



## U.S. Department of State Award Provisions

### Mandatory Award Provisions:

1) Purpose/Scope of Award:

a. Purpose: **Name of Recipient**, and type of organization, non-profit, educational, foreign organization, etc, (hereinafter referred to as the "Recipient") is hereby awarded a **Grant or Cooperative Agreement** to support “**Insert name of program or project.**” The Recipient shall (**insert a summary of the program or project.**)

b. The Recipient shall carry out the Agreement in accordance with its proposal dated **DATE**, and any revisions to which both parties agree to in writing. The above-mentioned proposal is hereby incorporated by reference and made an integral part of the Agreement.

c. The objectives of this project are to: (**Spell out from the proposal or according to Post/Office goal indicators.**)

d. Statement of Objectives: The recipient agrees to: (**The specific results the federal assistance action aims to achieve within a time frame and with available resources. They serve as the basis for evaluating performance.**)

2) Grants Officer Contact Information:

Grants Officer  
U.S. Department of State  
PM/WRA, SA-3, Suite 6100  
2121 Virginia Ave., NW  
Washington, DC 20522  
Telephone:

3) Grants Officer Representative (GOR)

Program Officer  
U.S. Department of State

PM/WRA, SA-3, Suite 6100  
 2121 Virginia Ave., NW  
 Washington, DC 20522

#### 4) Post-Award Compliance:

Department of State Standard Terms and Conditions for Federal Assistance Awards are incorporated by reference and made part of this Notice of Award. Electronic copies containing the complete text are available at: <http://fa.statebuy.state.gov>, under Resources select Terms and Conditions to access the terms and conditions.

The Recipient and any sub-recipient, in addition to the assurances and certifications made part of the Notice of Award, must comply with all applicable terms and conditions during the project period.

#### 5) Authorized Budget Summary

**All expenditures paid with funds provided by this Agreement must be incurred for authorized activities, which take place during this period, unless otherwise stipulated.**

Payment of funds under this Agreement will not be disbursed until the DOS has been assured that the Recipient's financial management system will provide effective control over and accountability for all Federal funds in accordance with 2 CFR 200.300 – 200.303.

<b>Budget Categories</b>	<b>Amount</b>	<b>Amended</b>	<b>Total</b>
1. Personnel			
2. Fringe Benefits			
3. Travel			
4. Equipment			
5. Supplies			
6. Contractual			
7. Construction			
8. Other Direct Costs			
9. Total Direct Costs			

(lines 1-8)			
10. Indirect Costs (reflect provisional, pre-determined rate and allocation base)			
11. Total Costs (lines 9-10)			
12. Cost-Sharing			

## 6) Payment Method:

**If the payment method is through the Department of Health and Human Services Payment Management System (PMS), use the following provision:**

Payments under this award will be made through the U.S. Department of Health and Human Services Payment Management System (PMS). The Payment Management System instructions are available under the PMS website and can be accessed at the following address: <http://www.dpm.psc.gov/>. Recipients should request funds based on immediate disbursement requirements and disburse funds as soon as possible to minimize the Federal cash on hand in accordance with the policies established by the U.S. Treasury Department and mandated by the OMB Circulars.

## 7) Reporting and Monitoring

The Recipient is required to submit quarterly program and financial reports 30 days after the calendar year quarter. A final certified financial report and program report must be submitted to the Grants or Principal Officer within 90 days after the award period end date. The first page of the Performance Progress Report Form (PPR) must be submitted with all program reports. The Federal Financial Report (FFR SF-425/SF-425a) must be submitted for all financial reports. These forms can be accessed at: <https://www.statebuy.state.gov> . **Failure to comply with these reporting requirements may jeopardize the Recipient's eligibility for future Agreements.**

The non-Federal entity must submit performance reports using OMB-approved government-wide standard information collections when providing performance information. As appropriate in accordance with above mentioned information

collections, these reports will contain, for each Federal award, brief information on the following unless other collections are approved by OMB:

1. A comparison of actual accomplishments to the objectives of the Federal award established for the period. Where the accomplishments of the Federal award can be quantified, a computation of the cost (for example, related to units of accomplishment) may be required if that information will be useful. Where performance trend data and analysis would be informative to the Federal awarding agency program, the Federal awarding agency should include this as a performance reporting requirement.
2. The reasons why established goals were not met, if appropriate.
3. Additional pertinent information including, when appropriate, analysis and explanation of cost overruns or high unit costs.

**All reports shall be submitted on or before the following dates:**

Quarter One: Aug 1, 2014— Dec 31, 2014	Report Due: Jan 31, 2015
Quarter Two: Jan 1, 2015—March 31, 2015	Report Due: April 30, 2015
Quarter Three: April 1, 2015—June 30, 2015	Report Due: July 31, 2015
Quarter Four: July 1, 2015—July 31, 2014	Report Due: August 30, 2015
Final Report Due: October 31, 2015	

**Period of Performance**

Ten Months: September 30, 2014 – July 31, 2015

Note: Narrative Report dates correspond with SF-425 due dates for your convenience.

**Period of Performance:**

Base Year:	August 1, 2014 – August 31, 2015
Option Year 1:	September 1, 2015 – August 31, 2016
Option Year 2:	September 1, 2016 – August 31, 2017

The total potential Period of Performance is 37 months starting August 1, 2014 through August 31, 2017. Under this award only the base year is funded and the grant is scheduled to end on August 31, 2015. Neither option year is funded at this time and will only be continued at the convenience of the US Department of State and is dependent upon the availability of funds. Should funding be unavailable, an option year will not

be executed. Final determination of whether or not to execute an option year lies with the Grants Officer.

If Option Year 1 is executed, the quarterly reports will continue on the same schedule as listed above with the final report due November 30, 2016 after conclusion of the grant. If Option Year 2 is executed, the quarterly reports will continue on the same schedule as listed above with the final report due November 30, 2017 after conclusion of the grant.

8) Post-Award Compliance:

Department of State Standard Terms and Conditions for Federal Assistance Awards are incorporated by reference and made part of this Notice of Award. Electronic copies containing the complete text are available at: <https://statebuy.state.gov>.

The Recipient and any sub-recipient, in addition to the assurances and certifications made part of the Notice of Award, must comply with all applicable terms and conditions during the project period.

9) Acknowledgement of DOS or USG involvement

All Department assistance awards must acknowledge the involvement of the USG. However, for awards authorized by the Foreign Assistance Act (FAA) of 1961 or funded by an annual Foreign Operations Appropriations Act (FOAA), acknowledgement of the USG is only required "to the extent practicable."

10) Pre-Award Costs

The Department of State hereby agrees to reimburse the recipient an amount not to exceed (insert \$) for costs incurred and considered allowable. This pre-award condition applies to costs incurred from (insert start and end dates costs will be honored).

11) Substantial Involvement: (The presence of a single factor, such as collaboration, participation, or management assistance, does not necessarily constitute substantial involvement. The combination of these factors and required approvals of actions would lead to substantial involvement.) NA

## 12) Program Income

If the Recipient earns program income during the project period as a result of this award, you may add the program income to the total of the amount of this award, including the required cost sharing or matching, and use it to further eligible project objectives.

## 13) Cost-Sharing

**If cost sharing use the following provision:**

It is understood and agreed that the Recipient must provide the minimum amount of cost sharing as stipulated in the Recipient's budget approved by the Grants Officer. Cost sharing may be in the form of allowable direct or indirect costs. The Recipient must maintain written records to support all allowable costs which are claimed as being its contribution to cost participation, as well as costs to be paid by the Federal Government. Such records are subject to audit. The basis for determining the value of cash and in-kind contributions must be in accordance with 2 CFR 200.306 Cost Sharing or Matching). In the event the Recipient does not provide the minimum amount of cost sharing as stipulated in the Recipient's approved budget, the DOS's contribution will be reduced in proportion to the Recipient's contribution.

## 14) Sub-recipients

**If the sub-award is not finalized at the time of award, use the following provision:**

Within 10 days after execution of the sub-award, the Recipient is required to submit a copy of the sub-award with the (insert Name of Recipient) for (insert \$) for approval by the DOS Grants Officer. The Grants Officer's approval is required to authorize the Recipient to reassign funds provided by this Notice of Award under the contractual budget line item. The Recipient agrees to assure that all funds provided are expended for the purpose and in accordance with the terms and conditions of this Notice of Award.

## 15) Waiver of the Publications for Professional Audiences

**Waive the DOS or USG branding in publications, use the following provision:**

Provision XIV of the Standard Terms and Conditions for US Department of State assistance awards, requires that all publications must acknowledge the support of the U.S. Department of State. However, for the purposes of this award the Department has determined that the recipient is not required to publicly display DOS and/or USG branding and marketing where it is inappropriate, in any publications of the program resulting from this award.

16) Additional Bureau/Post Specific Requirements

- a) Standard Reporting Metrics: All conventional weapons destruction and humanitarian mine action grants must fill out the standard reporting metrics annually on the progress of the grant. It is recommended that a similar format is used for quarterly reporting of progress. In addition, all Humanitarian Demining and surface and sub-surface Explosive Remnants of War activities must produce and maintain to-scale maps of these activities and record the location of all landmines and other ERW found and cleared.
- b) Key Personnel: Key Personnel are defined as individuals who contribute to the development or execution of a project in a substantive measurable way. The program director/principal investigator (PI/PD in grantsolutions.gov) is always considered to be key personnel. The recipient agrees that a partial basis for award of the grant or cooperative agreement is the list of key personnel proposed in the proposal. Accordingly, the recipient agrees to assign to this task order those key persons whose resumes were submitted with the proposal necessary to fulfill the requirements of the award. No substitution shall be made without prior notification to and concurrence of the Grants Officer. All proposed substitutes shall meet or exceed the qualifications of the person to be replaced. The Grants Officer shall be notified in writing of any proposed substitution at least thirty days in advance of the proposed substitution. Such notification shall include:
  - i. An explanation of the circumstances necessitating the substitution;
  - ii. A complete resume of the proposed substitute; and
  - iii. Any other information requested by the Contracting Officer to enable him to judge whether or not the Contractor is maintaining the same high quality of personnel that provided the partial basis for award.
- c) Gender and Age Based Reporting Requirement: Recipients shall disaggregate reporting on beneficiaries based on gender and age and report separately on the number of men and women employed in the program funded by the grant. Additionally, grantees are required to report whether non-technical and technical survey teams include female employees to ensure the voices of women and girls are included in survey results. Age

based reporting requires that the number of individuals served under the age of 18 and the number age 18 over be listed where possible.

- d) **Anti-Prostitution Policy and Requirements:** The U.S. government is opposed to prostitution and related activities, which are inherently harmful and dehumanizing, and contribute to the phenomenon of trafficking in persons. Consistent with the Trafficking Victims Protection Act (TVPA), recipients are required to agree to the following special conditions prior to a grant or cooperative agreement being awarded: None of the funds made available herein may be used to promote, support, or advocate the legalization or practice of prostitution. Nothing in the preceding sentence shall be construed to preclude assistance designed to combat trafficking in persons, including programs for prevention, protection of victims, and prosecution of traffickers and others who profit from trafficking in persons, by ameliorating the suffering of, or health risks to, victims while they are being trafficked or after they are out of the situation that resulted from such victims being trafficked. The recipient shall insert this provision in all sub-agreements under this award. TVPA sec. 113(g)(1) (P.L. 108-193).
- e) **Accidents:** Recipients shall inform the PM/WRA Grants Officer, Deputy Director for Programs, and relevant GOR of any and all accidents, incidents or events that result in loss of life, limb or property within 72 hours of occurrence.
- f) **Equipment:** Equipment is defined as any non-expendable personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit. The recipient must provide PM/WRA with an inventory list including use requests every two years when award duration exceeds this duration or at the end of the period of performance if it is shorter than two years. When a recipient no longer needs equipment purchased under grant the recipient shall request disposition instructions from the Federal awarding agency and include its recommended disposition request. This requirement for disposition applies regardless of the current market value of the property. Only the Grants Officer may make the final determination regarding final disposition or the current market value of the equipment.
- g) The non-Federal entity must disclose in writing any potential conflict of interest to the Federal awarding agency or pass-through entity if the effects of the potential or actual conflict of interest cannot be avoided, neutralized, or mitigated before award, in which the employee, officer or agent must recuse themselves or otherwise is not eligible to participate in the award. Where there is an organizational conflict, the prospective recipient is not eligible for the award.

- h) SAM.gov and OFAC Compliance: PM/WRA recipients issuing subawards or subcontracts must ensure that principals of the sub-recipient organization are not listed on the U.S. Treasury Office of Foreign Asset Control's (OFAC's) Specially Designated Nationals (SDN) and Blocked Persons list — <http://www.treasury.gov/ofac/downloads/t11sdn.pdf>. Sub-recipients must sign an affidavit (Attachment C) stating that they have reviewed the SDN list and have performed a principal search through SAM.gov which contains the OFAC database for SDN individuals. Grantees receiving U.S. government funding are prohibited from issuing subawards or subcontracts to organizations with principals found either on SAM.gov or on the SDN list.
- i) MANPADS Reporting: If during the course of its operations the recipient shall immediately alert PM/WRA of any Man Portable Air Defense Systems (MANPADS) or other weapons systems of high value that it may discover, and provide as much photographic and forensic evidence as possible to PM/WRA including serial numbers, markings, nomenclature, places of manufacture, and place/date of transfers of missiles and/or gripstocks. Attachment D (MANPADS Disposal Certificate) has been provided below for reference and assistance.
- j) All of the recipient's work on this project, including any MRE components, will meet International Mine Action Standards (IMAS).
- k) The recipient entity must seek prior approval from the Grants Officer before entering into any agreements or Memorandums of Understanding (MOU) with local governments to ensure that the agreements are not in conflict with the OMB Circular or the U.S. Department of State Terms and Conditions. MOU's with the host nation government and conditions required for authorization by the national authorities to work in-country are not bound by this provision.

17) Specific Conditions: NA

18) Special Provision for Performance in a Designated Combat Area (SPOT)  
(Applicable to Afghanistan and Iraq)

All recipient personnel deploying to areas of combat operations, as designated by the Secretary of Defense under federal assistance awards over \$150,000 or performance over 30 days must register in the Department of Defense maintained Synchronized Pre-deployment and Operational Tracker (SPOT) system. Recipients of federal assistance awards shall register in SPOT before deployment, or if already in the designated operational area, register upon becoming an employee

under the assistance award and maintain current data in SPOT. Information on how to register in SPOT is available from your Grants Officer or Grants Officer Representative.

Recipients utilizing personnel who are not performing private security functions must account for personnel within the SPOT system anonymously through the use of the aggregate count functionality. This includes U.S. Citizens, Third Country Nationals (TCN), and Locally-hired Iraqi or Afghani personnel except as noted in the following paragraph.

Recipients utilizing personnel who are performing a private security function; are performing duties as a translator or interpreter; require access to U.S. facilities, services, or support; or desire consideration for refugee or special immigrant status under the Refugee Crisis in Iraq Act of 2007 (subtitle C of title XII of Public Law 110–181) must be entered into SPOT individually with all required personal information. If a locally-hired Iraqi or Afghani national falls into one of these categories, the recipient must enter all of the required identification data into SPOT.

When the Recipient is ready to enter U.S. Citizens, Third Country Nationals (TCN), and/or locally-hired individuals using the Aggregate Count method, the Recipient will notify the Grants Officer who will contact the Department SPOT Program Manager (A/LM/AQM) to obtain the “Aggregate Count” template. The Recipient will complete the “Aggregate Count” template and return to the SPOT Program Manager who will ensure that aggregate counts are loaded into SPOT. The Recipient’s SPOT Administrator is responsible for updating the aggregate locally hired national count on a quarterly basis by providing updated information via the “Aggregate Count” template to the GO/GOR for each award who will forward to the Department SPOT Program Manager for SPOT entry.

Recipient performance may require the use of armed private security personnel. To the extent that such private security contractors (PSCs) are required, recipients are required to ensure they adhere to Chief of Mission (COM) policies and procedures regarding the operation, oversight, and accountability of PSCs.

In a designated area of combat operations, the term PSC includes any personnel providing protection of the personnel, facilities, property of a recipient or sub-recipient at any level, or performing any other activity for which personnel are required to carry weapons in the performance of their duties.

As specific COM policies and procedures may differ in scope and applicability, recipients of federal assistance awards are advised to review post policies and procedures carefully in this regard and direct any questions to the Embassy Regional Security Office (RSO) via the Grants Officer Representative (GOR). Any exclusion to these policies must be granted by the COM via the RSO. COM policies and procedures may be obtained from the RSO via the GOR. Recipients of federal assistance awards are also advised that these policies and procedures may be amended from time to time at the post in response to changing circumstances.

Recipients of federal assistance awards are advised that adherence to these policies and procedures are considered to be a material requirement of their award.

Recipients of federal assistance awards are reminded that only the Grants Officer has the authority to modify the Notice of Award. Recipients shall proceed with any security guidance provided by the RSO, but shall advise the Grants Officer and the GOR of the guidance received and any potential cost or schedule impact.

#### **19) State Department Leahy Amendment Vetting Requirements**

Funds provided under this award are subject to Section 620J of the Foreign Assistance Act of 1961, as amended, a provision titled “Limitation on Assistance to Security Forces” (the “Leahy Amendment”). Subsection 620J(a) of that provision states: “(a) In General.—No assistance shall be furnished under this Act [the Foreign Assistance Act] or the Arms Export Control Act to any unit of the security forces of a foreign country if the Secretary of State has credible evidence that such unit has committed gross violations of human rights.” Accordingly, none of the funds under this award may be used to provide training or other assistance to any unit or member of the security forces of a foreign country if the Department of State has credible evidence that such unit or individual has committed gross violations of human rights.

In signing this agreement, the Recipient agrees to exercise due diligence to ensure compliance with the Leahy provision and State Department policy, and to cooperate with the State Department in implementation of the Leahy requirement for funds under this award. The Department implements the Leahy requirement by vetting units or individuals proposed for training or other assistance to check for credible evidence of gross violations of human rights by such units or individuals. To facilitate State Department vetting, the Recipient must provide the following information for proposed participants at least sixty (60) days prior to commencing award activities. This information should be submitted to the U.S. Embassy in the

country where the award will be implemented in order to initiate Leahy vetting procedures:

**Information needed:** Full name, date of birth, country of birth, country of citizenship, gender, rank, title, and organizational affiliation. Please also include the activity and date that the activity will take place—if the person will participate throughout an extended program, please note the timeframe. Participant information should be submitted in the format attached.

**Information required for “security forces” personnel:** The above information is needed for each member of a foreign police or military unit (security forces, broadly defined) who will participate in any activity under this award. This includes both civilian and military employees of security forces participating in any activities funded under this award, including training, workshops or meetings, conferences, or other activities.

The Recipient must collaborate with the relevant U.S. Embassy on a case-by-case basis to determine if the Leahy requirement applies to specific activities or proposed participants. Individuals who are not members of the security forces but who participate in activities under the award (e.g., politicians, academics, etc.) generally do not need to be vetted.

**Submission Deadline:** Each candidate must be cleared under Leahy vetting in advance of participation in activities funded under this award. The vetting process typically takes approximately one month, but may take longer if there are a large number of candidates or if issues arise. Thus, all information on proposed candidates must be received by the Embassy at least sixty (60) days in advance of the training event or other activity.

The Recipient agrees that it will not include any security forces candidate in training or other activities funded under this award until the State Department advises that the candidate has cleared Leahy vetting and is approved for participation.

20) Statutory Deviations: NA