



## Request for Proposals (RFP)

**Solicitation No.** RFP #P1019-OPS-PR-1023-011/1  
**Issue Date:** Monday, August 26, 2024  
**Closing Date:** Monday, September 9, 2024  
**Questions Due:** Friday, August 30, 2024  
**Closing Time:** 17hrs (5 pm) Kosovo time (Central European Time, or CET)  
**USAID Contract:** USAID Contract No. 72016723C00001  
**Project Name:** USAID/Kosovo Investment Promotion and Access to Finance Activity

**Subject:** Soliciting Proposals on Developing a Website and Promotional Video for the Kosovo Investment and Export Agency

DT Global, the implementer of the USAID/Kosovo Investment Promotion and Access to Finance Activity, under USAID Contract No. 72016723C00001, invites proposals from eligible entities for **Developing a Website and Promotional Video for the Kosovo Investment and Export Agency**, as described in Attachment I, "Statement of Work," below.

The period of performance for this activity anticipates commencing in October 2024 and ending on January 31, 2025. The issuance of a subcontract is subject to availability of funds, successful negotiation of the subcontract terms and budget, and reception of USAID's Contracting Officer subcontract consent, if required. The Contract resulting from this award is envisioned to be a Firm Fixed Price subcontract.

DT Global encourages your organization to indicate its interest in this procurement by submitting a proposal in accordance with the instructions in Attachment II, "Instructions to Offerors." Proposals will be evaluated based on the evaluation criteria established in Attachment III of this solicitation. An award will be made to the Offeror(s) whose proposal represents the best value to the project after evaluation in accordance with the criteria stated in the solicitation.

To be considered under the solicitation process, the Offeror should submit a complete proposal by the means indicated herein no later than the closing date and time indicated above. Offerors should ensure that the proposals are well written, easy to read and follow, and contain only the requested information.

Proposals should be submitted **electronically** via email to:

USAID/Kosovo Investment Promotion and Access to Finance Activity Procurement Team at [ipaf.procurement@dt-global.com](mailto:ipaf.procurement@dt-global.com)

The solicitation number above must be mentioned in the subject of the email.

All questions relating to this solicitation must be submitted **electronically** via email to the Procurement Team at [ipaf.procurement@dt-global.com](mailto:ipaf.procurement@dt-global.com), no later than August 30, 2024, **at 17hrs (5 pm) Kosovo time (CET)**. Unless otherwise notified by an amendment to this RFP, no questions will be accepted after this date. No questions/clarifications will be entertained if received by means other than the specified email address. The solicitation number should be stated in the subject.

Proposals must be submitted separately **via two different emails**. The first email shall include the technical proposal as an attachment and should be named "**Technical Proposal**" and the second email shall include the cost proposal and should be named "**Cost Proposal**."

Attachments:

- Attachment I: Statement of Work
- Attachment II: Instructions to Offerors
- Attachment III: Evaluation Criteria
- Attachment IV: Prime Contract Flow-Down Clauses
- Attachment V: Unique Identity ID (UEI)

Annexes:

- Annex A: Technical Proposal
- Annex B: Cost Proposal

## **Attachment I Statement of Work**

### **1. Project Background**

DT Global was recently awarded the 5-year USAID Kosovo funded Investment Promotion and Access to Finance Activity in Kosovo (“Activity”). The Activity aims to strengthen the private sector’s capacity to deliver sustainable economic growth through two mutually re-enforcing objectives: 1) investment promotion and attraction; and 2) increased access and utilization of diversified finance. By achieving these two objectives, the Activity will strengthen the resiliency of the private sector, create productive jobs, increase exports, and enable firms to adopt new technologies and business practices.

### **2. Intended Activity**

In October 2023, Kosovo Parliament passed the new Law on Sustainable Investments (LSI) which seeks to formally establish the Kosovo Investment and Export Agency (KIEA). Recently, the Constitutional Court cleared the LSI for passage, after an appeal had been lodged. Following this development, the Activity aims to support the Office of Prime Minister (OPM) with a series of supportive actions to functionalize the KIEA. One part of the Activity’s support is to support the development of a website for KIEA, and an informational video, with the aim of enhancing KIEA’s visibility, credibility, and engagement with potential investors, stakeholders, and partners.

This Scope of Work is intended to provide a general framework for the engagement of a service provider to support OPM on the development of KIEA’s website and promotional video. These deliverables should be developed in close coordination among the service provider, the Activity, OPM, and private sector representatives, considering specific requirements, resources, and timelines.

### **3. Requested Expertise**

In support of this effort, the Activity is seeking a service provider to: a) develop a website for KIEA and b) an informational video which promotes KIEA and presents successful investors from the private sector in Kosovo.

Eligible bidders/service providers include marketing, advertising and/or branding and creative agencies.

**Important note:** USAID Compete Activity, a separate 5-year project funded by USAID, has provided support to the Ministry of Foreign Affairs and Diaspora (MFAD) to develop branding and messaging for the so-called Made in Kosovo (MIK) corners platform, to be placed at Kosovo embassies, including website development. As KIEA foresees the establishment of foreign commercial presence in key external markets, the MIK tools link closely to the mandate of KIEA. In that regard, the selected service provider is expected to review the work done so far in regard to MIK tools and seek to integrate this work within the larger support to KIEA. The Activity will facilitate information sharing from USAID Compete Activity and the selected service provider.

### **4. Tasks of the Bidder/Service Provider**

The bidder/service provider (a company and/or a consortium) will be required to provide the following services: **Development of Website and Promotional Video for the Kosovo Investment and Export Agency.** The services will be contracted by USAID Investment Promotion and Access to Finance Activity.

The main tasks include:

- **Task 1:** Develop a comprehensive and user-friendly website for the KIEA which is in-line with already its branding strategy.
- **Task 2:** Production of a promotional video and photos for KIEA, in line with the branding strategy.

To deliver these tasks to the highest standard, the bidder/service provider should conduct thorough research and analysis prior to developing the deliverables and tasks including:

- Develop an understanding on the mandate and role of KIEA and investment promotion.
- Gather requirements, understand the KIEA's vision, and obtain necessary inputs for the design process.
- Gather information from private sector representatives and stakeholders to incorporate their views in the promotional video and the effectiveness of the website.
- Gather information on the work conducted by USAID Compete Activity on the Made in Kosovo (MIK) corners concept.
- Identify target audience segments and their preferences.
- Have an understanding of the competitive landscape and industry trends.

## 5. Detailed Tasks

Detailed tasks should be performed in close coordination with the appointed staff of the USAID Investment Promotion and Access to Finance Activity, and the Office of the Prime Minister.

The selected bidder/service provider will deliver the following tasks:

- **Task I: Website Development**
  - Review the work conducted by USAID Compete Activity to develop a website platform for the Made in Kosovo (MIK) corners. Utilize the work conducted and seek to integrate the platform, if relevant, within the KIEA's broader website, or link the Agency website to MIK.
  - Coordinate closely with separate service providers engaged by the Activity to advise KIEA on investment promotion, especially on content to introduce in the website and the service provider who developed KIEA's branding strategy
  - Develop a creative and user-friendly website that provides a professional and functional online presence for the KIEA.
  - Identify goals, target audience, and required features in coordination with OPM and Activity.
  - Website should be developed in the following languages: Albanian, Serbian, English, German, French and Italian.
  - Choose a domain name and reliable hosting provider in coordination of OPM and Activity.
  - Pick a suitable content management system (CMS).
  - Develop a professional, responsive design aligned with the branding concept.
  - Create informative, high-quality, SEO-friendly content that is in line with branding concept and using various materials such as videos, photos, and written content.
  - Plan a user-friendly website structure and navigation.
  - Integrate essential features and multimedia content.
  - Incorporate innovative technologies such as a map of Kosovo with economic and private sector data (GPS map with sectors, number of companies, employment, by municipality, region, and nationally). Website may be interactive and possibly incorporate VR to walk through potential investment sites.
  - Optimize for search engines with keywords and meta tags.
  - Ensure the site works well on mobile devices and thoroughly test for functionality and security.
  - Plan for ongoing content updates.
  - Coordinate with the Activity and OPM on the launch date and promotion of the site.
  - Use various analytics tools to track performance.
  - Ensure the website complies with data protection regulations, accessibility standards, and other relevant laws.
  - Collect user feedback for continuous enhancements.
  - Document the website's structure, login details, and maintenance processes.
  - Provide written guidelines and training for KIEA staff responsible for website maintenance and updates.

- **Task 2: Production of a promotional video documentary and photographs** that highlight the objectives of KIEA, and success stories of private sector investments in Kosovo. The video should be in line with the branding strategy.
  - Coordinate closely with the separate service provider engaged by the Activity to advise KIEA on investment promotion.
  - The video should be around (3) minutes in length.
  - The provision of the storyboard/scenario is mandatory.
  - The video will include interviews with key actors of the KIEA and private sector (selection of companies and interviewees to be featured will be made by the Activity and KIEA)
  - The producers will deliver the video in formats suitable for TV and social media (Facebook, Instagram, TikTok, etc.)
  - The producers will create up to five (5) shorter (60 second) versions from the same video clip to be used in suitable social media platforms.
  - The video will be produced in Albanian, with English and German subtitles, in both SRT files and embedded subtitle format.
  - The producers will deliver the video in an easy to access format.
  - The producers will deliver professional photographs from the various video locations, actors, scenes, factories, products, and other related topics to be used for IEA's website, social media, print, and other promotional products. At least 100 high-quality professional photos should be delivered to be used by KIEA for promotional purposes.
  - The property rights of the videos and photos will belong to the USAID Investment Promotion and Access to Finance Activity. *An appropriate agreement will be made with OPM for the transfer of rights to KIEA.*

## 6. Implementation and Execution

The bidder/service provider must coordinate and collaborate with appointed staff of the USAID Investment Promotion and Access to Finance Activity and Office of the Prime Minister/KIEA representative(s) to ensure proper development and smooth implementation of deliverables. The bidder/service provider must provide recommendations on the implementation, monitoring, and performance analysis of proposed website and promotional video. Regular progress reports and presentations outlining the design process and updates must be provided to USAID Investment Promotion and Access to Finance Activity.

As noted earlier, on relevant parts of this Statement of Work, the selected bidder is expected to collaborate with other service providers engaged by the Activity to advise KIEA on investment promotion and capacity building and development of the branding strategy. A service provider will advise KIEA, among others, on marketing activities to promote Kosovo as a destination for investment. As relevant, for the content of the video and content of the website, the service providers will collaborate closely – a task that the Activity will facilitate.

## 7. Firm Qualifications

The bidder/service provider's qualifications include:

- The bidder/service provider should be an entity with extensive experience in marketing, creative campaigns, visual identity, as well as with the capacity to create and develop creative and user-friendly websites and promotional videos. The entity should also demonstrate its capacity to organize and deliver a high-quality documentation in writing that outlines in detail the deliverables subject to the SOW.
- Considering the inter-institutional work required to deliver this activity, the entity must field a team with strong interpersonal skills and a network of partnerships with relevant stakeholders.
- The work should be undertaken by a team consisting of experts who have the required and demonstrable skills and credentials to execute the deliverables and planned activities.

- The bidder/service provider will be required to travel to the selected locations to produce the video and take professional pictures. The total contract price would include all direct and indirect costs and other necessary expenses, including travel and subsistence.
- Bidders **may** associate with other firms/individual consultants in the form of the consortium to enhance their qualifications to deliver the required deliverables to the highest standards.

The selected company is obliged to appoint a Project Manager (PM). The PM, in close cooperation with the responsible persons at USAID Kosovo Investment Promotion and Access to Finance Activity and OPM, will be responsible for coordinating and delivering the planned and agreed activities. The PM will be responsible for the overall management of this contract, including team management and support, coordination between parties involved and will act as the main point of contact for communications and reporting. The PM will ensure that all resources required are available for the high-quality production of the contracted services/products and activities.

## **8. Supervision and Reporting**

The service provider will be supervised by the USAID Investment Promotion and Access to Finance Activity's Investment Promotion Lead and Communications Director, in close consultation with OPM. The service provider will be required to provide activity progress reporting, as needed, and as instructed by the USAID Investment Promotion and Access to Finance Activity team, in coordination with OPM representatives. The activity is expected to begin implementation in October 2024 and should aim to be completed by January 31, 2025.

## ATTACHMENT II

### INSTRUCTIONS TO OFFERORS

#### General Instructions

These Instructions to Offerors will not form part of the offer or of the Subcontract. They are intended solely to aid Offerors in the preparation of their proposals.

- The proposals, and all corresponding documents related to the proposal must be written in the English.
- Award shall be only made to organizations with a UEI (Unique Entity Identifier).
- No costs incurred by the Offerors in preparing and submitting the proposal are reimbursable by DT Global. All such costs will be at the Offeror's expense.
- DT Global reserves the right to make an award to more than one organization.
- Proposals and all cost and price figures must be presented in **Euro**. All prices should be net of Host Country VAT and customs duties. The services provided under this contract are funded by the U.S. Government and shall be exempt from Host Country taxes, import and other fees, as stipulated in the bilateral agreement between the U.S. Government and Government of Kosovo. The subcontractor shall obtain prior written approval by DT Global before making any VAT payments.
- The Offeror must state in its Proposal the validity period of its offer. The minimum offer acceptance period for this RFP is **100 days** after the closing date of the RFP. Offers with a shorter acceptance period will be rejected. This RFP in no way obligates DT Global to award a subcontract.
- Responsibility Determination: Award shall only be made to "responsible" prospective Offerors. To enable DT Global to make this determination, the Offeror must briefly describe in the proposal that it:
  - has adequate financial resources including appropriate insurance coverage to perform the work stated herein, or the ability to obtain them;
  - is able to comply with the required or proposed delivery or performance schedule, taking into consideration all existing commercial and governmental business commitments;
  - has a satisfactory performance record;
  - has a satisfactory record of integrity and business ethics;
  - has the necessary technical capacity, equipment and facilities, or the ability to obtain them; and
  - is otherwise qualified and eligible to receive an award under applicable laws and regulations.
- Eligibility of Firms – Source/Nationality: The authorized geographic code for the source and nationality of the goods, services, and suppliers under the project contract is 937. 937 requires that goods and services be acquired from the United States, Kosovo, and developing countries other than advanced developing countries but excluding any country that is a prohibited source. A full discussion of the source and nationality requirements may be found at 22 CFR 228. Offerors whose proposals fail to meet the nationality requirements will be considered non-responsive.
- NDAA Section 889 Compliance. Section 889 of John S. McCain National Defense Authorization Act for Fiscal Year 2019 (NDAA) prohibits the U.S. Government and its contractors from (1) procuring or obtaining any equipment, system, or services that uses covered telecommunications equipment or services and (2) enter into a contract (or extend or renew a contract) with an entity that uses any equipment, system, or service that uses covered telecommunications equipment or services. A full discussion of the prohibitions can be found at FAR 52.204-25. To be eligible for award the Offeror must complete and sign the representation in Attachment IV.
- In addition to the above and to comply with the Kosovo local laws, Offerors must be authorized to conduct business in Kosovo.
- Modification/Withdrawal of Offers: Offerors have the right to withdraw, modify or correct their offer after such time as it has been emailed to DT Global; at the email address stated above and provided that the request is made *before the RFP closing date*.
- Disposition of Proposals: Proposals submitted in response to this RFP will not be returned. Reasonable efforts will be made to ensure confidentiality of both Business and Technical Proposals received from all Offerors. This

RFP does not seek information of a highly proprietary nature but if such information is included in the Offeror's proposal, the Offeror must alert DT Global and must annotate the material by marking it "Confidential and Proprietary" so that these sections can be treated appropriately.

- Regardless of the method used in the submission of the proposal, the Technical Proposal and Business Proposal must be kept separate from each other. Technical Proposals **must not** make reference to cost or pricing data in order that the technical evaluation may be made strictly on the basis of technical merit.
- Clarification and Amendment to the RFP:
  - Any question raised regarding this solicitation should be received no later 5 pm Kosovo time on August 30, 2024. All questions must be **in writing**, emailed to the email address specified in the cover letter of this RFP. No questions/clarifications will be entertained if they are received by means other than the aforementioned email address. The solicitation number should be stated in the subject line. Responses to questions received will be compiled and emailed to potential Offerors.
- Offeror's email message should state in the subject the solicitation number. Also, the email should include the name of your organization, the name of contact person, email address and telephone number.
- DT Global anticipates that discussions with Offerors will be conducted; however, DT Global reserves the right to make award without discussions. Therefore, it is strongly recommended that Offerors present their best offer as their initial submission.

### **Submission of Proposal:**

- Proposals must be submitted in an electronic format as an email attachment, sent to the email address specified in the cover letter, no later than the date and time specified in the cover letter of this RFP.
- The file attachment should be in a format that can be opened by one of the following applications: PDF, MSWord, MSeXcel, MSPowerPoint.
- Please note that the DT Global email server has a limitation of 20MB for the total attachments per single email. It is strongly recommended that the size of ALL attachments per a single email be less than 20MB.
- The technical proposal and business proposals should be submitted in **two separate emails**. The first should be named "Technical Proposal" and the second is named "Cost Proposal." If the submission will be through several emails, then the emails should be sequentially numbered indicating the total number of emails that will be submitted (example 1/4, 2/4, 3/4 and 4/4).

### **Content of Proposal:**

The proposal by the Offeror(s) shall consist of three (3) sections: 1) Technical Proposal (Annex A); 2) Cost Proposal (Annex B); and 3) Attachments.

#### 1. Completed Technical Proposal (see Annex A)

The technical proposal shall describe how the Offeror intends to carry out the statement of work. It will also address the Offeror's corporate capabilities to carry out the work and the extent to which the Offeror has a demonstrated ability to provide the required services.

The Offeror shall provide information about past performance implementing similar work globally, including samples of similar work conducted in the past. The Offeror should also demonstrate capacity to undertake the technical and administrative backstopping of all activities described in the Scope of Work.

Optional: Provide creative designs or ideas for the website, and promotional video. This is not mandatory but will strengthen the technical proposal.

See Annex A for completion of the technical proposal.



## 2. Cost Proposal (see Annex B)

As stated earlier, the cost proposal shall be submitted separately from the technical proposal. The budget will present the cost for performing the work specified in this solicitation. A template is provided for the pricing as Annex B.

At a minimum, the cost proposal will include the following information:

- **Importantly, the budget should be provided on a per task break-down.**
- A detailed cost break-down of the proposed budget to the maximum extent practical.
- Include all costs relevant to completing the scope of work, including travel costs.
- A detailed and comprehensive budget narrative explaining the basis for the cost estimates.
- Negotiated Indirect Rate Agreement (NICRA) or other documentation from its cognizant audit agency, if any, stating the most recent provisional indirect cost rates.
- If Offeror does not have a cognizant audit agency, the Offeror must provide audited balance sheets and profit & loss statements for the last two complete years and current year-to-date; and
- The most recent two fiscal year pool and base cost compositions along with derived rates, the bases of allocation of these rates and an independent certified audit by a certified accounting firm of these rates.

### **Instructions for the preparation of the Cost Proposal**

The subcontract type will be **Firm Fixed Price**.

A Firm Fixed Price Subcontract is an award for the provision of specific services, goods, or deliverables and is not adjusted if the actual costs are higher or lower than the fixed price amount. Offerors are expected to include all costs, direct and indirect, into their total proposed price.

The Offeror must provide a **completed budget**. The Excel file should not be 'read only' or 'protected.' The proposal must include any necessary supporting information to substantiate proposed costs. The Offeror must submit a budget narrative that supports and clarifies item for item the cost estimates proposed in its budget.

## 3. Attachments

This section will include any information or document that was not listed in the above sections and the Offeror finds necessary to include in the proposal. In this section, the Offeror will also include the information that will assist DT Global to determine the Offeror's responsibility. The following are **required documents** to be submitted with the proposal:

- Current copy of the business registration (front and back)
- A copy of your Fiscal Certificate.
- Reference letters/other documentary evidence for implementation of previous similar projects/previous similar work samples.
- CVs of professional staff members.
- Completed and signed NDAA Representation Form (see Attachment IV below).

This solicitation in no way obligates DT Global to award a subcontract, nor does it commit DT Global to pay any costs incurred in preparation and submission of a proposal in response to the RFP. Furthermore, DT Global reserves the right to reject any and all offers if such action is in the best interest of DT Global.

## ATTACHMENT III

### EVALUATION CRITERIA

#### TECHNICAL PROPOSAL EVALUATION

Proposals will be evaluated according to the criteria stated herein. The relative importance of each individual criterion is indicated by the number of points assigned thereto. A total of **100 points** is the maximum possible technical score for each proposal. The evaluation criteria serve to: (a) identify the significant factors which the Offeror should address in their proposal under each section; and (b) set the standard against which all proposals will be evaluated.

#### Experience and Creativity (60 points):

- The service provider's overall experience, expertise and creativity in developing websites, and promotional videos for similar agencies, organizations, or industries, including examples of successful past similar work that demonstrate creativity, strategic thinking, and impact. The Offeror is required to submit evidence showcasing their capabilities in areas such as website development, creation of promotional videos, ability to create compelling and engaging content (60 points).
- Optional: Provide creative designs or ideas for website, and promotional video. Offeror can provide actual designs or description of ideas. *This is not mandatory but will strengthen the technical proposal.*

#### Approach and Methodology (20 points):

- Demonstration of understanding of the required tasks of this RFP and providing a framework on how this work will be completed including provision of timeline (20 points).
- Optional: Service provider's understanding of the industry in which KIEA operates (*no points, but providing this information is advantageous*).

#### Expertise and Staff Capabilities (20 points):

- Qualified and experienced staff with specific experience in similar tasks and deliverables. The Offeror needs to demonstrate this through the provision of CVs of staff with the required experience to deliver the intended tasks of this RFP (20 points).

#### COST PROPOSAL EVALUATION

##### Cost Proposal

The review of the cost proposal shall include cost realism. This process will include a review of the cost portion of the Offeror's proposal to determine if the overall costs proposed are reasonable and realistic for the work to be performed, if the cost reflects that the Offeror understands the requirements, and if the costs are consistent with the technical part of the proposal. Cost proposals providing more direct funding towards the tasks/deliverables instead of administrative costs will be reviewed favorably in the best value determination.

Evaluation of cost proposals will consider, but not be limited to, the following:

- Cost realism and completeness of cost proposal and supporting documentation.

- Overall cost control evidenced in the proposal such as avoidance of excessive salaries, competitive procurement of subcontracts, excessive cost of management oversight and other costs in excess of reasonable requirements.
- Amount of proposed fee, if any.
- Cost efficiency of proposed Other Direct Costs (ODCs).

Cost proposals must be reasonable and reflective of current market rates. DT Global reserves the right to reject any bids where costs are deemed unreasonable or excessively high. We emphasize the importance of fair and competitive pricing to ensure the integrity and feasibility of the project. Cost reasonableness will be considered, regardless of technical score

## ATTACHMENT IV

### REPRESENTATION REGARDING CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT

**(a) Prohibitions.**

Section 889(a) of the John S. McCain National Defense Authorization Act (NDAA) for Fiscal Year 2019 (Pub. L. 115-232) prohibits the U.S. Government and any of its contractors and subcontractors from procuring or obtaining, or extending or renewing a contract to procure or obtain, any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system.

**(b) Definitions:**

*Covered foreign country* means The People's Republic of China.

*Covered telecommunications equipment or services* means telecommunications equipment produced by Huawei Technologies Company, ZTE Corporation, Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities)

*Critical technology* means defense articles or defense services included on the United States Munitions List set forth in the International Traffic in Arms Regulations under subchapter M of chapter I of title 22, Code of Federal Regulations; Items included on the Commerce Control List set forth in Supplement No. 1 to part 774 of the Export Administration Regulations under subchapter C of chapter VII of title 15, Code of Federal Regulations, and controlled- (i) Pursuant to multilateral regimes, including for reasons relating to national security, chemical and biological weapons proliferation, nuclear nonproliferation, or missile technology; or (ii) For reasons relating to regional stability or surreptitious listening; Specially designed and prepared nuclear equipment, parts and components, materials, software, and technology covered by part 810 of title 10, Code of Federal Regulations (relating to assistance to foreign atomic energy activities); Nuclear facilities, equipment, and material covered by part 110 of title 10, Code of Federal Regulations (relating to export and import of nuclear equipment and material); Select agents and toxins covered by part 331 of title 7, Code of Federal Regulations, part 121 of title 9 of such Code, or part 73 of title 42 of such Code; or Emerging and foundational technologies controlled pursuant to section 1758 of the Export Control Reform Act of 2018 (50 U.S.C. 4817).

*Reasonable inquiry* means an inquiry designed to uncover any information in the entity's possession about the identity of the producer or provider of covered telecommunications equipment or services used by the entity that excludes the need to include an internal or third-party audit.

*Substantial or essential component* means any component necessary for the proper function or performance of a piece of equipment, system, or service.

**(c) Representation.** After conducting a reasonable inquiry Subcontractor represents that it [ ] will or [ ] will not provide covered telecommunications equipment or services to DT Global in the performance of any contract, subcontract, order, or other contractual instrument resulting from this contract. This representation shall be provided as part of the proposal and resubmitted on an annual basis from the date of award.

**(d) Disclosures.** If the Subcontractor has responded affirmatively to the representation in paragraph (c) of this clause, the Subcontractor shall provide the following additional information to DT Global:

(1) List of all covered telecommunications equipment and services offered or provided (Entity name, brand; model number, such as original equipment manufacturer (OEM) number, manufacturer part number, or wholesaler number; and item description, as applicable);

(2) Explanation of the proposed use of covered telecommunications equipment and services and any factors relevant to determining if such use would be permissible under the prohibition in paragraph (b) of this provision;

**(e) Reporting requirement.**

(1) In the event the Subcontractor identifies covered telecommunications equipment or services used as a substantial or essential component of any system, or as critical technology as part of any system, during contract performance, or the Subcontractor is notified of such by a subcontractor at any tier or by any other source, the Subcontractor shall report the information in paragraph (d)(2) of this clause to DT Global.

(2) The Subcontractor shall report the following information pursuant to paragraph (d)(1) of this clause

(i) Immediately upon such identification or notification: the contract number; the order number(s), if applicable; supplier name; supplier unique entity identifier (if known); supplier Commercial and Government Entity (CAGE) code (if known); brand; model number (original equipment manufacturer number, manufacturer part number, or wholesaler number); item description; and any readily available information about mitigation actions undertaken or recommended.

(ii) Within 5 business days of submitting the information in paragraph (d)(2)(i) of this clause: any further available information about mitigation actions undertaken or recommended. In addition, the Subcontractor shall describe the efforts it undertook to prevent use or submission of covered telecommunications equipment or services, and any additional efforts that will be incorporated to prevent future use or submission of covered telecommunications equipment or services.

**(f) 2<sup>nd</sup> Tier Subcontracts.** The Subcontractor shall insert the substance of this clause, including this paragraph (f), in all 2<sup>nd</sup> Tier subcontracts and other contractual instruments, including subcontracts for the acquisition of commercial items.

**(g) SAM Verification.** The Subcontractor shall regularly review the list of excluded parties in the System for Award Management (SAM) (<https://www.sam.gov>) to identify entities excluded from receiving federal awards for “covered telecommunications equipment or services”.

Contract/Subcontract No.: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Title/Position: \_\_\_\_\_

Organization: \_\_\_\_\_

## ATTACHMENT V

### PRIME CONTRACT FLOW-DOWN CLAUSES

This Contract will be funded by the U.S. Agency for International Development (USAID) with DT Global implementing this USAID project. Applicable clauses incorporated herein by reference shall have the same force and effect as if they were incorporated in full text. A copy of the full text of each clause may be obtained from <http://www.acquisition.gov/far>, <http://www.usaid.gov/policy/ads/300/aidar.pdf>, or from DT Global's procurement official. The term "FAR" means Federal Acquisition Regulation. The terms, "Contractor," "Government" and "Contracting Officer" as used in these clauses shall refer to Vendor, DT Global, and DT Global Contract Administrator respectively. In no event shall any provision of this contract or Orders issued against it be construed as allowing the Vendor to appeal directly to or otherwise communicate directly with (USAID) without written consent of DT Global.

#### FEDERAL ACQUISITION REGULATION (48 CFR Chapter I)

Clause No:	Clause Title and Date
52.202-1	Definitions. (JUN 2020)
52.242-15	STOP-WORK ORDER (AUG 1989)
52.242-15	STOP-WORK ORDER (AUG 1989) - ALTERNATE (APR 1984)
752.245-71	TITLE TO AND CARE TO PROPERTY (APR 1984)
752.7003	DOCUMENTATION FOR PAYMENT (NOV 1998)
52.203-3	Gratuities. (APR 1984)
52.203-5	Covenant Against Contingent Fees. (MAY 2014)
52.203-6	Restrictions on Subcontractor Sales to the Government. (JUN 2020)
52.203-7	Anti-Kickback Procedures. (JUN 2020)
52.203-8	Cancellation, Rescission, and Recovery of Funds for Illegal or Improper Activity. (MAY 2014)
52.203-10	Price or Fee Adjustment for Illegal or Improper Activity. (MAY 2014)
52.203-12	Limitation on Payments to Influence Certain Federal Transactions. (JUN 2020)
52.203-13	Contractor Code of Business Ethics and Conduct. (NOV 2021)
52.203-14	Display of Hotline Poster(s). (NOV 2021)
52.203-16	Preventing Personal Conflicts of Interest. (JUN 2020)
52.203-17	Contractor Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights. (JUN 2020)

52.204-4	Printed or Copied Double-Sided on Postconsumer Fiber Content Paper. (MAY 2011)
52.204-10	Reporting Executive Compensation and First-Tier Subcontract Awards. (JUN 2020)
52.204-13	System for Award Management Maintenance. (OCT 2018)
52.204-14	Service Contract Reporting Requirements. (OCT 2016)
52.204-19	Incorporation by Reference of Representations and Certifications (DEC 2014)
52.204-23	Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities (Nov 2021)
52.204-24	Representation Regarding Certain Telecommunications and Video Surveillance Services or Equipment (Nov 2021)
52.204-25	Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment (Nov 2021)
52.204-26	Covered Telecommunications Equipment or Services-Representation (Oct 2020)
52.209-6	Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment. (NOV 2021)
52.209-9	Updates of Publicly Available Information Regarding Responsibility Matters. (OCT 2018)
52.209-10	Prohibition on Contracting with Inverted Domestic Corporations. (NOV 2015)
52.210-1	Market Research. (NOV 2021)
52.215-2	Audit and Records -- Negotiation (JUN 2020)
52.215-8	Order of Precedence - Uniform Contract Format. (OCT 1997)
52.215-19	Notification of Ownership Changes (OCT 1997)
52.215-23	Limitations on Pass-Through Charges. (JUN 2020) -Alternate I (OCT 2009)
52.216-7	Allowable Cost and Payment. (AUG 2018)
52.216-8	Fixed Fee. (JUN 2011)
52.216-24	Limitation of Government Liability. (APR 1984)

52.216-25	Contract Definitization. (OCT 2010)
52.219-8	Utilization of Small Business Concerns (OCT 2022)
52.219-9	Small business subcontracting plan. (OCT 2022)
52.219-16	Liquidated Damages - Subcontracting Plan. (SEP 2021)
52.222-21	Prohibition of segregated facilities. (APR 2015)
52.222-26	Equal Opportunity. (SEP 2016)
52.222-29	Notification of visa denial. (APR 2015)
52.222-50	Combating Trafficking in Persons (NOV 2021)
52.223-6	Drug-Free Workplace. (MAY 2001)
52.223-18	Encouraging Contractor Policies to Ban Text Messaging while driving (JUN 2020)
52.225-13	Restrictions on Certain Foreign Purchases. (FEB 2021)
52.227-14	Rights In Data – General (MAY 2014)
52.228-3	Workers' Compensation Insurance (Defense Base Act). (JUL 2014)
52.228-7	Insurance - Liability to Third Persons. (MAR 1996)
52.230-2	Cost Accounting Standards. (JUN 2020)
52.230-6	Administration of Cost Accounting Standards. (JUN 2010)
52.232-9	Limitation on Withholding of Payments. (APR 1984)
52.232-17	Interest. (MAY 2014)
52.232-18	Availability of Funds. (APR 1984)
52.232-22	Limitation of Funds. (APR 1984)
52.232-23	Assignment of Claims. (MAY 2014)
52.232-25	Prompt payment. (JAN 2017)
52.232-33	Payment by Electronic Funds Transfer - System for Award Management. (OCT 2018)
52.232-39	Unenforceability of Unauthorized Obligations. (JUN 2013)



52.233-1	Disputes (MAY 2014)
52.233-3	Protest after Award. (AUG 1996) - Alternate I (JUN 1985)
52.233-4	Applicable Law for Breach of Contract Claim. (OCT 2004)
52.242-1	Notice of Intent to Disallow Costs. (APR 1984)
52.242-3	Penalties for Unallowable Costs. (DEC 2022)
52.242-4	Certification of Final Indirect Costs. (JAN 1997)
52.242-5	Payments to Small Business Subcontractors. (JAN 2017)
52.242-13	Bankruptcy. (JUL 1995)
52.243-2	Changes - Cost-Reimbursement. (AUG 1987) - Alternate II (APR 1984)
52.243-7	Notification of Changes. (JAN 2017)
52.244-2	Subcontracts. (JUN 2020)
52.244-5	Competition in Subcontracting. (DEC 1996)
52.244-6	Subcontracts for Commercial Items. (DEC 2022)
52.245-1	Government Property (SEP 2021)
52.245-9	Use and Charges. (APR 2012)
52.246-25	Limitation of Liability - Services. (FEB 1997)
52.247-63	Preference for U.S.-Flag Air Carriers. (JUN 2003)
52.249-6	Termination (Cost-Reimbursement). (MAY 2004)
52.249-14	Excusable Delays. (APR 1984)
52.253-1	Computer Generated Forms. (JAN 1991)

### **AIDAR (48 CFR Chapter I)**

<b>Clause Number:</b>	<b>Clause Title and Date</b>
752.202-01	Definitions (JAN 1990)
752.204-2	Security Requirements. (FEB 1999)

752.209-71	Organizational Conflict of Interest Discovered After Award (JUN 1993)
752.211-70	Language and Measurement (JUN 1992)
752.219-8	Utilization of small business concerns and small disadvantaged business concerns. (MAR 2015)
752.219-71	Mentor Requirements and Evaluation (JUL 2007)
752.222-70	USAID Disability Policy. (DEC 2004)
752.222-71	Nondiscrimination. (JUN 2012)
752.225-9	Buy America Act - Trade Agreements Act- Balance of Payments Program.
752.225-70	Source and nationality requirements. (FEB 2012)
752.228-3	Worker's Compensation Insurance (Defense Base Act). (DEC 1991)
752.228-7	Insurance-Liability to Third Persons (JUL 1997)
752.228-9	Cargo insurance. (DEC 1998)
752.228-70	Medical Evacuation (MEDEVAC) Services (JUL 2007)
752.229-70	Federal, state and local taxes
752.231-71	Salary supplements for Host Government employees. (MAR 2015)
752.232-70	Letter of Credit Advance Payment. (MAR 2015)
752.242-70	Periodic Progress Reports (OCT 2007)
752.245-70	Government property - USAID reporting requirements. (JUL 1997)
752.245-71	Title To and Care of Property (APR 1984)
752.247-70	Preference for privately owned U.S.-flag commercial vessels. (OCT 1996)
752.252-1	AIDAR solicitation provisions incorporated by reference (MAR 2015)
752.7001	Biographical Data (JUL 1997)
752.7002	Travel and Transportation (JAN 1990)
752.7003	Documentation for payment. (NOV 1998)
752.7004	Emergency locator information (JUL 1997)

752.7005	Submission requirements for development experience documents (SEP 2013)
752.7006	Notices (APR 1984)
752.7007	Personnel Compensation (JUL 2007)
752.7008	Use of Government Facilities or Personnel (APR 1984)
752.7009	Marking (JAN 1993)
752.7010	Conversion of U.S. Dollars to Local Currency (APR 1984)
752.7011	Orientation and Language Training. (APR 1984)
752.7012	Protection of the Individual as a Research Subject. (AUG 1995)
752.7013	Contractor-Mission Relationships. (OCT 1989)
752.7014	Notice of Changes in Travel Regulations (JAN 1990)
752.7015	Use of Pouch Facilities. (JUL 1997)
752.7018	Health and Accident Coverage for USAID Participant Trainees (JAN 1999)
752.7019	Participant Training (JAN 1999)
752.7021	Changes in Tuition and Fees. (APR 1984)
752.7022	Conflicts Between Contract and Catalog. (APR 1984)
752.7023	Required Visa Form for USAID Participants (APR 1984)
752.7024	Withdrawal of Students. (APR 1984)
752.7025	Approvals (APR 1984)
752.7027	Personnel. (DEC 1990)
752.7028	Differential and Allowances (JUL 1996)
752.7029	Post Privileges. (JUL 1993)
752.7030	Inspection Trips by Contractor's Officers and Executives. (APR 1984)
752.7031	Leave and holidays. (OCT 1989)
752.7032	International Travel Approval and Notification Requirements (APR 2014)

752.7033	Physical fitness. (JUL 1997)
752.7034	Acknowledgement and Disclaimer (DEC 1991)
752.7035	Public Notices (DEC 1991)
752.7036	USAID Implementing Partner Notices (IPN) portal for acquisition. (JUL 2014)
752.7037	Child safeguarding standards. (AUG 2016)
752.7038	Nondiscrimination against End-Users of Supplies or Services. (OCT 2016)

### **CLAUSES INCORPORATED IN FULL TEXT**

#### **I.1. FAR 4.21 PROHIBITION ON CONTRACTING FOR CERTAIN COVERED TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT (SECTION 889) (DECEMBER 2021)**

- a) The award of this contract and its period of performance is based on the Section 889 Modified Foreign Assistance (FA) Waiver USAID received from the Director of National Intelligence (DNI), which expires on September 30, 2028. The period of performance of this contract is limited by the terms of the Modified FA Waiver, including the Modified FA Waiver duration as set forth in Section F.

The Contractor must submit the representation at FAR 52.204-24 Covered Telecommunications Equipment or Services-Representation no later than March 31, 2028. If there is a renewed or alternative waiver in place before that date, or if the Contractor represents that it does not use covered equipment and services, the CO will provide written notice of its intent to exercise the option.

- b) As soon as the Contractor is no longer using any covered equipment or services but no later than March 31, 2028, the Contractor must submit the representation at FAR 52.204-24 Covered Telecommunications Equipment or Services-Representation.

(End of clause)

#### **I.2. FAR 52.216-24 LIMITATION OF GOVERNMENT LIABILITY**

- (a) In performing this contract, the Contractor is not authorized to make expenditures or incur obligations exceeding *the obligated amount listed in section B*.
- (b) The maximum amount for which the Government shall be liable if this contract is terminated is *the obligated amount, listed in Section B*.

(End of clause)

### **I.3. FAR 52.217-8 OPTION TO EXTEND SERVICES (NOV 1999)**

The Government may require continued performance of any services within the limits and at the rates specified in the contract. These rates may be adjusted only as a result of revisions to prevailing labor rates provided by the Secretary of Labor. The option provision may be exercised more than once, but the total extension of performance hereunder shall not exceed 6 months. The Contracting Officer may exercise the option by written notice to the Contractor within 60 days of the completion date of this contract.

(End of clause)

### **I.4. FAR 52.229-8 TAXES – FOREIGN COST-REIMBURSEMENT CONTRACTS (MAR 1990)**

- (a) Any tax or duty from which the United States Government is exempt by agreement with the Government of Kosovo, or from which the Contractor or any subcontractor under this contract is exempt under the laws of Kosovo, must not constitute an allowable cost under this contract.
- (b) If the Contractor or subcontractor under this contract obtains a foreign tax credit that reduces its Federal income tax liability under the United States Internal Revenue Code (Title 26, U.S. Code) because of the payment of any tax or duty that was reimbursed under this contract, the amount of the reduction must be paid or credited at the time of such offset to the Government of the United States as the Contracting Officer directs.

(End of clause)

### **I.5. FAR 52.247-67, SUBMISSION OF TRANSPORTATION DOCUMENTS FOR AUDIT (FEB 2006)**

- (a) The Contractor shall submit to the address identified below, for prepayment audit, transportation documents on which the United States will assume freight charges that were paid—
  - 1) By the Contractor under a cost-reimbursement contract; and
  - 2) By a first-tier subcontractor under a cost reimbursement subcontract thereunder.
- (b) Cost-reimbursement Contractors shall only submit for audit those bills of lading with freight shipment charges exceeding \$100. Bills under \$100 shall be retained on-site by the Contractor and made available for on-site audits. This exception only applies to freight shipment bills and is not intended to apply to bills and invoices for any other transportation services.
- (c) Contractors shall submit the above referenced transportation documents to:  
Transportation Division Office of Acquisition and Assistance,  
RRB 7.09-006 US Agency for International Development

Washington, DC 20523

(End of clause)

**I.8. AIDAR 752.228-3 WORKERS COMPENSATION INSURANCE  
(DEFENSE BASE ACT) (DBA) (DEC 1991) [(DEVIATION JUN 2022)]  
Class Deviation No.  
M-OAA-DEV-AIDAR-22-10c**

In addition to the requirements specified in (48 CFR) FAR 52.228-3, the Contractor agrees to the following:

- (a) The Contractor agrees to procure Defense Base Act (DBA) insurance pursuant to the terms of the contract between USAID and USAID's DBA insurance carrier unless the Contractor has a DBA self insurance program approved by the Department of Labor or has an approved retrospective rating agreement for DBA. The rates and contact information for USAID's DBA insurance carrier are published in an Acquisition & Assistance Policy Directive found on USAID's website: <https://www.usaid.gov/work-usaid/resources-for-partners>. Alternatively, the Contractor can request the rates and contact information from the Contracting Officer.
- (b) If USAID or the Contractor has secured a waiver of DBA coverage (see (48 CFR) AIDAR 728.305-70(a)) for Contractor's employees who are not citizens of, residents of, or hired in the United States, the Contractor agrees to provide such employees with worker's compensation benefits as required by the laws of the country in which the employees are working, or by the laws of the employee's native country, whichever offers greater benefits.
- (c) The Contractor further agrees to insert in all subcontracts hereunder to which the DBA is applicable, a clause similar to this clause, including this sentence, imposing on all subcontractors a like requirement to provide overseas worker's compensation insurance coverage and obtain DBA coverage under the USAID requirements contract.

**EXECUTIVE ORDER ON TERRORISM FINANCING (AUG 2016)**

The Subcontractor/Recipient is 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 subcontractor/recipient to ensure compliance with these Executive Orders and laws. This provision must be included in all subcontracts/sub-awards issued under this subcontract/agreement.

## ATTACHMENT VI

### UEI (UNIQUE IDENTITY ID) NUMBER REGISTRATION INSTRUCTIONS

You need the following documentation at hand:

- a) Legal Business Name
- b) Physical Address (Country, Street, Zip Code, City, State)

Here are the steps to get the UEI Number:

1. Go to the website [www.sam.gov](http://www.sam.gov).
2. Create a login on SAM.gov. However, do not need to complete the full SAM registration.
3. Once created the login on SAM.gov, click on the button for "Get Started"
4. Then click on the button for "Get Unique Entity ID (SAM)."
5. Fill in the details as required, then click next to confirm the details entered are correct.
6. Click on the button that has correct entity information, then click next.
7. Click the checkbox "Include in Public Search" to allow your organization UEI number to be searched and seen. However, if it poses a security threat and do not want this, you can uncheck it.
8. Click on the checkbox "I certify that I am authorized to conduct transactions on behalf of the entity."
9. Click on the button "Receive Unique Entity ID."
10. Next page will display your UEI Number.
11. Take a screenshot of the page and share with us as well as the email from sam.gov with the UEI Number.