List maintained by the U.S. Treasury for the Office of Foreign Assets Control, sometimes referred to as the “OFAC List” (online at: <http://www.treasury.gov/resource-center/sanctions/SDNList/Pages/default.aspx>); listed in the United Nations Security designation list (online at: <https://www.un.org/securitycouncil/content/un-sc-consolidated-list>);
- An organization that refuses to sign all required certifications and assurances;
- Any “Public International Organization” (PIO); and
- Any entity affiliated with DAI Global LLC or any of its directors, officers, or employees.

(2) Evaluation Criteria

All applications that meet the application requirements will be reviewed by the selection committee. Verification of the application submission requirements will be conducted by the ERA grants staff.

DAI shall take steps to ensure that members of the selection committee do not have any conflicts of interest or the appearance of such regarding the organizations whose applicants are under review. An individual shall be considered to have the appearance of a conflict of interest if that person, or that person’s spouse, partner, child, close friend, or relative works for or is negotiating to work for or has a financial interest (including being an unpaid member of a Board of Directors) in any organization that submitted an application currently under the selection committee’s review. Members of the committee shall neither solicit nor accept gratuities, favors, or anything of monetary value from parties to the awards.

The applications will be evaluated in accordance with the technical evaluation criteria set forth below. An award will be made to the responsible applicant whose application offers the best value to the U.S. Government, considering both technical and cost factors. Applicants should note that these criteria: (1) serve as the standard against which all applications will be evaluated, and (2) serve to identify the significant matters that Recipients should address in their applications.

All evaluation factors other than cost, when combined, are significantly more important than cost.

| Evaluation Criteria | Description of Criteria | Points |
|--------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1. Capacity and technical approach and results | The applicant should demonstrate the competency necessary to achieve the results indicated in the application. ERA will evaluate the quality and feasibility of the application in terms of the viability of the proposed technical approach, (i.e., the proposed technical approach can reasonably be expected to produce the intended outcomes), appropriateness of the proposed methodology, innovativeness, and the activities for achieving project objectives. | 40 points |
| 2. Past experience | The applicant should demonstrate its prior experience in the proposed activity or an equivalent activity. | 30 points |
| 3. Sustainability (include co-financing) | The applicant should demonstrate how the proposed activity will be self-sustaining or will leverage other funding sources, if necessary, to maintain the activity after the completion of the USAID ERA grant. ERA will take into consideration the contribution of the applicant or its non-USG partners to the overall project. | 20 points |
| 4. Inclusion (women, conflict-affected, youth, people with disabilities) | Priority will be given to those applicants who include and/or plan to create benefits for such categories as women, conflict-affected people, youth, and people with disabilities. | 10 points |
| Total | | 100 |

SECTION III - AWARD INFORMATION

(1) Estimated Funding Level

DAI expects to award multiple agreements. Grants will be paid in UAH except for U.S.-based organizations. The grant award to a U.S.-based organization must not exceed USD 250,000. Grant awards to non-U.S. organizations will generally range from USD 25,000 to USD 500,000 in the UAH equivalent for a period of up to one year. In exceptional circumstances, the grant ceiling amount above USD 500,000 may be considered on a case-by-case basis. DAI may choose to incrementally or fully fund the selected application(s) under this APS.

(2) Anticipated Start Date of this Award and Performance Period

DAI anticipates the start date upon award with a performance period of up to one year. Longer durations may be considered on a case-by-case basis.

(3) Award Type

DAI anticipates awarding multiple grants (hereafter called Agreements) to fund successful applications submitted in response to this APS.

The ERA team completes a pre-award determination process to determine the value, duration, and type of a grant based on the nature of the grant activities and the financial and management capacity of the applicant. The following grant types may be used:

- 1) **In-kind** – ERA procures the goods and services and provides them to the grantee. No cash is given to the grantee. Goods must be tracked until final property title/ownership transfer approval is received. Government entities² may only receive an In-Kind type of grant. This grant type is not applicable for third country or U.S.-based organizations.

² Government ministries, departments, state-owned companies, agencies, authorities, training institutions, research institutions and local government authorities. Any enterprise or institution financed by the government.

- 2) **Fixed Amount Award (FAA)** - Payments are made based upon the completion and acceptance of program milestones rather than on receipts. The grantee must present a payment voucher, milestone certificate and evidence of completion for payment.
- 3) **Standard / Simplified** - Reimbursement of actual costs based on receipts and financial report. Appropriate for grantees with strong financial controls.
- 4) **Blended Grants** - A blended grant is a type of grant issued when an applicant submits a proposal and is selected to receive two different grant types for programmatic reasons (e.g., a determination that project objectives will be advanced through the provision of cash support to an applicant with a highly responsive proposal which will also require the addition of in-kind contributions to ensure overall success), and the two grant types are blended into one. The only two grant types that DAI allows to be blended are a Fixed Amount Award (FAA) and an In-Kind grant.

(4) Sub-Granting- Not Permitted

A sub-grant means a financial assistance award in the form of money, or property in lieu of money, made by a grantee to a third-party organization or individual. Sub-granting by an ERA grantee will not be permitted under this APS.

(5) Grantee Contribution

Grantee Contribution represents the portion of a funded project that the grantee must contribute to the costs of the program description activities in the grant agreement. This contribution may be in cash, goods, or services. For instance, the contribution may be in the form of funds from other (non-US Government) donors or companies that benefit from the services offered by the grantee; it may be the labor of grantee employees or volunteers; or it may be the use of a grantee's meeting room to hold a workshop for the grant project or use of its vehicles, as examples.

Grantee contribution is not required for eligibility purposes but will be evaluated in terms of the sustainability criteria in Section 2. Evaluation criteria for applications. Applicants are encouraged to demonstrate their contribution and preference will be given to those applicants who have shown commitment directly, or by demonstrating that they are able to leverage commitment from their partners and participants under the grant program. For the applications with equipment procurement the contribution is highly encouraged and is a subject of negotiation.

SECTION IV- APPLICATION AND SUBMISSION INFORMATION

(1) Application Process

DAI will review applications using a one-stage process.

- Applicants must submit a full application using the template in Annex 1.
- USAID ERA team will evaluate and select applications to move forward.
- USAID ERA will complete due diligence and co-develop the program description with the applicant, including but not limited to adjusting the technical approach and activities, the development of the branding strategy and marking plan, monitoring and evaluation plan, and associated budget revision (if required).
- Upon successful due diligence, co-design and negotiations, USAID ERA submits the grant package to USAID for approval.

(2) Full Application

A. General Requirements

Applications must include:

1. Full Application: includes Technical Application and Budget Narrative;
2. Project budget detail;
3. Signed copies of certifications, assurances, other statements of the recipient;
4. Registration documents.

DAI reserves the right to reject applications that do not include all the aforementioned documents.

All materials should be submitted in English or Ukrainian (English is preferable).

A full application must be submitted in provided templates to DAI/ERA via e-mail - Grants_ERA@dai.com. The application and budget should be submitted either in English or Ukrainian (English is preferable). It is required to write the name of the organization, name of the project, and number of APS (APS-ERA-003) in the subject of e-mail.

The applications must be prepared in accordance with the instructions below. Application evaluation is a competitive process. Full applications will be reviewed and evaluated by the ERA technical committee based on the selection criteria in Section II. The ERA technical committee plans on evaluating the submitted applications in batches, corresponding to the due dates for each grant window on page 1.

Note that all applicants may be subject to a pre-award financial and management review and be requested to demonstrate that they have a rigorous financial and monitoring system in place that will ensure auditable systems and records.

B. Format of Application Submission

The chart below lists each element required for submission of a complete application.

| What to Submit | Required Content | Required Format |
|-----------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
| 1. Full Application; includes: A. TECHNICAL APPLICATION B. BUDGET NARRATIVE | Per required form provided in Annex 1_Application Form <ul style="list-style-type: none">• Section A: Technical Application max 10 pages (min 11 pt font)• Section B Budget Narrative section and attachments do not count toward 10 page limit. | MS Word soft copy and a signed PDF hard copy. |
| 2. Project budget detail | Per required form: Annex 2_Excel Budget | MS Excel |
| 3. Certifications, Assurances, and Other Statements of the Recipient | Per required form provided in Annex 3: <ul style="list-style-type: none">• Representation by Organization Regarding a Delinquent Tax Liability or a Felony Criminal Conviction• Prohibition on Providing Federal Assistance to Entities that Require Certain Internal Confidentiality Agreements – Representation. | Signed PDF copy |
| 4. Registration documents | Certificate of State Registration or non-profit Certificate for non-profit organizations and extract from taxpayer register for profit-organizations; Statute, if any | PDF |
| Other documentation | | |

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| 5. Other documents related to the proposed project (optional) | ex. Certifications, memberships, authorized dealership status | PDF |
| 6. Unique Entity ID (SAM) (not required for submission of application) | Per Annex 4 - Instructions for Obtaining a Unique Entity ID (SAM) Number | PDF, JPG (or similar formats) |

C. Content of Application Submission

Part 1. Technical Application

To facilitate the competitive review of the applications, applications should be specific, complete, and presented concisely, and shall not exceed 10 pages (excluding attachments). The application should contain detailed information on the applicant’s current activities, past performance, objectives of the proposed project, activities, outputs and outcomes, information regarding the targeted audience and sustainability.

Please follow the instructions included under the section headings in the template provided (Annex 1_Application Form, Section A).

Part 2. Budget

The budget of the proposed project should be developed in UAH; however, U.S. based organizations may develop the budget in USD. The budget includes specific cost information for this project and additional required information from the applicant. Certain documents are required to be submitted by an applicant for DAI Staff to make a determination of responsibility.

Please follow the instructions included under the section headings in the template provided (Annex 1_Application Form, Section B; and Annex 2_Excel Budget).

The applicants must also provide evidence that the funds requested are reasonable and would be used in a cost-effective manner. DAI will assess whether the overall costs are realistic and reasonable for the work to be performed, whether the costs reflect that the applicant understands the requirements, and whether the costs are consistent with the technical application. The application also will be assessed for cost effectiveness, and applications that minimize administrative costs in order to maximize program, outreach, and capacity building activities will generally be considered a better value.

All grant activity costs must be within the normal operating practices of the applicant and in accordance with its written policies and procedures (when applicable). For applicants without an audited indirect cost rate, the budget may include direct costs that will be incurred by the applicant to provide identifiable administrative and management costs that can be directly attributable to supporting the grant objectives.

Depending on the nature of the activity the budget may also include the following costs:

1. **Indirect Costs:** Indirect costs may be included in the budget. The applicant should support the proposed indirect cost rate, if any, with a letter from a cognizant U.S. Government audit agency (i.e., its current Negotiated Indirect Cost Rate Agreement) or with sufficient information for DAI to determine the reasonableness of the rates. For the latter, DAI would need:
 - a) 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;
 - b) projected budget, cash flow, and organizational chart; and
 - c) a copy of the organization's accounting manual.

2. **Grantee contribution or “leverage”:** In addition to USAID funds, applicants are encouraged to contribute resources from their own private or local sources for the implementation of this program where feasible. Contributions can be either cash or in-kind and can include contributions from applicant, local counterpart organizations, project clients, the relevant Government(s), and other donors (but not other USG funding sources). The budget must provide a breakdown of the financial or in-kind contributions, if any. This information should be included in the Cost Summary as indicated on those documents. The contribution should be discussed in the Budget Narrative to the extent necessary to realistically access these sources and funds and the feasibility of the applicant’s contribution plan.
3. **If program income is anticipated** to be generated under the award, DAI will determine prior to award how that income will be treated and specify in the award. Program income earned under the award may be used as follows³:
 1. With prior client (Contracting Officer) approval, added to funds committed by the client and the recipient to the project or program, and used to further eligible project or program objectives;
 2. With prior client (Contracting Officer) approval, used to finance the non-U.S. Government share or Cost Share of the project or program, in which case the amount of the Federal award remains the same; and
 3. Deducted from the total project or program allowable cost in determining the net allowable costs on which the federal share of costs is based.
4. **INELIGIBLE EXPENSES.** Unallowable costs are further described in Subpart E-Cost Principles in 2 CFR 200 for non-profit organizations and FAR 31.2 “Cost principles for Commercial Organizations”. All costs must be reasonable, allocable, and allowable. ERA grant funds cannot be used for the following:
 - Private ceremonies, parties, celebrations, or "representation" expenses.
 - Purchases of restricted goods, such as certain agricultural commodities, motor vehicles (including motorcycles), pharmaceuticals and contraceptive items, used equipment, U.S. government excess property and fertilizers without prior approval by the USAID CO.
 - Prohibited goods under USAID regulations, including but not limited to: military and surveillance equipment, police or law enforcement equipment, abortion equipment and services, weather modification equipment, luxury goods, and gambling equipment.
 - Purchases of goods or services restricted or prohibited under the prevailing USAID source/nationality regulations per 22 CFR 228 and relevant Standard Provisions; or from countries or suppliers as may be identified by USAID's consolidated list of debarred, suspended, or ineligible subcontractors at www.sam.gov or in the Visual Compliance system.
 - Any purchases or activities deemed unnecessary to accomplish grant purposes as determined by DAI, including any grantee headquarters expenses that are not directly linked to the implementation of the proposed program.
 - Activities that:

³ If the terms and conditions of the award do not specify how program income is to be used, then option 3 shall apply automatically. Client (Contracting Officer) approval is required to apply the other options. Per RAA 16 of the Standard Provisions for Non-U.S. Nongovernmental Organizations grantees who are commercial or for-profit organizations may not apply option 1 to their program income - instead, option 3 will apply. This limitation does not apply to FAAs as these types of grants have their own Standard Provisions (ADS 303mat, Standard Provisions for Fixed Amount Awards to Nongovernmental Organizations). Costs incident to the generation of program income may be deducted from gross income to determine program income, provided that these costs have been charged to the award and they comply with the applicable rules for allowable costs under grants. The time-frame for earning program income is any income earned by a grantee during the grant period. “During the grant period” means between the effective date of the grant agreement and the end date of the grant as reflected in the final financial report. Recipients shall have no obligation to the US government regarding program income earned after the end of the project/grant period. Potential for-profit applicants should note that DAI policy prohibits the payment of fee/profit to the recipient under grants. Forgone profit does not qualify as cost-sharing/contribution or leveraging.

- normally have a significant effect on the environment under §216.2(d)(1) [See http://www.usaid.gov/our_work/environment/compliance/regulations.html] (except construction and rehabilitation);
 - Affect endangered species;
 - Provide support to extractive industries (e.g. mining and quarrying);
 - Promote timber harvesting;
 - Provide support for regulatory permitting;
 - Result in privatization of industrial facilities or infrastructure with heavily polluted property;
 - Assist the procurement (including payment in kind, donations, guarantees of credit) or use (including handling, transport, fuel for transport, storage, mixing, loading, application, clean-up of spray equipment, and disposal) of pesticides or activities involving procurement, transport, use, storage, or disposal of toxic materials--pesticides cover all insecticides, fungicides, rodenticides, etc. covered under the Federal Insecticide, Fungicide, and Rodenticide Act; and/or
 - Procure or use genetically modified organisms.
- Any construction or refurbishment activities. “Construction” means construction, alteration, or repair (including dredging, excavating, and painting) of buildings, structures, or other real property. For purposes of this definition, the terms “buildings, structures, or other real property” include, but are not limited to, improvements of all types, such as bridges, dams, plants, highways, parkways, streets, subways, tunnels, sewers, mains, power lines, cemeteries, pumping stations, railways, airport facilities, terminals, docks, piers, wharves, ways, lighthouses, buoys, jetties, breakwaters, levees, canals, and channels.
 - Previous obligations and/or bad debts; fines and/or penalties; creation of endowments.
 - Other costs unallowable under USAID and/or federal regulations, such as alcoholic beverages.
 - Indirect costs such as but not limited to overhead or indirect fringe (unless the applicant has documented proof of such rates through audits or USAID-issued NICRA). Additionally, a 10% de minimis indirect rate on Modified Total Direct Costs can be applied to local organizations which have never received a negotiated indirect cost rate from the U.S. government). Indirect costs are never allowed under simplified grants.

Budget Excel File

The project budget must be submitted electronically in MS Excel format (Annex 2). It should contain the detailed breakdown in spreadsheet format. This spreadsheet breakdown must include (if applicable):

- Salaries and honoraria. You can budget salaries and honoraria of the internal employees and short-term consultants involved into the project implementation. Please include name of the person, position, and salary/honoraria rate.
- Materials/Equipment: Specify all materials and equipment expected to be purchased, including type, unit cost, and number of units.
- Travel, Transportation, and Allowances. You may include travel and accommodation costs of the project staff and project activities’ participants.
- General/Operational Costs. You may include rent, communication costs. etc. if these expenses are directly related to the project implementation.
- Activity Costs. These costs are directly related to activities performed during the project (e.g., trainings, surveys, workshops or others, including relevant expenses for their implementation).

Please note that you don’t have to fill in all budget categories. The budgeted expenses should correspond your project needs. Additional supporting documentation may be requested from successful applicants (if applicable.)

Applicants should minimize their administrative and support costs for managing the project to maximize the funds available for project activities.

Part 3. Certifications, Assurances, Other Statements of the Recipient and Solicitation Standard Provisions

The certifications, that must be submitted as a part of the application:

1. Representation by Organization Regarding a Delinquent Tax Liability or a Felony Criminal Conviction
2. Prohibition on Providing Federal Assistance to Entities that Require Certain Internal Confidentiality Agreements – Representation

In accordance with ADS 303.3.8, DAI will require successful grant applicants to submit a signed copy of the following certifications and assurances, as applicable:

1. Assurance of Compliance with Laws and Regulations Governing Non-Discrimination in Federally Assisted Programs (Note: This certification applies to Non-U.S. organizations if any part of the program will be undertaken in the United States.)
2. Certification Regarding Lobbying (This certification applies to grants greater than \$100,000.)
3. Prohibition on Assistance to Drug Traffickers for Covered Countries and Individuals (ADS 206)
4. Certification Regarding Support to Terrorists
5. Certification of Recipient

In addition, the following two certifications will be included only as required per ADS 206 for Key Individuals or Covered Participants in covered countries:

Part II – Key Individual Certification Narcotics Offenses and Drug Trafficking

Part III – Participant Certification Narcotics Offenses and Drug Trafficking

(1) Post- Selection Information

- Following selection of an awardee, DAI will inform the successful applicant concerning the award. DAI will notify successful applicants electronically via e-mail.
- USAID ERA team will conduct negotiations and co-development of the proposed project with each applicant whose application was selected.
- DAI also will notify unsuccessful applicants concerning their status after selection has been made.

Part 4. Registration documents

All applicants must submit registration documents proving their legal registration. This includes but is not limited to Statute (Charter), certificate of registration, extract from the register, non-profit Certificate for non-profit organizations and extract from taxpayer register for profit-organizations and others.

Part 5. Other documents related to the proposed project (optional)

The applicants may submit any documents showing their experience, field of operation (e.g., licenses, permissions), certifications, memberships, authorized dealership status, etc.

Part 6. Unique Entity ID (SAM) – guidance (optional for grant package)

All foreign entities receiving first-tier monetary grants (standard, simplified and FAA) with a value equal to or over \$25,000 and performing work outside the U.S. must obtain a Unique Entity ID (SAM) prior to signing of the grant. All U.S. organizations who are recipients of first-tier monetary grants of any value are required to obtain a Unique Entity ID (SAM); the exemption for under \$25,000 applies to foreign organizations only.

For those required to obtain a Unique Entity ID (SAM) number, please see Annex 4 - Instructions for Obtaining a Unique Entity ID (SAM) Number. Obtaining a Unique Entity ID (SAM) may take up to 3 weeks or more. Therefore, applicants are strongly encouraged to obtain a Unique Entity ID (SAM) before submitting an application. **Unique Entity ID (SAM) submission is not required as part of the application process but, if required, will need to be provided before DAI signs a Grant Agreement.** Without a Unique Entity ID (SAM), DAI cannot deem an applicant “responsible” to conduct business with, and therefore, DAI will not enter into a Grant Agreement with any organization.

ERA grant staff can assist selected applicants with obtaining a Unique Entity ID (SAM), if needed.

SECTION V – AWARD AND ADMINISTRATION INFORMATION

(1) General Information on Reporting Requirements

Program implementation reporting will be determined based on the outcome of the collaborative finalization of the planned program and the delineation of roles and responsibilities. The performance monitoring and evaluation plan, using established baseline data and specific, measurable targets and indicators will also be agreed upon. Financial reporting (if applicable) will be in accordance with the requirements of the obligating document.

(2) Branding

All USAID-sponsored assistance awards are required to adhere to branding policies and revised marking requirements for grants and cooperative agreements in accordance with ADS 320. This includes visibly displaying the USAID Standard Graphic Identity that clearly communicates assistance is, “From the American people” on all programs, projects, activities, publications, public communications, and commodities provided or supported through USAID assistance awards. ADS 320 requires that included in the grant is a branding strategy that describes how the program, project, or activity is named and positioned, how it is promoted and communicated to beneficiaries and cooperating country citizens and identifies all donors and explains how they will be acknowledged. DAI will provide a template branding strategy that will be adapted in consultation with the applicant. ADS 320 may be found at the following website: www.usaid.gov/policy/ads/300/320.pdf.

(3) Environmental Procedures

The Foreign Assistance Act of 1961, as amended, Section 117 requires that the impact of USAID’s activities on the environment be considered, and that USAID include environmental sustainability as a central consideration in designing and carrying out its development programs. This mandate is codified in Federal Regulations (22 CFR 216) and in USAID’s Automated Directives System (ADS) Parts 201.5.10g and 204 (<http://www.usaid.gov/policy/ads/200/>), which, in part, require that the potential environmental impacts of USAID-financed activities are identified prior to a final decision to proceed and that appropriate environmental safeguards are adopted for all activities. i.e.: environmental compliance obligations under these regulations and procedures are specified in the following paragraphs of this APS.

The applicant must comply with Ukrainian environmental regulations unless otherwise directed in writing by USAID. In case of conflict between Ukrainian and USAID regulations, USAID regulations will govern⁴. Compliance with environmental procedures is required to fund and implement grant activities, as described below.

Threshold Determination. No activity funded under the grant will be implemented unless an environmental threshold determination, as defined by 22 CFR 216, has been reached for that grant activity. Environmental threshold determinations include:

- a. Categorical Exclusion (C.E.).
- b. Negative Determination with Conditions (NDC).
- c. Positive Determination.

For activities that fall under NDC, grantees will be requested to provide documents listed below which are necessary for preparation of the USAID E&E Simplified Environmental Review Form (SERF) or Environmental Review Checklist and Environmental Monitoring and Mitigation Plan (ERC/EMMP).

Legally Permitted Facilities. Facilities used for grant implementation shall comply with the laws of Ukraine. To verify legally permitted facilities/buildings, where applicable and according to the nature and purpose of the grant, successful applicants will be asked to submit the documents listed below but not limited to⁵:

- a. Lease agreement or Extract from the Government Registry of Rights of Real Estate.
- b. Declaration of Fire Safety from the State Service of Ukraine for Emergencies.
- c. Technical Passport from the Bureau of Technical Inventory (BTI), including added marked premises for grant activity on the plan.
- d. Declaration of Readiness for Operation from the State Agency of Architectural and Construction Inspection (when available).
- e. Results of a Technical Inspection Report in compliance with Cabinet of Ministers of Ukraine decree Number 257 dated 12 April 2017 (If Declaration of Readiness is not available).
- f. Contract for waste disposal (including contract for recyclable waste).
- g. Air pollutant permit (if the production facility produces air pollutants emissions).
- h. Provide the staff with potable water and access to sanitary facilities.

⁴ Environmental requirements of this APS are governed by the USAID ERA Initial Environmental Examination (IEE) DCN: 2018-UKR-031 dated April 13, 2018 and amendments DCN: 2020-UKR-031 (AMD #1) dated December 30, 2020, DCN: 2021-UKR-001 (AMD #2) dated January 04, 2021, DCN: 2018-UKR-031-013 (AMD #3) dated May 11, 2022, DCN: 2018-UKR-031-092 (AMD #4) dated November 30, 2022, and DCN: 2018-UKR-031-124 (AMD #5) dated July 7, 2023.

⁵ According to Article 64 of the Constitution of Ukraine, Articles 12-1 and 20 of the Law of Ukraine "On the Legal Regime of Martial Law", the Decree of the President of Ukraine of February 24, 2022 № 64 "On the Imposition of Martial Law in Ukraine" Cabinet of Ministers of Ukraine (CMU) applied the Resolutions #165 and #314 according to which the right to conduct business may be acquired by business entities without obtaining permits and the terms of valid licenses and permitting documents are automatically extended for the period of Martial Law. Currently, in accordance with the Decree of the President of Ukraine "On Extension of Martial Law in Ukraine" No734/2023 (dated November 06, 2023) approved by Verkhovna Rada of Ukraine by Law No 3429-IX (dated November 08, 2023), the term of Martial Law in Ukraine has been extended by 90 days from 5:30 am on November 15, 2023, until 5:30 am on February 14, 2024. The draft law "On approval of the Decree of the President of Ukraine "On extending the period of martial law in Ukraine" with registration number 10456 (dated February 05, 2024) provides for the extension of the period of Martial Law in Ukraine from 05:30 on February 14, 2024, for a period of 90 days, until May 14, 2024. After the cessation or lifting of Martial Law, economic entities may apply to the relevant licensing authorities, licensing authorities, and public service entities to obtain the relevant permits in the manner, terms and under the conditions provided by law, without suspension (termination) of their activities.

SECTION VI- DAI PROJECT CONTACTS

The point of contact for grant-related questions is: Grants_ERA@dai.com.

Any prospective applicant desiring an explanation or interpretation of this APS must request it in writing via Grants_ERA@dai.com (subject: question on APS-ERA-003). Oral explanations or instructions given before the award of a grant will not be binding. Any information given to a prospective applicant concerning this APS will be furnished promptly to all other prospective applicants as an amendment of this APS, if that information is necessary in submitting applications or if the lack of it would be prejudicial to any other prospective applicants.

Point of contact for other inquiries related to general ERA activities: info_era@dai.com.

SECTION VII - OTHER INFORMATION

Issuance of this APS does not constitute an award or commitment on the part of DAI, nor does it commit DAI to pay for costs incurred in the preparation and submission of an application.

DAI reserves the right to fund any or none of the applications submitted. Further, DAI reserves the right to make no awards as a result of this APS.

More information about USAID ERA is available on our Facebook page: <https://www.facebook.com/ERAUkraine> and website: <https://era-ukraine.org.ua/>.