

**DEPARTMENT OF LABOR**

**Bureau of International Labor Affairs**

**Research on Forced Labor in the Production of Goods in Selected Countries**

**June 30, 2008**

**Announcement Type:** New. Notice of Availability of Funds and Solicitation for Cooperative Agreement Applications

**Funding Opportunity Number:** SGA 08-07

**Catalog of Federal Domestic Assistance (CFDA) Number:** Not applicable.

**Key Dates:** Deadline for Submission of Applications is August 8, 2008. Deadline for submission of all technical questions is July 18, 2008.

**EXECUTIVE SUMMARY**

The U.S. Department of Labor (USDOL), Bureau of International Labor Affairs (ILAB), will award up to USD 1.25 million through a cooperative agreement to a qualified organization and/or Association to carry out research in eight (8) countries on forced labor in the production of goods, and to develop strategies to assist governments, industries, and/or third parties in taking action to address these problems. Research funded under this cooperative agreement will involve gathering and analyzing data to answer the research questions outlined in this solicitation, and consulting with appropriate stakeholders. The proposed research will aim to complement and expand upon existing research on the use of forced labor in the production of goods. Applicants must respond to the entire Scope of Work outlined in this solicitation.

I. Funding Opportunity Description.....	3
A. Background .....	4
1. USDOL Support for the Global Elimination of Exploitive Child Labor, Forced Labor and Human Trafficking .....	4
2. Forced Labor: Definitions and Concepts .....	4
3. Extent of the Problem and Factors Contributing to Forced Labor.....	6
B. Scope of Work.....	7
1. General Research Requirements .....	7
a. Research Objectives .....	7
b. Research Concepts and Definitions .....	8
c. Research Questions .....	8
d. Familiarity with Existing Research.....	9
e. Research Design and Methodology .....	9
f. Dissemination Strategy.....	10
g. Project Participants and Confidentiality Considerations .....	10

II. Award Information .....	10
III. Eligibility Information .....	10
A. Eligible Applicants .....	10
B. Cost Sharing .....	11
C. Other Eligibility Criteria .....	12
1. Dun and Bradstreet Number(s) .....	12
2. Requirements for Application Responsiveness .....	13
IV. Application and Submission Information .....	14
A. Application Package .....	14
B. Submission Date, Time, and Delivery Method .....	14
C. Content and Form of Application Package .....	14
1. Cost Proposal Format .....	15
a. Standard Forms .....	15
b. Outputs-Based Budget .....	16
c. Budget Narrative .....	17
d. Indirect Cost Information .....	17
2. Technical Proposal Format .....	17
a. Abstract .....	18
b. Table of Contents .....	18
c. Research Proposal .....	18
d. Organizational Capacity .....	19
e. Key Personnel/Management Plan/Staffing .....	20
f. Cost Sharing (optional) .....	21
g. Annexes .....	21
D. Restrictions, Unallowable Activities, and Specific Prohibitions .....	23
1. Pre-award Costs .....	24
2. Subgrants and Subcontracts .....	24
3. Lobbying and Intent to Influence .....	24
4. Funds to Host Country Governments .....	25
5. Miscellaneous Prohibitions .....	25
6. Prostitution .....	26
7. Inherently Religious Activities .....	26
8. Terrorism .....	27
V. Application Review Information .....	27
A. Application Evaluation Criteria .....	27
1. Purpose, Goals and Objectives (20 points) .....	27
2. Review of Relevant Literature (15 points) .....	28
3. Research Design and Methodology (35 points) .....	28
4. Organizational Capacity (15 points) .....	28
5. Key Personnel/Management Plan/Staffing (15 points) .....	29
6. Cost Sharing (5 extra points) .....	29
B. Review and Selection Process .....	30
C. Anticipated Announcement and Award Dates .....	30
VI. Award Administration Information .....	31
A. Award Notices .....	31
B. Roles and Responsibilities of USDOL and Grantees .....	31

C. Administrative and National Policy Requirements .....	31
1. General.....	31
2. Project Audits and External Auditing Arrangements .....	31
3. Administrative Standards and Provisions .....	33
4. Key Personnel .....	34
5. Encumbrance of Cooperative Agreement Funds .....	34
6. Site Visits .....	34
D. Reporting and Deliverables.....	34
1. Project Document.....	34
2. Technical Progress and Financial Reports.....	35
3. Terms of Reference.....	35
4. Report Outline.....	35
5. Methodological Plans and Research Instruments .....	36
VII. Agency Contacts.....	36
VIII. OTHER INFORMATION .....	36
OMB Information Collection No. 1205–0458.....	36
Privacy Act and Freedom of Information Act .....	37
Appendix A: Cost Proposal Format.....	38
Appendix B: Technical Proposal Format.....	39
Appendix C: Definitions and Usual Characteristics of Subgrants vs. Subcontracts.....	41

## **I. FUNDING OPPORTUNITY DESCRIPTION**

USDOL/ILAB announces the availability of funds to be awarded by a cooperative agreement to a qualifying organization and/or partnership of more than one organization, known as an Association(s) (hereinafter collectively referred to as “Applicant(s)”) for the purposes of conducting research on forced labor in the production of a good or goods in Argentina, Bangladesh, the Dominican Republic, Liberia, and four (4) additional countries as specified in this notice, and developing strategies to assist governments, industries, and/or third parties in taking action to address these problems. Research funded under this solicitation will involve the collection and analysis of data and information in order to answer the research questions outlined in this solicitation, and consultation with appropriate stakeholders to identify and develop tools, initiatives, and good practices to combat these problems. The proposed research will aim to complement and expand upon existing research on the use of forced labor in the production of goods. Applicants must respond to the entire Scope of Work outlined in this solicitation.

USDOL/ILAB is authorized to award and administer cooperative agreements for this purpose by the Department of Labor Appropriations Act, 2008, P.L. 110-161 (2007). Cooperative agreements awarded under this solicitation will be managed by USDOL/ILAB’s Office of Child Labor, Forced Labor, and Human Trafficking (OCFT). The duration of the project funded by this solicitation is 3 years. The start date of program activities will be negotiated upon award of individual cooperative agreements but will be no later than September 30, 2008.

## **A. Background**

### **1. USDOL Support for the Global Elimination of Exploitive Child Labor, Forced Labor and Human Trafficking**

ILAB conducts research and commissions studies to inform and formulate international economic, trade and labor policies in collaboration with other U.S. government agencies. OCFT, formerly the International Child Labor Program, was created at the request of Congress in 1993 to specifically research and report on child labor around the world. More recently Congress, through the Trafficking Victims Protection Reauthorization Act (TVPRA) of 2005, directed ILAB to include, among its responsibilities, monitoring and combating forced labor and human trafficking. *See* 22 USC 7112(b)(1)-(2). Today, OCFT develops policy, conducts research, and implements technical cooperation projects that seek to eradicate exploitive child labor, trafficking in persons, and forced labor worldwide.

Since 1994, ILAB has published over 20 congressionally mandated reports on international child labor. In addition to its own research, USDOL has funded projects aimed at building the knowledge base on child labor, forced labor and human trafficking worldwide for the purposes of improving program planning, policy design and impact measurement. Research projects have included the collection of child labor data through national surveys, rapid assessments, and baseline studies; special and thematic studies; comprehensive literature reviews on forced labor, child labor and human trafficking; and the development of creative and innovative methodologies to measure child labor, forced and bonded labor, and human trafficking.

In addition to ILAB's research activities, USDOL funds technical cooperation projects that aim to eliminate exploitive child labor, particularly the worst forms of child labor, and combat forced labor and human trafficking worldwide. Since 1995, the U.S. Congress has appropriated over USD 660 million to USDOL for efforts to combat exploitive child labor internationally. This funding has been used to support technical cooperation projects to combat exploitive child labor, including the worst forms, in more than 75 countries around the world. Since 2001, USDOL-funded projects have withdrawn or prevented over 1 million children from exploitive labor.

### **2. Forced Labor: Definitions and Concepts**

**“Forced labor”** means all work or service which is exacted from any person under the menace of any penalty for its nonperformance and for which the worker does not offer himself voluntarily, and includes indentured labor. “Forced labor” includes work provided or obtained by force, fraud, or coercion, including: (1) By threats of serious harm to, or physical restraint against any person; (2) by means of any scheme, plan, or pattern intended to cause the person to believe that, if the person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint; or (3) by means of the abuse or threatened abuse of law or the legal process. For purposes of this definition, forced labor does not include work specifically authorized by national laws where such work is carried out in accordance with conditions prescribed

by the competent authority, including: any work or service required by compulsory military service laws for work of a purely military character; work or service which forms part of the normal civic obligations of the citizens of a fully self-governing country; work or service exacted from any person as a consequence of a conviction in a court of law, provided that the work or service is carried out under the supervision and control of a public authority and that the person is not hired to or placed at the disposal of private individuals, companies or associations; work or service required in cases of emergency, such as in the event of war or of a calamity or threatened calamity, fire, flood, famine, earthquake, violent epidemic or epizootic diseases, invasion by animal, insect or vegetable pests, and in general any circumstance that would endanger the existence or the well-being of the whole or part of the population; and minor communal services of a kind which, being performed by the members of the community in the direct interest of the community, can therefore be considered as normal civic obligations incumbent upon the members of the community, provided that the members of the community or their direct representatives have the right to be consulted in regard to the need for such services.

Other terms are often used to describe specific forms of forced labor and other situations related to forced labor. These include, for example, indentured labor, slave labor, debt bondage, serfdom, and trafficking in persons.

The term “**indentured labor**” is used synonymously with “forced labor” in this solicitation.

The League of Nations Slavery Convention, 1926, defines “**slavery**” as the “status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised.” Conv. Art. 1(1). Although the definition provided in the convention does not mention work, Article 5 requires ratifying countries to take “all necessary measures to prevent compulsory or forced labor from developing into conditions analogous to slavery.”

The United Nations Supplemental Convention on Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, 1956, calls for the progressive abolition of debt bondage and serfdom and other practices related to slavery. Conv. Art. 1. The Convention defines “**debt bondage**” as “the status or condition arising from a pledge by a debtor of his personal services or of those of a person under his control as security for a debt, if the value of those services as reasonably assessed is not applied towards the liquidation of the debt or the length and nature of those services are not respectively limited and defined.” Conv. Art. 1(a). “**Serfdom**” is defined as “the condition or status of a tenant who is by law, custom or agreement bound to live and labor on land belonging to another person and to render some determinate service to such other person, whether for reward or not, and is not free to change his status.” Another practice similar to slavery addressed in the Convention is, “[a]ny institution or practice whereby a child or young person under the age of 18 years, is delivered by either or both of his natural parents or by his guardian to another person, whether for reward or not, with a view to the exploitation of the child or young person or of his labor.” Conv. Art. 1(d).

The linkage between “**trafficking in persons**” and forced labor is often misunderstood. According to the International Labor Organization (ILO), of the total number of people trapped in forced labor in the world, approximately 20% were trafficked into their forced labor situations. On the other hand, almost all trafficking victims are also victims of forced labor or the worst forms of child labor, since almost all trafficking results in some form of forced economic exploitation.

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, 2000 (also referred to as the Palermo Protocol) is a supplemental protocol to the United Nations Convention Against Transnational Organized Crime. The Protocol’s definition of “trafficking in persons” has become a standard model for national legislation:

*[T]he recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.*

Protocol, Art. 3(a). The Protocol notes that if any of the means listed above are used, it is irrelevant whether or not the victim provided consent. Further the recruitment, transportation, transfer, harboring or receipt of a child under the age of 18 for the purposes of exploitation is considered “trafficking in persons” even if none of the means set out above are used.

The term “**goods**,” as used throughout this solicitation, means goods, wares, articles, materials, items, supplies, and merchandise. A “good” can be a raw material (*e.g.*, iron ore), a commodity (*e.g.*, soybeans), a component (*e.g.*, car parts), or a finished product (*e.g.*, a car). USDOL is interested not only in goods extracted/produced for export from a particular country, but also in goods extracted/produced for domestic consumption.

### ***3. Extent of the Problem and Factors Contributing to Forced Labor***

Until the 20<sup>th</sup> century, most forced labor in the world was rooted in traditional social stratification systems and patterns of discrimination, agrarian and other production structures, as well as conquest and colonialism. Certain groups have long been – and continue to be – more vulnerable to forced labor: tribal, caste, and religious minorities and indigenous peoples continue to be exploited in higher proportions relative to their general populations. Today, with increasing numbers of people migrating worldwide in search of economic opportunities, patterns of forced labor are changing. Migrants seeking work in another country – or in another part of their own country – are vulnerable to employers, labor recruiters, and other intermediaries who seek to exploit their situations by offering false contract terms or other fraudulent schemes. Victims find themselves in dangerous or difficult labor conditions, owing debts they cannot repay.

Such schemes have become increasingly common in a variety of industries including agriculture, construction, and small manufacturing work, as well as domestic labor.

According to the ILO, approximately 12.3 million people were in forced labor situations in the world in 2005. The vast majority of forced labor was occurring in the Asia/Pacific region (9.5 million), while Latin America and the Caribbean accounted for 1.3 million, Sub-Saharan Africa 660,000, Industrialized Economies 360,000, Middle East and North Africa 260,000, and Transition Economies 210,000.

The 2005 ILO estimates showed that the majority of individuals trapped in forced labor (7.8 million) are in forms of economic exploitation other than commercial sexual exploitation (CSE), while 1.4 million are estimated to be in CSE and 610,000 are estimated to be exploited in both CSE and other forms of economic activity.<sup>1</sup> In recent years, the international community has increasingly focused on the problem of forced labor in economic activities other than the commercial sex industry. The U.S. government, as directed by Congress, through the Trafficking Victims Protection Act and other legislation, continues to increase its attention to this issue.

## **B. Scope of Work**

### **1. General Research Requirements**

#### *a. Research Objectives*

USDOL seeks a qualified organization and/or Association to carry out research and data collection on the existence of forced labor of adults and/or children in the production of goods in eight (8) countries, and to develop strategies to assist governments, industries, and/or third parties in taking action to address these problems. The research will be used to assist USDOL in carrying out its mandates specified in Section 105(b)(1) of the TVPRA of 2005, Public Law 109-164 (2006), which directed the Secretary of Labor, acting through the Bureau of International Labor Affairs, to “carry out additional activities to monitor and combat forced labor and child labor in foreign countries.” 22 USC 7712(b)(1). The results of the research may also be used to inform current and future policy and project considerations.

Applicants must propose research on forced labor in the production of a good or goods in Argentina, Bangladesh, the Dominican Republic, and Liberia. Applicants must also propose research on forced labor in the production of a good or goods in four (4) additional countries. In selecting these four (4) additional countries, applicants are encouraged to consider the following eleven (11) countries: Benin, Bolivia, Cameroon, China, Democratic Republic of Congo, Guatemala, Indonesia, Kazakhstan, Niger, the Philippines, and Vietnam. However, applicants may propose countries other than these eleven (11).

---

<sup>1</sup> International Labor Organization, A Global Alliance against Forced Labor: Global Report under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work 2005.

Applicants must provide a clear justification for the research proposed in all eight (8) countries. Justifications for the four (4) required countries should focus on the potential goods to be researched and areas of the country in which research is recommended. Justifications for the four (4) additional countries should clearly explain why the country was chosen, such as the lack of reliable and recent information on forced labor in the countries, the extent of the forced labor problem, and the ability of the applicant to successfully carry out the research in the proposed countries; the areas of the country in which research is recommended; and the potential goods to be researched. If applicants propose one or more countries that are not among the eleven (11) that DOL encourages, such justifications must provide compelling reasons for these choices. Research should seek to focus on all stages of the supply chain leading to the production of the selected good(s), as appropriate. Sectors such as “agriculture” or “manufacturing” are too broad to be the subject of this research; research should focus more specifically on a particular material(s), commodity/ies, component(s), or finished product(s).

Applicants are also required to consult with appropriate stakeholders to identify and develop tools, initiatives, and good practices to combat these problems. Stakeholders could include governments, industry and business representatives, and/or third parties such as non-governmental organizations (NGOs). Applicants must include a description of how this requirement will be carried out, and what tools, initiatives, and/or good practices will be developed.

#### *b. Research Concepts and Definitions*

Applicants must demonstrate familiarity with international standards on forced labor. Applicants should also be familiar with the proposed countries’ governing laws and legislation regarding forced labor, child labor, trafficking, and other relevant concepts as appropriate. Applicants must also demonstrate a clear understanding of the problem of forced labor and the differences between exploitive labor and forced labor.

#### *c. Research Questions*

Proposed research should be designed to further the knowledge base in the area of forced labor carried out by adults and/or children. Where relevant, applicants must answer the following general research questions in each of the eight (8) proposed countries:

1. What are the demographic characteristics (*e.g.*, age, sex) of the adults and/or children in forced labor?
2. What are the means by which individuals enter forced labor?
3. What are the working conditions to which individuals are subjected, and what are the factors that hold them there?
4. Is there a significant incidence in the country of forced labor in the production of the particular good(s) proposed? (If evidence indicates forced labor in the production of the good in just a single company or facility, or in just an isolated incident, the incidence would not be considered significant.)
5. Are there particular characteristics of the proposed sector(s), such as geographic locations or nature of work, that increase the likelihood of the existence of forced labor?



6. Are there government, industry, or other efforts or initiatives to combat forced labor in the proposed countries? What are they?
7. What tools, initiatives, and good practices can be used to combat these problems?

Applicants may propose additional research questions that lay out clear, relevant hypotheses and that contribute to the overall goals and objectives of the research proposal.

#### *d. Familiarity with Existing Research*

Applicants must demonstrate a thorough knowledge of previous research on forced labor both generally and among the countries proposed in the application. Applicants must make every effort not to duplicate existing research on forced labor in the production of goods. Instead, applicants must seek to expand the existing knowledge base where information is currently lacking, unreliable or out of date. Applicants must demonstrate a thorough knowledge of existing methodological and analytical approaches to the collection of data and information on forced labor.

#### *e. Research Design and Methodology*

Applicants must provide a detailed description of the research design and methodology. Forced labor is often hidden and illegal, and adults and children in forced labor are usually hard to reach. Research on forced labor, therefore, does not typically lend itself to traditional or conventional data collection methods. In order to produce reliable and informative data and information, applicants must propose innovative and creative research methodologies that consider the social, economic, labor market and cultural contexts of the proposed countries. Applicants must also take into account country-specific issues that could affect project results, and meaningfully incorporate those into the proposed methodology to reduce threats to successful research implementation.

To the extent possible, applicants should propose a combination of qualitative and quantitative data collection methods. In order to ensure the quality of the reported findings applicants should consider triangulation, a process by which multiple sources of data and information are used to corroborate findings in order to limit biases and threats to validity that may occur in a single data source. Information and data collection mechanisms may include, as appropriate:

1. Quantitative data collection techniques;
2. Rapid assessments;
3. Analysis of secondary information including national surveys, censuses, NGO and international organization reports or data collection systems;
4. Inclusion of forced labor indicators in existing data collection systems;
5. Case studies;
6. Direct observations of selected community and workplace sites;
7. Collection of written evidence such as copies of labor contracts, documentation of employment policies and procedures or copies of accounts indicating advanced wages and wage deductions; and
8. Focus groups, key informant interviews, and/or informal or semi-structured interviews with employers, landowners, intermediaries, labor agents, government

officials, judges, labor inspectors, police officers, community leaders, and workers and their family members.

As part of the research design applicants should describe the factors that are anticipated to be the limitations to the study.

*f. Dissemination Strategy*

Applicants should include a well-defined plan to disseminate results to appropriate audiences, including government officials in the proposed countries, researchers, practitioners, and other key stakeholders.

*g. Project Participants and Confidentiality Considerations*

Applicants must describe a plan for ensuring the protection of project participants, including all respondents, and the confidentiality of the respondents.

## **II. AWARD INFORMATION**

Type of assistance instrument for the project to be awarded under this solicitation: cooperative agreement. A cooperative agreement is a type of grant where substantial involvement is anticipated between the donor (USDOL) and the cooperative agreement awardee (“Grantee”) during the performance of project activities. The level of monitoring and accountability required by USDOL under a cooperative agreement is less than what is required in a contract, but more than what is required in a regular grant. USDOL’s involvement in project implementation and oversight is outlined in section VI.B.

A total of up to USD 1.25 million will be awarded under this solicitation. USDOL will award one (1) cooperative agreement to one organization and/or Association for the project to conduct research on forced labor in the production of goods in eight (8) countries, and to develop strategies to assist governments, industries, and/or third parties in taking action to address these problems. The duration of the project to be funded under this solicitation is up to 3 years. The start date of project activities will be negotiated upon awarding of the cooperative agreement but will be no later than September 30, 2008.

The Grantee may not subgrant any of the funds obligated under these cooperative agreements but may use subcontracts. *See* section IV.D.2. and Appendix C for additional information and clarification on the differences between subgrants and subcontracts.

## **III. ELIGIBILITY INFORMATION**

### **A. Eligible Applicants**

Any commercial, international, educational, or non-profit organization(s), including any faith-based, community-based, or public international organization(s) capable of successfully conducting scientifically-valid research is eligible to apply. However, the

Applicant (which in the case of an Association, includes all members of the Association) is not allowed to charge a fee (profit). Applications from foreign governments and entities that are agencies of, or operated by or for, a foreign state or government will not be considered.

In the event of award, all Associates identified in the application must sign the cooperative agreement with USDOL and agree to be bound jointly and severally by the cooperative agreement. If any entity identified in the application as an Associate does not sign the cooperative agreement, the Lead Grantee must provide, within 60 days of award, either a written subcontract agreement with such entity, acceptable to USDOL, or an explanation as to why that entity will not be participating in the cooperative agreement. USDOL reserves the right to re-evaluate the award of the cooperative agreement in light of any such change in an entity's status and may terminate the award if deemed appropriate.

Any Applicant applying as an Association must submit to USDOL, in Annex F of their technical proposal, an Association Agreement, reflecting an appropriate joint venture, partnership, or other contractual agreement and outlining the deliverables, activities, and corresponding timeline for which each Associate will be responsible. This agreement must designate one member of the Association as the "Lead Applicant." In the event of award, this organization will become the "Lead Grantee."

For the purposes of this solicitation and cooperative agreement award, the Lead Grantee will be: 1) the primary point of contact with USDOL to receive and respond to all inquiries (except for indirect cost negotiations), communications and orders under the project; 2) the only entity with authority to withdraw or draw down funds through the Department of Health and Human Services - Payment Management System (HHS-PMS); 3) responsible for submitting to USDOL all deliverables, including all technical and financial reports related to the project, regardless of which Associate performed the work; 4) the sole entity that may request or agree to a revision or amendment of the cooperative agreement or the Project Document; and 5) responsible for working with USDOL to close out the project.

Each Associate is ultimately responsible for overall project performance, regardless of any assignment of specific tasks, but Associates may agree, among themselves only, to apportion the liability for such performance. Each Associate must comply with all applicable Federal regulations and is individually subject to audit. In accordance with 29 Code of Federal Regulations (CFR) Part 98, entities that are debarred or suspended from receiving Federal contracts or grants shall be excluded from Federal financial assistance and are ineligible to receive funding under this solicitation.

## **B. Cost Sharing**

This solicitation does not require Applicants to share costs or contribute matching funds, in-kind contributions, or other forms of cost sharing. However, Applicants are encouraged to do so, and may receive up to five (5) additional points for proposing to

cost share (*see* section V.A.6.). Applicants that propose matching funds, in-kind contributions, and/or other forms of cost sharing must indicate their estimated dollar value in the Standard Form (SF) 424 R&R and SF-424 R&R Budget submitted as part of the cost proposal (*see* section IV.C.1.a.). Applicants should note that, in the event of award, these funds will be incorporated into the cooperative agreement, and that they, as Grantees, will: 1) be required to report on these funds to USDOL in quarterly financial status reports (SF-269), and 2) be liable for meeting the full amount of these funds during the life of the cooperative agreement. Matching funds, in-kind contributions, and/or other forms of cost sharing indicated on their SF-424 R&R and SF-424 R&R Budget are subject to Federal cost principles and all provisions outlined in section IV.D. As a matter of ILAB/OCFT policy, proposed matching funds, in-kind contributions, and/or other forms of cost sharing must not come from subcontractors.

Applicants should note the definitions of the following key terms pertaining to cost sharing, and employ these terms effectively in their application as applicable:

- “Cost Sharing” means any method by which the Grantee accomplishes the work of the grant, or work that supports or enhances the goals of the grant, with funds or other things of value, obtained from the Grantee and/or non-Federal third parties. These methods may include, but are not limited to, “matching funds” or “in-kind contribution.”
- “Matching Funds” means cash or cash equivalents, committed to the project by the Grantee and/or a non-Federal third party. A Grantee will be responsible for providing, or obtaining from the third party, such funds and applying them to the work of the grant. Failure to do so may result in USDOL’s disallowance of costs in the amount of the committed funds.
- “In-Kind Contributions” means goods or services, committed to the project by the Grantee and/or a non-Federal third party. A Grantee will be responsible for providing, or obtaining from the third party, such goods or services and applying them to the work of the grant. Failure to do so may result in USDOL’s disallowance of costs in the amount of the promised match.

## **C. Other Eligibility Criteria**

### **1. *Dun and Bradstreet Number(s)***

Applicants must include their Dun and Bradstreet Number (DUNS) in the organizational unit section of Block 5 of the Standard Form (SF) 424 R&R. For Associations, Block 5 of the SF-424 R&R should contain the DUNS number of the Lead Applicant, and a list of the DUNS number(s) of all Associate(s) should be included as an attachment to the SF 424 R&R. DUNS is an acronym that stands for “Data Universal Numbering System,” and DUNS numbers are unique nine-digit numbers used to identify businesses. To obtain a DUNS number free of charge, call 1-866-705-5711 or access the following Web site: <http://www.dnb.com/us/>.

Requests for exemption from the DUNS number requirement must be made to the Office of Management and Budget (OMB), Office of Federal Financial Management at 202-395-3993. Unless an Applicant provides evidence of an OMB exemption from the DUNS number requirement, the application must include the Applicant's unexpired DUNS number on the SF-424 R&R. Applications that do not meet these requirements will be considered non-responsive and will be rejected. Any Applicant (including Associates, as applicable) that does not already have a DUNS number is encouraged to begin the process of obtaining their DUNS number as soon as possible in order to avoid delays that could result in the rejection of an application.

After receiving a DUNS number, Applicants must also register as a vendor with the Central Contractor Registration (CCR) through the following Web site: <http://www.ccr.gov> or by phone at 1-888-227-2423. CCR should become active within 24 hours of completion. For any questions regarding registration, please contact the CCR Assistance Center at 1-888-227-2423. After registration, Applicants will receive a confirmation number. The Point of Contact listed by the organization will receive a Trader Partnership Identification Number (TPIN) via mail. The TPIN is, and should remain, a confidential password.

## ***2. Requirements for Application Responsiveness***

USDOL's Office of Procurement Services will screen all applications for responsiveness. Applications will be considered non-responsive and will be rejected for any one of the following reasons:

1. Submission by any means other than [www.grants.gov](http://www.grants.gov) (*i.e.*, submissions received via the postal service or any other delivery service, including FedEx, DHL, UPS, e-mail, facsimile (FAX), etc.);
2. Failing to include the required DUNS number(s) or proof of OMB exemption(s) from the DUNS number requirement;
3. Failing to submit both a cost proposal and a technical proposal;
4. Not including all of the required documents in the cost proposal or technical proposal, as outlined in section IV.C.1. and IV.C.2., respectively (and Appendices A and B);
5. Failing to include all required audit report(s);
6. For U.S.-based non-profit organizations, failing to comply with audit report completion and submission timeframes established in OMB Circular A-133;
7. Including an audit report(s) that reflects adverse opinions; or
8. Failing to designate key personnel candidates or not including résumés and signed letters of commitment for key personnel candidates.

If an application is deemed non-responsive, the Office of Procurement Services will send a letter to the Applicant, indicating the reason for the determination of non-responsiveness and explaining that the technical review panel will be unable to evaluate the application. If the application was incomplete, this letter will indicate which document was missing from the application.

## **IV. APPLICATION AND SUBMISSION INFORMATION**

### **A. Application Package**

This solicitation contains all of the necessary information, including information on required forms, needed to apply for cooperative agreement funding. The application package for this solicitation can be downloaded and viewed from [www.grants.gov](http://www.grants.gov) by referencing Funding Opportunity Number 08-07. In order to view the application package and submit applications on [www.grants.gov](http://www.grants.gov), Applicants will need Pure Edge Viewer software, which can be downloaded free from [http://www.grants.gov/applicants/apply\\_for\\_grants.jsp](http://www.grants.gov/applicants/apply_for_grants.jsp). A brief synopsis of this solicitation will also be published in the Federal Register. The full-text version of this solicitation may be accessed on [www.grants.gov](http://www.grants.gov) and USDOL/ILAB's Web site at <http://www.dol.gov/ILAB/grants/main.htm>.

### **B. Submission Date, Time, and Delivery Method**

All applications for funding under this solicitation must be submitted electronically to USDOL via [www.grants.gov](http://www.grants.gov). Applications sent by any means other than [www.grants.gov](http://www.grants.gov) [including mail or other delivery services, e-mail, telegram, or facsimile (FAX)] will be rejected. All applications must be received by [www.grants.gov](http://www.grants.gov) no later than 11:59 p.m. Eastern Standard Time (EST) on August 8, 2008. Applicants are responsible for ensuring that their applications are received by [www.grants.gov](http://www.grants.gov) by the deadline. Applicants are encouraged to submit their applications in advance of the deadline.

When submitting electronically through [www.grants.gov](http://www.grants.gov), Applicants must save all attachments as a .doc, .pdf, .txt, or .xls file. An individual with authority to bind the Applicant must be responsible for submitting the application on [www.grants.gov](http://www.grants.gov). Applications submitted through [www.grants.gov](http://www.grants.gov) do not need to be signed manually; the form will automatically affix an electronic signature for the authorized person identified.

It is strongly recommended that Applicants immediately initiate and complete the "Get Registered" registration steps at [http://www.grants.gov/applicants/get\\_registered.jsp](http://www.grants.gov/applicants/get_registered.jsp). These steps may take multiple days to complete, and this time should be factored into plans for submission in order to avoid unexpected delays that could result in the rejection of an application. It is also recommended that Applicants consult the grants.gov Web site's Frequently Asked Questions and Applicant User Guide, which are available at <http://www.grants.gov/help/faq.jsp>, and <http://www.grants.gov/assets/UserGuideApplicant.pdf>, respectively. For questions related to [www.grants.gov](http://www.grants.gov), see section VII. for relevant contact information.

### **C. Content and Form of Application Package**

The application package must consist of two separate parts: 1) a cost proposal and 2) a technical proposal. If the application is missing either the cost proposal or the technical proposal, it will be considered non-responsive and will be rejected. Unless otherwise specified, all documents identified in this section (*i.e.*, section IV.C.; also noted in Appendices A and B to this solicitation) must be included in the application package in order for the application to be considered complete and responsive. There are certain documents, listed as either “optional” or “as applicable,” which are only required in cases where Applicants 1) wish to be considered for extra points for Cost Sharing (*see* V.A.6., for more information); 2) are applying as an Association; and/or 3) are proposing to use subcontractors. Applicants should pay close attention to instructions concerning these documents, in order to ensure that their application package contains all the documents required for their particular situation.

Applicants’ cost and technical proposals must address the entire Scope of Work outlined in section I.B.

To the extent possible, Applicants should number all pages of the application. All parts of the application must be written in English. Any additional documentation submitted that is not required or specifically requested under this solicitation may not be considered. All Applicants are requested, but not required, to complete and include the Survey on Ensuring Equal Opportunity for Applicants (OMB No. 1890-0014) in their applications; this form is provided on USDOL/ILAB’s Web site at <http://www.dol.gov/ILAB/grants/main.htm>.

### **1. Cost Proposal Format**

Part I of the application, the cost proposal, should address the Applicant’s financial capacity to plan and implement the proposed project in accordance with the provisions of this solicitation. The cost proposal must contain the SF-424 Research and Related (R&R) Application for Federal Assistance; the SF-424 Research and Related (R&R) Budget; a detailed Outputs-Based Budget and an accompanying Budget Narrative; and the Indirect Cost Form and supporting documentation, as applicable. The cost proposal must be organized according to the format provided in Appendix A. All forms in the SF-424 R&R family of forms are available on [www.grants.gov](http://www.grants.gov). In addition, all SF-424 R&R forms necessary for this solicitation, the Indirect Cost Form, and a sample Outputs-Based Budget are available from USDOL/ILAB’s Web site at <http://www.dol.gov/ilab/grants/bkgrd.htm>.

#### *a. Standard Forms*

The Applicants’ SF-424 R&R and the SF-424 R&R Budget must reflect the entire amount of funds being requested under this solicitation and the amount of any cost sharing being proposed by the Applicant, if applicable.

For organizations applying as Associations, the Association must submit one consolidated SF-424 R&R and SF-424 R&R Budget that aggregates the amounts reflected in separate SF-424 R&R Budgets that must be submitted for each Associate

organization. For example, Section A. Senior/Key Personnel of the consolidated SF-424 R&R Budget for an Association should include the personnel costs of each member of the Association— not just the personnel costs of the Lead Grantee. The individual SF-424 R&R Budget for each organization in the Association must reflect the amount of funding going to that organization. Also please note that the budgets for Associates cannot be listed under Section F.5 Subawards/Consortium/Contractual Costs of the consolidated SF-424 R&R Budget, as USDOL considers all members of an Association to be Grantees of USDOL.

*b. Outputs-Based Budget*

The cost proposal must contain a detailed Outputs-Based Budget that corresponds to the Applicant's SF-424 R&R Budget. Applicants applying as Associates must submit a consolidated Outputs-Based Budget, which corresponds to their Associations' consolidated SF-424 R&R Budget, as well as individual Outputs-Based Budgets that correspond to each Associate's individual SF-424 R&R Budget. This budget must comply with Federal cost principles (which can be found in the applicable OMB Circulars) and the restrictions listed below in section IV.D.1. through IV.D.8. All projected costs must be included in the Applicant's Outputs-Based Budget, as this budget will become part of the cooperative agreement in the event of award. If costs are omitted, the Grantee may not be allowed to include them after award.

In the detailed Outputs-Based Budget, the Applicant must: 1) show how the budget reflects project goals and design in a cost-effective way, and 2) link the budget to the activities, objectives, and outputs reflected in the technical proposal (discussed in section IV.C.2.). Applicants must provide a breakdown of the total administrative costs into direct administrative costs and indirect administrative costs. The Grant Officer reserves the right to negotiate administrative cost levels prior to award.

The Outputs-Based Budget must detail the costs for performing all of the requirements presented in this solicitation and for producing all required reports and other deliverables outlined in section VI.D.

The Applicant's Outputs-Based Budget must include a contingency provision, calculated at five (5) percent of the project's total direct costs, as USDOL will not provide additional funding to cover unanticipated costs. USDOL has determined that the use of contingency provision funds for USDOL-funded projects is intended to address circumstances affecting specific budget lines that relate to one or more of the following: 1) inflation affecting specific project costs; 2) UN System or foreign government-mandated salary scale or benefits revisions; and 3) exchange rate fluctuations. USDOL also recognizes that certain extraordinary and unforeseen circumstances may arise that will lead to a need for exceptions to the aforementioned uses of contingency provision funds, related to the need for modifications to budgets or time extensions. These include but are not limited to the following: 1) changes in a country's security environment; 2) natural disasters; 3) civil or political unrest/upheavals or government transitions; or 4) delays related to loss of or damage to project property.



The project budget (including USDOL funds and any cost sharing funds reported on the SF-424 R&R and SF-424 R&R Budget) submitted with the application must include all necessary and sufficient funds, without reliance on other contracts, grants, or awards, to implement the Applicant's proposed project activities and to achieve proposed project goals and objectives under this solicitation. If anticipated funding from another contract, grant, or award fails to materialize, USDOL will not provide additional funding to cover these costs.

**Note:** Applicants are encouraged to discuss the possibility of exemption from customs and Value Added Tax (VAT) with host government officials during the preparation of their application. While USDOL encourages host governments to not apply customs or VAT taxes to USDOL-funded projects, some host governments may nevertheless choose to assess such taxes. USDOL may not be able to provide assistance in this regard. Applicants should take such costs into account when developing their Outputs-Based Budget. If costs are omitted, a Grantee may not be allowed to include them after award.

#### *c. Budget Narrative*

The cost proposal must include a Budget Narrative that corresponds to the Outputs-Based Budget. The Budget Narrative must include a detailed justification, broken down by line item, of all of the Applicant's costs included in the Outputs-Based Budget. In meeting this requirement, Applicants applying as Associations may elect to submit one Budget Narrative corresponding to their consolidated Outputs-Based Budget and/or multiple Budget Narratives corresponding to each Associate's individual Outputs-Based Budget.

#### *d. Indirect Cost Information*

The cost proposal must also contain information on the Applicant's indirect costs, using the form provided on USDOL/ILAB's Web site at <http://www.dol.gov/ilab/grants/bkgrd.htm>. Applicants should note all instructions outlined on this form and include one of the following supporting documents, as applicable, in their application: 1) a current Negotiated Indirect Cost Rate Agreement (NICRA) or 2) a Certificate of Direct Costs, if no indirect costs are claimed. In the case of Associations, each member of the Association must submit a copy of the aforementioned documents. In the event of award, all entities in the Association will be considered direct recipients of Federal funds. The Lead Grantee may charge the costs of coordinating the members of the Association and in dealing with USDOL on behalf of the Association. Such costs must be reflected in an approved NICRA.

## **2. Technical Proposal Format**

Part II of the application, the technical proposal, must address the Applicant's technical capacity to plan and implement the proposed project in accordance with the provisions of this solicitation. The technical proposal must contain all of the documents outlined below in section IV.C.2.a. through IV.C.2.g. (also outlined in Appendix B to this solicitation), except those specifically marked as "optional" or "as applicable," which are required only for certain Applicants (as noted in section IV.C. above). The technical proposal must not exceed 30 double-spaced (8-1/2" x 11") pages in 12-point font with 1-inch margins. All documents required to be included as annexes to the technical proposal do

not count toward the 30-page limit for the technical proposal. Applications that fail to meet these requirements will be considered non-responsive. To facilitate the review of applications, Applicants must organize their technical proposals in the same order as documents appear below and in Appendix B.

*a. Abstract*

The technical proposal must include an Abstract, which must not exceed 400 words. It must describe, at a minimum, the need for the proposed research, the question(s) to be addressed, and the research methodology.

*b. Table of Contents*

The technical proposal should include a Table of Contents listing all of the relevant required documents and their corresponding page numbers.

*c. Research Proposal*

This section of the technical proposal constitutes the “preliminary project design document” and serves as the basis of the final project document to be submitted and approved by USDOL after award. The Applicant’s preliminary research proposal must describe, in detail, the proposed research to comply with the requirements listed in the Scope of Work and in the Application Evaluation Criteria found in section V.A. of this solicitation.

*(1) Purpose, Goals and Objectives*

The applicant must describe the relevance of the proposed research. This section must also identify the eight (8) countries selected (including the four (4) required countries and four (4) additional countries), and the good(s) targeted for research in each country. Clear justifications for these choices must be provided.

*(2) Review of Relevant Literature*

Applicants must discuss their understanding of forced labor, knowledge of international standards regarding forced labor and other relevant standards, knowledge of global and regional estimates of forced labor, and selected countries’ national legislation regarding forced labor. This section should also demonstrate the Applicant’s knowledge and understanding of 1) the difference between exploitive labor practices and forced labor; 2) types and forms of forced labor; 3) existing research on forced labor and their strengths and limitations; and 4) awareness of the policy and implementing environment in the proposed research countries.

*(3) Research Design and Methodology*

Applicants must provide a detailed description of the research design and methodology. Research methodologies may differ by country or type of good(s) proposed and should be clearly justified based on knowledge of the country context and population of interest. Applicants must discuss how their proposed research design and methodologies will appropriately address the research objectives and questions and other General Research Requirements (as described in section I.B). In their research design, Applicants must propose effective ways to disseminate the planned research to relevant key stakeholders.

Applicants should also discuss their plan for ensuring the protection of project participants and the confidentiality of respondents.

*(4) Bibliography*

A bibliography that includes complete citations of research referenced in the proposal.

*(5) Work Plan*

The Work Plan must identify phases of the research, research activities, deadlines for completing these activities, and person(s) or institution(s) responsible for completing these activities. The Work Plan must correspond to activities identified in the research proposal. The Work Plan may vary depending on what is the most logical form (*i.e.*, it may be divided by project component or country).

*d. Organizational Capacity*

This section must present the qualifications of the Applicant (including Associates, in the case of an Association) and/or any proposed subcontractors to successfully conduct scientifically-valid research. Applicants must also discuss their capacity to work with host-country governments in executing such research. In the case of Associations, where more than one organization will be responsible for conducting research, this section should discuss each organization's strategic advantages and areas of expertise and should indicate what makes their Association uniquely qualified to carry out the scope of work under this solicitation.

*(1) International and U.S. Government Grant and/or Contract Experience*

This section must provide a brief overview of the information presented by the Applicant in Annex A: Past Performance Table(s) of their technical proposal. Applicants should highlight any experience they may have with conducting scientifically valid research in the social sciences, preferably on forced labor in developing countries. Applicants should also highlight any experience they have in working cooperatively with relevant stakeholders including foreign governments, and any experience they have working in the country or region where they are proposing to conduct research activities. Annex A must include information on all of the Applicant's (including Associate's as applicable) previous and current grants, cooperative agreements, and/or contracts funded by USDOL; other Federal agencies; and other donors, including foreign governments, that are relevant to this solicitation. *See* section IV.C.2.g.(1) for further instructions related to Annex A: Past Performance Table.

*(2) Fiscal Oversight*

In this section, Applicants must provide a narrative description and evidence that their organization has a sound financial system in place that can effectively manage the funds being requested under this solicitation. Applicants' (including Associates,' as applicable) and subcontractor(s)' (if applicable) most recent audit reports must be submitted in Annex E of the Technical Proposal. *See* section IV.C.2.g.(5) for specific audit requirements.

*e. Key Personnel/Management Plan/Staffing*

This section of the technical proposal must include information on the Applicant's key personnel and other professional personnel, and must address each candidate's level of competence, past experience relevant to this solicitation, and qualifications to perform the requirements outlined in section I.B., Scope of Work. It must also include information on the project's management plan and staff loading plan. This section should summarize the information presented in Annex B: Project Management Organization Chart, Annex C: Staff Loading Plan, and Annex D: Personnel Descriptions, Résumés, and Letters of Commitment of the Applicant's technical proposal.

*(1) Key Personnel*

Applicants must identify all key personnel candidates being proposed to carry out the requirements of this solicitation. The Project Director/Principal Investigator (PD/PI) is considered the key personnel under this USDOL-funded forced labor research project. The PD/PI is deemed essential to the successful operation of the project and completion of all proposed activities and deliverables.

The PD/PI is responsible for overall project management, supervision, administration, and implementation of the requirements of the cooperative agreement. The PD/PI will establish and maintain systems for research operations including methodological development; ensure that all cooperative agreement deadlines are met and outputs submitted; maintain working relationships with project stakeholders (including Associates and/or subcontractors, as applicable); and oversee the preparation and submission of technical and financial reports to USDOL. The PD/PI must have either a Ph.D. in a relevant social science discipline and a minimum of five (5) years of professional experience in a leadership role in the implementation of qualitative and quantitative research studies, or have eight (8) years of such experience. Preferred candidates must also have a knowledge of forced labor issues, experience conducting research in developing countries, and experience designing research methodologies to investigate forced labor or among similar hard to reach populations. Fluency in English is required and working knowledge of at least one of the official languages of the target countries is strongly suggested.

The PD/PI does not have to be dedicated to the project 100 percent of the time. However, the proposal must demonstrate the ability of proposed staff and the organization to manage the effort and complete the project on time. Applicants are required to ensure that the proposed PD/PI will, in fact, be available to staff the project should the Applicant be selected for award. The proposed PD/PI candidate must sign a letter indicating their commitment to serve on the project and their availability to commence work within 30 days of cooperative agreement award (*see* section IV.C.2.g.(4)). If the PD/PI candidate is not designated, or any of the required documents in Annex D are not submitted, the application will be considered non-responsive and will be rejected.

The PD/PI should be employed by the Grantee and not a subcontractor unless clear justification is provided that such arrangements are the most effective staffing strategy

and it is in the best interest of the project for the PD/PI to be employed by another organization.

*(2) Other Professional Personnel*

Applicants must identify any other professional program personnel deemed necessary for carrying out the requirements of this solicitation, including data analysts, research assistants, programmers, editors, etc. Applicants must also indicate whether the proposed work by other professional personnel who are employed or have been identified will be performed by persons currently employed by the organization(s). Résumés and personnel descriptions, which include the candidates' roles and responsibilities related to the project and level of effort, must be included in Annex D of the technical proposal for all other professional personnel being proposed.

*(3) Management Plan*

This section must discuss the Applicant's project management plan. This plan must correspond with Annex D: Personnel Descriptions, Résumés, and Letters of Commitment and Annex B: Project Management Organizational Chart of the technical proposal and include a narrative description of a) the roles and responsibilities of the PD/PI, other professional personnel, and other project staff and b) the project's management structure and lines of authority between PD/PI, other professional personnel, and any other staff directly responsible for successfully carrying out the proposed research.

*(4) Description of Staff Loading Plan*

In this section, Applicants must provide a brief narrative overview of the Applicant's Staff Loading Plan presented in Annex C.

*f. Cost Sharing (optional)*

This section is only required for those Applicants proposing to cost share and must be completed in order to be eligible for the (up to) five (5) additional points available under the Cost Sharing technical rating criteria, as discussed in section V.A.6. This section must provide information on any matching funds, in-kind contributions, and/or other forms of cost sharing being proposed by the Applicant. Specific requirements associated with cost sharing are detailed in section III.B. In this section, Applicants must indicate the nature; source(s) of funds and/or in-kind contributions; the amount (or estimated value) in US dollars; and the proposed project activities anticipated with these resources. Applicants must also clearly describe how the activities or services that will be provided with these funds or contributions will complement and enhance the project's research objectives.

*g. Annexes*

*(1) Annex A: Past Performance Table(s)*

Annex A must contain the Applicant's Past Performance Table(s). This table should complement section IV.C.2.d. of the Applicant's technical proposal and must provide information on the Applicant's grants, cooperative agreements, and/or contracts with USDOL, other Federal agencies, and other donors that are relevant to this solicitation. Applicants must include the following information in the table:

1. The agency, donor, or organization for which the work was done;
2. Name, phone and fax numbers, and e-mail address for a current contact person in that organization with knowledge of the project;
3. The project’s name and instrument number of the grant, contract, or cooperative agreement;
4. The project’s funding level, in US dollars;
5. The country of implementation and period of performance for the project; and
6. A brief summary of the work performed and accomplishments.

Agency/ Donor	Contact Information	Name of the Project and Instrument Number	Funding Amount (in USD)	Country and Period of Performance	Brief Summary of Work Performed and Accomplishments

**Note:** For Applicants applying as an Association, a separate Past Performance Table must be completed for each Associate. For Applicants proposing to use subcontractor(s) to collect data and information in the proposed countries, a Past Performance Table must be completed for each subcontractor.

*(2) Annex B: Project Management Organization Chart*

Annex B must contain the Applicant’s Project Management Organization Chart. The chart must provide a visual depiction of the project’s management structure and lines of authority among all key personnel, other professional personnel, and other project staff being proposed in section IV.C.2.e. and must correspond with section IV.C.2.e.(3) of the Applicant’s technical proposal. This chart must also include lines of authority among all organizations (including Associate(s) and/or subcontractor(s), as applicable) that will be responsible for key elements of project implementation.

*(3) Annex C: Staff Loading Plan*

Annex C must contain the Applicant’s Staff Loading Plan. The staff loading plan must identify all key tasks and the person-days required to complete each task. Labor estimates for each task must be broken down by individuals assigned to the task, including, if applicable, staff members of Associates and/or subcontractors, as well as consultants. All key tasks should be charted to show the level of effort required to perform them.

*(4) Annex D: Personnel Descriptions, Résumés, and Letters of Commitment*

Annex D must contain personnel descriptions (outlining roles and responsibilities) and résumés for all key personnel and other professional personnel being proposed by the Applicant. Each résumé must include the following information:

- Educational background, including highest education level attained;

- Work experience covering at least the last 5 years of employment to the present, including such information as employer name, position title, clearly defined duties, and dates of employment;
- Salary information for at least the last 5 years of employment to the present;
- Other special experience, capabilities, or qualifications related to the candidate's ability to implement the scope of work and perform effectively in the proposed position; and
- Description of English language abilities and any other language abilities pertinent to the solicitation and/or target country.

Annex D must also include signed letters from the key personnel being proposed by the Applicant, indicating their commitment to serve on the project and their availability to commence work within 30 calendar days of the cooperative agreement award.

*(5) Annex E: Audit Report(s)*

Annex E must contain the audit report(s) of the Applicant (including Associates, in the case of an Association) and any proposed subcontractors (as applicable). The following audit attachments are required, depending on the organization's status: 1) the Applicant's most recent single audit, as submitted to the Federal Audit Clearinghouse, if the Applicant is a U.S.-based, non-profit organization already subject to the single audit requirements. In addition, this Annex must show that the Applicant has complied with report submission timeframes established in OMB Circular A-133. If an Applicant is not in compliance with the requirements for completing their single audit, the application will be considered non-responsive and will be rejected; 2) the Applicant's most current independent financial audit, if the Applicant is a for-profit or foreign-based organization; 3) the most recent single audit report for all proposed U.S.-based, non-profit, Associates and/or subcontractors that are subject to the Single Audit Act; and/or 4) the most current independent financial audit, for all proposed Associates and/or subcontractors that are for-profit or foreign-based organizations. In order to expedite the screening of applications and to ensure that the appropriate audits are attached to each application, Applicants must provide a cover sheet to the audit attachments listing all proposed Associates and/or subcontractors (as applicable).

*(6) Annex F: Association Agreement(s) (if applicable)*

Annex F must contain the Applicant's Association Agreement(s); it is only required for Applicants that are applying as an Association (*see* section III.A.). An Association Agreement should reflect an appropriate joint venture, partnership, or other contractual agreement and outline the deliverables, activities, and corresponding timeline for which each Associate will be responsible. This agreement must designate one member of the Association as the "Lead Applicant."

#### **D. Restrictions, Unallowable Activities, and Specific Prohibitions**

USDOL/ILAB would like to highlight the following restrictions, unallowable activities, and specific prohibitions, as identified in OMB Circular A-122, 29 CFR Part 95, 29 CFR Part 98, and other USDOL/ILAB policy, for all USDOL-funded child labor, forced labor

and human trafficking technical cooperation projects. Applicants' cost and technical proposals must be developed in accordance with the provisions outlined below in sections IV.D.1. through IV.D.8. If any Applicant has questions regarding these or other restrictions, please e-mail Ms. Lisa Harvey at [harvey.lisa@dol.gov](mailto:harvey.lisa@dol.gov).

### **1. Pre-award Costs**

Pre-award costs, including costs associated with the preparation of an application submitted in response to this solicitation, are not reimbursable under the cooperative agreement (*see* also section VI.C.5.).

### **2. Subgrants and Subcontracts**

The funding for this USDOL/ILAB program does not include authority for subgrants. Therefore, the Grantee may not subgrant any of the funds obligated under the cooperative agreement. Subgranting may not be included in the budget as a line item or in the text of the application. However, subcontracting may be included as a budget line item. Subcontracts awarded after the cooperative agreement is signed, and not proposed in the application, must be awarded through a formal competitive bidding process. Subcontracts must be awarded in accordance with 29 CFR 95.40-48 and are subject to audit, in accordance with the requirements of 29 CFR 95.26(d).

The determination of whether a Grantee's relationship with a subawardee would constitute a subgrant or subcontract is determined primarily with reference to an agreement's general purpose, programmatic functions, and responsibilities given to the subawardee. These three elements should be closely examined, together with the usual characteristics (terms and performance standards, scope of work, etc.). In case of doubt, the Grantee is expected to consult with USDOL to ensure proper determination of the particular agreement. As a reference tool in determining whether an agreement is a subgrant or a subcontract, *see* Appendix C. The table in Appendix C is for reference only and does not create any legally binding obligation.

The debarment and suspension rules, as outlined in 29 CFR 95.13 and 29 CFR Part 98, apply to all subcontracts issued under the cooperative agreement. Grantees are responsible for ensuring that all subcontractors are eligible for participation in Federal assistance programs. More detailed information on subcontracts may be requested by USDOL during the Best and Final Offer (BAFO) process.

### **3. Lobbying and Intent to Influence**

Funds provided by USDOL for project expenditures under cooperative agreements may not be used with the intent to influence a member of the U.S. Congress, a member of any U.S. Congressional staff, or any Federal, State, or Local Government official in the United States (hereinafter "government official(s)"), to favor, adopt, or oppose, by vote or otherwise, any U.S. legislation, law, ratification, policy, or appropriation, or to influence in any way the outcome of a political election in the United States, or to contribute to any political party or campaign in the United States, or for activities carried on for the purpose of supporting or knowingly preparing for such efforts. This includes awareness raising and advocacy activities that include fund-raising for, or lobbying of,



U.S. Federal, State, or Local Governments. (*See* OMB Circular A-122, as codified at 2 CFR Part 230).

Applicants classified under revenue code as a 501(c)(4) entity [*see* 26 U.S.C. 501(c)(4)] may not engage in any lobbying activities. According to the Lobbying Disclosure Act of 1995, as codified at 2 U.S.C. 1611, an organization, as described in Section 501(c)(4) of the Internal Revenue Code of 1986, that engages in lobbying activities directed toward the U.S. Government is not eligible for the receipt of Federal funds constituting an award, grant, cooperative agreement, or loan.

#### **4. Funds to Host Country Governments**

USDOL funds awarded under cooperative agreements are not intended to duplicate existing foreign government efforts or substitute for activities that are the responsibility of such governments. Therefore, in general, Grantees may not provide any of the funds obligated under a cooperative agreement to a foreign government or entities that are agencies of, or operated by or for, a foreign state or government, ministries, officials, or political parties. Only after a competitive procurement process has been conducted and the Grantee has determined that no other entity in the country is able to provide direct services or undertake project activities, may subcontracts be awarded to foreign government agencies or entities that are agencies of, or operated by or for, a foreign state or government, ministries, officials, or political parties. In such cases, Grantees must receive prior USDOL approval before awarding the subcontract.

#### **5. Miscellaneous Prohibitions**

In addition, USDOL funds may not be used to provide for:

- The purchase of land;
- The procurement of goods or services used for private purposes by the Grantee's employees;
- Personal expenses (*e.g.*, housing costs, personal living expenses, dependents' allowance) of project staff unless they are separately accounted for as direct costs necessary for the performance of the project and receive prior approval from USDOL. In addition, housing and personal living expenses may not be counted as fringe benefits or indirect costs in accordance with Federal cost principles. As a general rule, it is USDOL's position that housing and other personal expenses are costs that are appropriately the responsibility of individual employees, whether they are residing in the United States or abroad. Housing costs generally will be authorized under the cooperative agreement only in cases of extraordinary costs of living attributable to unique circumstances affecting a local economy;
- Entertainment, including amusement, diversion, and social activities and any costs directly associated with entertainment (such as tickets, meals, lodging, rentals, transportation, and gratuities). Costs of training or meetings and conferences, when the primary purpose is the dissemination of technical information, are allowable. This includes reasonable costs of meals and refreshments, transportation, rental of facilities and other items incidental to such meetings and

- conferences. Costs related to child labor educational activities, such as street plays and theater, are allowable; and
- Alcoholic beverages.

### ***6. Prostitution***

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. U.S. NGOs, and their subcontractors, cannot use funds provided by USDOL to lobby for, promote or advocate the legalization or regulation of prostitution as a legitimate form of work. Foreign-based NGOs, and their subcontractors, that receive funds provided by USDOL for projects to combat trafficking in persons cannot lobby for, promote or advocate the legalization or regulation of prostitution as a legitimate form of work. It is the responsibility of the Grantee to ensure its subcontractors meet these criteria. This provision must be included in any applicable subcontract that the Grantee awards using USDOL funds and the Grantee will obtain a written declaration to that effect from the subcontractor concerned. Also, the Grantee will be required to adhere to the requirements at 2 CFR Part 175 relating to trafficking in persons, which will be inserted into the cooperative agreement.

### ***7. Inherently Religious Activities***

The U.S. Government is generally prohibited from providing direct financial assistance for inherently religious activities. The Grantee may work with and subcontract with religious institutions; however, Federal funds provided under a USDOL-awarded cooperative agreement may not be used for religious instruction, worship, prayer, proselytizing, other inherently religious activities, or the purchase of religious materials. Neutral, non-religious criteria that neither favor nor disfavor religion will be employed in the selection of Grantees and must be employed by Grantees in the selection of subcontractors. This provision must be included in all subcontracts issued under the cooperative agreement.

Any inherently religious activities conducted by the Grantee must be clearly separated in time or physical space from activities funded by USDOL. Grantees must segregate from Federal and matching funds (neither of which may be used to fund inherently religious activities), and to account for separately, any non-Federal and non-matching funds (or allocable portion of those funds) used for such inherently religious activities. Additionally, direct beneficiaries of the project must have a clear understanding that their enrollment in a USDOL-funded project is not conditioned on their participation in any religious activities and a decision to not participate in any inherently religious activity will in no way impact, or result in any negative consequences to, their project standing. For additional guidance, please consult USDOL's Center for Faith-Based and Community Initiatives' Web site at <http://www.dol.gov/cfbcj>. As in any matter of uncertainty, where the Grantee is unclear if project activities are allowable, USDOL should always be consulted for prior approval.

## **8. Terrorism**

Applicants are reminded that U.S. Executive Orders and U.S. law prohibit transactions with, and the provision of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of the Grantee to ensure compliance with these Executive Orders and laws. It is the policy of USDOL to seek to ensure that none of its funds are used, directly or indirectly, to provide support to individuals or entities associated with terrorism. Applicants responding to this solicitation and Grantees subsequently awarded funding by USDOL under this solicitation must check the applicable Web site to assess available information on parties that are excluded from receiving Federal financial and non-financial assistance and benefits. See <http://www.treas.gov/offices/enforcement/ofac/sdn/t11sdn.pdf>. This provision must be included in all applicable subcontracts issued under the cooperative agreement.

## **V. APPLICATION REVIEW INFORMATION**

### **A. Application Evaluation Criteria**

The criteria outlined below will be used to evaluate applications submitted in response to this solicitation on the basis of 100 points, with up to five (5) additional points possible. Only applications deemed responsive will be evaluated (*see* section III.C.2.).

#### Specific Evaluation Criteria

1. Purpose, Goals and Objectives	20 points
2. Review of Relevant Literature	15 points
3. Research Design and Methodology	35 points
4. Organizational Capacity	15 points
5. Key Personnel/Management Plan/Staffing	15 points
6. Cost Sharing	5 extra points

#### **1. Purpose, Goals and Objectives (20 points)**

Applicants will be evaluated on the extent to which the proposed research goals and objectives are relevant to and support USDOL's policy objectives and future programming on international forced labor and more broadly the U.S. Government's policy objectives on international forced labor. Applicants will also be evaluated on the extent to which the research in the proposed countries and on the proposed goods complements and contributes to the existing body of research on forced labor in the production of goods. Successful candidates will provide a clear problem statement and the connection between the proposed research and the problems. Applicants should also provide a clear justification for proposed countries and selected goods.

**2. Review of Relevant Literature (15 points)**

In evaluating Applicants on this criterion, USDOL will consider the Applicant's knowledge and awareness of existing relevant research on forced labor and the state of current data collection methodologies. Applicants will be rated on their knowledge and understanding of: 1) relevant international standards and proposed countries' national legislation regarding forced labor; 2) the difference between exploitive labor practices and forced labor; 3) types and forms of forced labor; 4) strengths and limitations of existing research; and 5) awareness of the policy and implementing environment in the proposed research countries.

**3. Research Design and Methodology (35 points)**

In evaluating Applicants on this criterion, USDOL will consider the Applicant's cost proposal as well as the Applicant's technical proposal, including the Research Design Methodology and Work Plan. Applicants will be rated on 1) the strength of their proposed research methodology to address the research objective and research questions; 2) the degree to which the Applicant's proposed research methodology is appropriate, feasible and rigorous; 3) the degree to which the proposal discusses possible methodological challenges and potential solutions; and 4) potential for innovation, creativity and significant advances in the field.

Applicants will also be evaluated based on the degree of consistency between the proposed costs and the work performed, appropriateness of the budget relative to the level of effort, the total cost of the project relative to the perceived benefit and use of existing resources to conserve costs, as appropriate.

**4. Organizational Capacity (15 points)**

In evaluating Applicants on this criterion, USDOL will consider the Applicant's cost proposal and technical proposal, including Organizational Capacity; Annex A: Past Performance Table(s); Annex E: Audit Report(s); and Annex F: Association Agreement(s) where relevant.

Applicants will be rated on their demonstrated capacity to manage (technically, administratively, and financially) a project of similar type, funding amount, and complexity as the one being applied for under this solicitation. If an Applicant (or Lead Applicant, in the case of an Association) proposes to utilize subcontracts, USDOL will evaluate the Applicant based on its past experience in providing quality technical, administrative, and financial oversight to subcontractors to ensure responsiveness and quality reporting to the donor and that all deliverables are met under the grant, cooperative agreement, and/or contract.

Applicants will be rated on their experience in conducting scientifically valid research on forced labor in developing countries, and on their qualifications to work with relevant stakeholders in identifying and developing tools, initiatives and good practices to combat forced labor. Applicants will also be evaluated on their ability to commence project activities and work in coordination with government agencies in the target countries soon after signing a cooperative agreement with USDOL.

Applicants will also be rated on their past performance implementing grants, cooperative agreements, and/or contracts that are relevant to this solicitation. USDOL reserves the right to contact the organizations listed in the Organizational Capacity and/or Annex A of Applicant's technical proposal and use the information provided in evaluating applications. Past performance will be rated by such factors as 1) the quality and timeliness of submitted grant, cooperative agreement, and/or contract deliverables; 2) the responsiveness of the Applicant and its staff to USDOL and other donors, including the quality and timeliness of communications regarding such deliverables; and 3) performance of the Applicant's key personnel on projects with USDOL and/or other donors, including whether the Applicant has a history of replacing key personnel with similarly qualified staff, and the timeliness of replacing key personnel. Lack of past experience with USDOL cooperative agreements, grants, or contracts is not a bar to eligibility or selection under this solicitation.

***5. Key Personnel/Management Plan/Staffing (15 points)***

In evaluating Applicants on this criterion, USDOL will review the cost proposal, the technical proposal, including the Key Personnel/Management Plan/Staffing section; Annex B: Project Management Organization Chart; Annex C: Staff Loading Plan; and Annex D: Personnel Descriptions, Résumés, and Letters of Commitment.

Successful performance of the proposed work depends heavily on the experience and qualifications of the individuals committed to the project. The qualifications of proposed personnel, as demonstrated by publication record, completed research projects and other related work, is critical to demonstrating the Applicant's ability to perform the work described in this solicitation successfully and within the period of performance. Applicants will be evaluated based on the qualifications and experience of proposed staff and the demonstrated ability of proposed staff to manage the efforts.

Applicants will be evaluated on the quality and clarity of information provided on their approach to project management and staffing. USDOL may give preference to Applicants proposing effective staffing strategies that aim to develop the capacity of national and/or local staff over the course of the project. USDOL will also take into consideration the overall cost-effectiveness of the project's proposed staffing strategy.

***6. Cost Sharing (5 extra points)***

In evaluating Applicants on this criterion, USDOL will review the Applicant's cost proposal and technical proposal. USDOL may award up to five (5) additional points to applications that include committed non-U.S. Federal Government resources that significantly expand the dollar amount, size, and scope of the project. In awarding points, USDOL will determine the extent to which the proposed research activities and/or services to be provided with the matching funds, in-kind contributions, or other cost sharing mechanisms will effectively enhance project objectives within the context of the Applicant's project design and whether the Applicant's proposal to share costs and/or provide matching funds is allowable, realistic, and significantly expands the project.

## **B. Review and Selection Process**

Each complete and responsive application will be objectively evaluated by a technical review panel against the criteria described in this solicitation. Neutral, non-religious criteria that neither favor nor disfavor religion will be employed in the selection of cooperative agreement awardees. Applicants are advised that panel recommendations to the Grant Officer are advisory in nature. The Grant Officer may elect to select a Grantee on the basis of the initial application submission or the Grant Officer may establish a competitive or technically acceptable range from which qualified Applicants will be selected. If deemed appropriate, the Grant Officer may call for the preparation and receipt of final revisions of applications, following which the evaluation process described above, may be repeated, in whole or in part, to consider such revisions. The Grant Officer will make final selection determinations based on panel findings and consideration of factors that represent the greatest advantage to the Federal government, such as cost, the availability of funds, and other factors. If USDOL does not receive technically acceptable applications in response to this solicitation, USDOL reserves the right to terminate the competition and not make any award. The Grant Officer's determinations for awards under this solicitation are final.

**Note:** Selection of an organization as a potential cooperative agreement recipient does not constitute approval of the cooperative agreement application as submitted in response to this solicitation. Before the actual cooperative agreement is awarded, USDOL reserves the right to ask questions and enter into BAFO negotiations about such items as: program components, project duration, staffing and funding levels, and financial and administrative systems in place to support grant implementation [including related issues raised in submitted audit report(s)]. If the negotiations do not result in a mutually acceptable submission, the Grant Officer reserves the right to terminate the negotiation and decline to fund the application. In the actual cooperative agreement, USDOL reserves the right to place special provisions on Grantees if concerns are raised in their application, including their audit report(s). In addition, USDOL reserves the right to negotiate program components further after award, during the project design consolidation phase and Project Document submission and review process. *See* section VI.D.1.

Award of a cooperative agreement under this solicitation may also be contingent upon an exchange of project support letters between USDOL and the relevant host government ministries in the target country.

## **C. Anticipated Announcement and Award Dates**

Designation decisions will be made within 45 days after the deadline for submission of applications, where possible. All cooperative agreements will be awarded no later than September 30, 2008. USDOL is not obligated to make any awards as result of this solicitation, and only the Grant Officer can bind USDOL to the provision of funds under this solicitation. Unless specifically provided in the cooperative agreement, USDOL's acceptance of a proposal and/or award of Federal funds does not waive any cooperative agreement requirements and/or procedures.

## **VI. AWARD ADMINISTRATION INFORMATION**

### **A. Award Notices**

The Grant Officer will notify Applicants of designation results as follows:

Designation Letter: The designation letter signed by the Grant Officer will serve as official notice of an Applicant's designation. The designation letter will be accompanied by a cooperative agreement and USDOL-OCFT's most current Management Procedures and Guidelines (MPG).

Non-Designation Letter: Any Applicant not designated will be notified formally of the non-designation. However, Applicants not designated must formally request a debriefing in order to be provided with the basic reasons for the determination.

Notification of designation by a person or entity other than the Grant Officer is not valid.

### **B. Roles and Responsibilities of USDOL and Grantees**

After award, USDOL's involvement in a project focuses on working with the Grantee in order to refine the Project Proposal/Project Document and its corresponding budget; to identify project work plan; and monitor implementation through technical and financial progress reports. USDOL involvement is generally characterized by written comments and oral feedback tied to the approval of deliverables outlined in the cooperative agreement. USDOL staff may also conduct field visits to the project.

All provisions under applicable U.S. law and regulation, including those provided for in the USDOL cooperative agreement with the Grantee, apply to the Grantee, as well as subcontractors, receiving USDOL project funds.

### **C. Administrative and National Policy Requirements**

#### **1. General**

Grantees are subject to applicable U.S. Federal laws (including provisions of appropriations laws) and regulations, Executive Orders, applicable OMB Circulars, and USDOL policies. If during project implementation a Grantee is found in violation of U.S. Government laws and regulations, the terms of the cooperative agreement awarded under this solicitation may be modified by USDOL; costs may be disallowed and recovered; the cooperative agreement may be terminated; and USDOL may take other action permitted by law. Determinations of allowable costs will be made in accordance with the applicable U.S. Federal cost principles.

#### **2. Project Audits and External Auditing Arrangements**

In accordance with 29 CFR Parts 96 and 99, USDOL has contracted with an independent external auditor to conduct project-specific attestation engagements at USDOL's expense to supplement the coverage provided by the annual audits/engagements that Grantees are

required to arrange. Grantees scheduled for examination by USDOL's contractor will be notified approximately 2 to 4 weeks prior to the start of the engagement.

The following requirements related to organization-wide annual audits/attestation engagements must be noted:

- i. U.S.-based non-profit Grantees whose total annual expenditure of Federal awards is more than USD 500,000 must have an organization-wide audit conducted in accordance with 29 CFR Parts 96 and 99, which codify the requirements of the Single Audit Act and OMB Circular A-133, and must comply with the timeframes established in those regulations for the submission of their audits to the Federal Audit Clearinghouse. Grantees must send a copy of their single audit to their assigned USDOL Grant Officer's Technical Representative (GOTR) at the time it is submitted to the Federal Audit Clearinghouse.

**Note:** USDOL generally allows the costs to be allocated based on the following (applicable to U.S.-based agencies only): 1) A-133 "single audit" costs as part of the indirect cost rate/pool for organizations with more than one Federal source of funding, noting that organizations with only one Federal source could charge the A-133 single audit cost as direct costs; 2) A-133 "compliance supplement" costs – as direct costs for Federal sources only through a cost allocation methodology approved by the Federal cognizant agency; or 3) A-133 program specific audits as direct costs. Any deviations from the above must be explained and justified in the application.

- ii. Foreign-based Grantees and private for-profit Grantees must arrange for the annual performance of an attestation engagement, conducted in accordance with U.S. Government Auditing Standards, which includes auditors' opinions on 1) compliance with USDOL regulations and the provisions of the cooperative agreement and 2) the reliability of the Grantee's financial and performance reports. USDOL will provide an examination guide to be used by the auditor selected by the Grantee to perform the attestation engagement and will provide assistance in the event a Grantee is unable to identify an audit firm qualified to perform an attestation engagement in accordance with U.S. Government Auditing Standards. The Grantee's contract with the auditor to conduct the attestation engagement must include provisions granting access to the auditor's documentation (work papers) to representatives of USDOL, including the Grant Officer, the GOTR, USDOL's Office of the Inspector General, and the U.S. Government Accountability Office (GAO). The reports for these engagements are to be submitted to the Grant Officer with a copy to the GOTR 1) 30 days after receipt of the auditor's report or 2) nine months after the end of the Grantee's fiscal year, whichever occurs sooner. The attestation engagement should be allocated as a direct cost to the project.



### ***3. Administrative Standards and Provisions***

Cooperative agreements awarded under this solicitation are subject to the following administrative standards and provisions outlined in the CFR that pertain to USDOL, and any other applicable standards that come into effect during the term of the cooperative agreement, if applicable to a particular Grantee:

- 29 CFR Part 2 Subpart D – Equal Treatment in Department of Labor Programs for Religious Organizations; Protection of Religious Liberty of Department of Labor Social Service Providers and Beneficiaries.
- 29 CFR Part 31 - Nondiscrimination in Federally Assisted Programs of the Department of Labor— Effectuation of Title VI of the Civil Rights Act of 1964.
- 29 CFR Part 32 - Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance.
- 29 CFR Part 33 - Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by the Department of Labor.
- 29 CFR Part 35 – Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance from the Department of Labor.
- 29 CFR Part 36 – Federal Standards for Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance.
- 29 CFR Part 93 – New Restrictions on Lobbying.
- 29 CFR Part 94 – Federal Standards for Governmentwide Requirements for Drug-Free Workplace (Financial Assistance).
- 29 CFR Part 95 – Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and other Non-Profit Organizations, and with Commercial Organizations, Foreign Governments, Organizations Under the Jurisdiction of Foreign Governments and International Organizations.
- 29 CFR Part 96 – Federal Standards for Audit of Federally Funded Grants, Contracts and Other Agreements.
- 29 CFR Part 98 – Federal Standards for Governmentwide Debarment and Suspension (Nonprocurement).
- 29 CFR Part 99 – Federal Standards for Audits of States, Local Governments, and Non-Profit Organizations.

Copies of all regulations referenced in this solicitation are available at no cost, online, at <http://www.dol.gov>. A copy of Title 29 of the CFR referenced in this solicitation is available from the U.S. Government Printing Office at no cost, online, at <http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=5e421ad42692a3a28f382a9aba659b2b&rgn=div5&view=text&node=29:1.1.1.1.39&idno=29>.

The terms outlined in this solicitation, the cooperative agreement, and the MPGs are all applicable to the implementation of projects awarded under this solicitation.

#### ***4. Key Personnel***

The Grantee must inform the GOTR in the event that key personnel (PD/PI) cannot continue to work on the project as planned. The Grantee is expected to nominate, through the submission of a formal project revision, new personnel. (Further information on project revisions will be provided to Grantees in the MPGs after award). However, the Grantee must obtain approval from the Grant Officer before any change to key personnel is formalized. If the Grant Officer is unable to approve the personnel change, s/he reserves the right to terminate the cooperative agreement or disallow costs.

#### ***5. Encumbrance of Cooperative Agreement Funds***

Cooperative agreement funds may not be encumbered/obligated by a Grantee before or after the period of performance. Encumbrances/obligations outstanding as of the end of the cooperative agreement period may be liquidated (paid out) after the end of the cooperative agreement period. Such encumbrances/obligations may involve only specified commitments for which a need existed during the cooperative agreement period and that are supported by approved contracts, purchase orders, requisitions, invoices, bills, or other evidence of liability consistent with a Grantee's purchasing procedures and incurred within the cooperative agreement period. All encumbrances/obligations incurred during the cooperative agreement period must be liquidated within 90 calendar days after the end of the cooperative agreement period, unless a longer period of time is granted by USDOL.

#### ***6. Site Visits***

USDOL, through its authorized representatives, has the right, at all reasonable times, to make site visits to review project accomplishments and fiscal and administrative control systems and to provide such technical assistance as may be required. USDOL intends to make every effort to notify the Grantee at least two weeks in advance of any trip to the USDOL-funded project site. If USDOL makes any site visit on the premises of a Grantee or a subcontractor(s) under the cooperative agreement, the Grantee must provide and must require its subcontractors to provide, all reasonable facilities and assistance for the safety and convenience of government officials in the performance of their duties. All site visits and evaluations are expected to be performed in a manner designed to not unduly delay the implementation of the project.

### **D. Reporting and Deliverables**

Grantees must submit copies of all required reports to USDOL by the specified due dates, unless otherwise indicated. Exact timeframes for completion of deliverables will be addressed in the cooperative agreement and the MPGs. Specific deliverables that all Grantees are required to produce under the cooperative agreement are outlined below in section VI.D.1. through VI.D.6.

#### ***1. Project Document***

Within 2 months of cooperative agreement award, the Grantee must deliver, for approval by USDOL, a final draft of the Project Document, based on the application submitted in response to this solicitation and including the results of additional consultations with members of the project team; project stakeholders, including government officials and

local partners in the target countries; and USDOL. The project document must include a detailed activities-based work plan, including plans to carry out the research activities in the eight (8) selected countries and dissemination strategies. An annual Work Plan that updates the initial Work Plan must be submitted to USDOL annually with the September technical progress report. In addition, if the Grantee proposes to issue subcontracts to foreign governments, a table of proposed government subcontracts must be submitted as part of the final Project Document. For additional requirements related to foreign government subcontracts, *see* section IV.D.4.

## ***2. Technical Progress and Financial Reports***

The format for the technical progress reports will be provided in the MPG distributed to Grantees after award. Grantees must submit narrative technical progress reports to USDOL on a semi-annual basis by March 31 and September 30 of each year during the cooperative agreement period. However, USDOL reserves the right to require up to four technical progress reports a year, as necessary. Grantees must also submit an electronic financial report (SF-269) to USDOL, on a quarterly basis, through the E-Grants system. Grantees must also file a PSC 272 report for each project electronically through the HHS/PMS on a quarterly basis. All SF-269 and PSC 272 reports must be submitted no less than 45 days after the end of each quarter, *i.e.*, February 15; May 15; August 15; and November 15. In addition, Grantees are encouraged to submit an update to USDOL, on a semi-annual basis, of the project's detailed Outputs-Based Budget or a Financial Status Report that provides information on total allocations, expenditures, commitment of balances and project balance by budget categories identified in the SF-424 R&R Budget.

Grantees must submit a final technical report no later than 90 days after the project completion date. The final report is a stand-alone report that provides a complete and comprehensive summary of the progress and achievements made during the life of the project. More information on the final report will be provided in the MPGs distributed to Grantees after award.

## ***3. Terms of Reference***

Within 3 months of the cooperative agreement award, Grantees must develop a draft general Terms of Reference (TOR), for approval by USDOL, to guide the in-country research conducted by the Grantee's subcontractors and/or Associates. The TOR must outline the objective, scope, and deliverables for the subcontractors that include the timeframe and associated cost for the proposed tasks. Within 4 months of award, the Grantee must submit draft country-specific TORs and submit potential candidates/subcontractors for data collection, if not included in the Grantee's proposal.

## ***4. Report Outline***

Within 3 months of the cooperative agreement award, Grantees must submit for USDOL approval a general draft report outline that adequately addresses all of the research questions, and at a minimum describes the research design and data collection methodologies to be used, information on the country context including cultural, demographic, socio-economic, labor market structures, legal and institutional

frameworks, and conclusions and recommendations. Grantees may submit suggestions for report formats and dissemination plans.

### ***5. Methodological Plans and Research Instruments***

Within 6 months of the cooperative agreement award, the Grantee must submit a draft of the detailed methodological plans and research instruments (*i.e.*, sampling plans, survey questionnaires, observation guides, key informant interview guides and questionnaires) to USDOL for approval. Draft methodological plans and research instruments should include input from subcontractors and other technical advisors and key experts on issues related to forced labor in the proposed countries.

## **VII. AGENCY CONTACTS**

All technical questions regarding this solicitation (SGA 08-07) should be sent in writing to Ms. Lisa Harvey, Grant Officer, U.S. Department of Labor's Office of Procurement Services, via e-mail (e-mail address: [harvey.lisa@dol.gov](mailto:harvey.lisa@dol.gov); telephone: (202) 693-4592 – this is not a toll-free-number). These questions must be sent to Ms. Harvey no later than July 18, 2008 in order to receive a reply and allow these responses to reach all prospective Applicants prior to the submission of their applications. USDOL will compile all technical questions received from prospective Applicants by e-mail and post them, together with USDOL responses on USDOL/ILAB's Web site at [www.dol.gov/ILAB/grants/main.htm](http://www.dol.gov/ILAB/grants/main.htm) by July 28, 2008.

In addition, USDOL will post a transcript of its April 24, 2008 Bidders' Meeting, which will include a question and answer session, on its Web site when it becomes available. A general list of frequently asked questions (FAQs) regarding USDOL's Solicitations for Cooperative Agreements for Child Labor grants will also be posted on USDOL/ILAB's Web site at <http://www.dol.gov/ILAB/grants/bkgrd.htm>.

If an Applicant has questions on how to electronically assemble their application package on [www.grants.gov](http://www.grants.gov), they must contact Mr. Troy Hargrove at (202) 693-4584 at least one week prior to the application deadline date in order to receive assistance. If an Applicant has problems downloading the application package from [www.grants.gov](http://www.grants.gov) or software compatibility questions, they should contact the [www.grants.gov](http://www.grants.gov) Contact Center at 1-800-518-4726 or [support@grants.gov](mailto:support@grants.gov).

## **VIII. OTHER INFORMATION**

### **OMB INFORMATION COLLECTION NO. 1205-0458**

Expires: September 30, 2009

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. Public reporting burden for this collection of information is estimated to average 20 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimated or any other aspect of this collection of information, including suggestions for reducing

this burden, to the U.S. Department of Labor, the OMB Desk Officer for ILAB, Room N-1301, 200 Constitution Avenue, N.W., Washington, DC 20210.

**Privacy Act and Freedom of Information Act**

Any information submitted in response to this solicitation will be subject to the provisions of the Privacy Act and the Freedom of Information Act, as appropriate.

Signed at Washington, DC, this June 30, 2008.

A handwritten signature in cursive script that reads "Lisa Harvey".

Lisa Harvey  
Grant Officer

## **Appendix A: Cost Proposal Format**

### **Cost Proposal**

#### **A. Required Standard Forms**

1. SF-424 Research and Related (R&R), Application for Federal Assistance, including all applicable DUNS Numbers in Block 5 and as an attachment (if applicable);
2. SF-424 Research and Related (R&R) Budget

#### **B. Outputs-Based Budget**

#### **C. Budget Narrative**

#### **D. Indirect Cost Information**

1. Indirect Cost Form for the Applicant (including one for each Associate, as applicable);
2. One of the following for the Applicant (including one for each Associate, as applicable): 1) A current, approved Negotiated Indirect Cost Rate Agreement (NICRA) or 2) A Certificate of Direct Costs.

#### **E. Survey on Ensuring Equal Opportunity for Applicants (optional)**

**Note:** The SF 424 R&R, Application for Federal Assistance, SF-424 R&R Budget, Indirect Cost Information Form, Survey on Ensuring Equal Opportunity for Applicants, and a Sample Outputs-Based Budget are available from USDOL/ILAB's Web site at <http://www.dol.gov/ilab/grants/bkgrd.htm>. All forms in the SF-424 family of forms are also available on [www.grants.gov](http://www.grants.gov).

## **Appendix B: Technical Proposal Format**

### **I. Technical Proposal**

#### **A. Abstract**

(not to exceed 400 words)

#### **B. Table of Contents**

#### **C. Research Proposal**

(maximum 30 double-spaced (8 ½" x 11") pages in 12-point font with 1-inch margins)

1. Purpose, Goals and Objectives
2. Review of Relevant Literature
3. Research Design and Methodology
4. Bibliography (does not count towards the 30-page maximum)
5. Work Plan (does not count towards the 30-page maximum)

#### **D. Organizational Capacity**

1. International and U.S. Government Grant and/or Contract Experience
2. Fiscal Oversight

#### **E. Key Personnel/Management Plan/Staffing**

1. Key Personnel
2. Other Professional Personnel
3. Management Plan
4. Description of Staff Loading Plan

#### **F. Cost Sharing (optional)**

### **II. Annexes to the Technical Proposal**

(these do not count towards the 30-page maximum)

**Annex A:** Past Performance Table(s)

**Annex B:** Project Management Organization Chart

**Annex C:** Staff Loading Plan

**Annex D:** Personnel Descriptions, Résumés, and Letters of Commitment

**Annex E:** Audit Report(s)

**Annex F:** Association Agreement(s) (if applicable)



**Appendix C: Definitions and Usual Characteristics of Subgrants vs. Subcontracts**

<b>DEFINITIONS</b>	<b>Subgrants</b>	<b>Subcontracts</b>
* General Purpose	An agreement that provides for the transfer of money or property to accomplish a public purpose of support or stimulation through the OCFT grant, as authorized under Federal statute.	Legal contract in which the purpose is to provide supplies and/or services.
* Focus	Carries out one or more major programmatic functions in support of the goals of the OCFT grant.	Does not support the goals of the OCFT grant directly; instead the subcontractor provides supplies and/or services that are ancillary or supportive to the operation of the OCFT grant.
* Recipient Responsibility	Has responsibility for programmatic decision making, adherence to applicable Federal program compliance requirements, and is able to determine which participants are eligible to receive Federal financial assistance.	Provides supplies and/or services for use by the Lead Grantee that are supportive to the operation of the OCFT grant. Subcontractor is subject to procurement regulations, but not programmatic compliance requirements, and does not have decision-making authority pertaining to the OCFT grant.
<b>USUAL CHARACTERISTICS</b>	<b>Subgrants</b>	<b>Subcontracts</b>
Recipients	Awarded largely to non-profits, institutions of higher education, and state and local governments. Fewer commercial enterprises are recipients.	Awarded largely to commercial enterprises, although non-profits and state or local governments may respond to a request for bid or proposal.
Terms & Performance Standards	Less rigorous according to their terms and conditions than contracts. Performance is measured against whether the objectives of the Federal program are met (for example, to eliminate exploitive child labor)	More rigorous according to their terms and conditions. Performance is measured against the delivery of goods and services. The terms will define deliverables and indicate when they are due.
Monitoring	Less regulated. If the task is not accomplished, there may be fewer legal and financial ramifications.	More heavily regulated and more likely to carry substantial legal or financial risk.
Scope of Work	Scope of work, deliverables and delivery schedule are more flexible and easier to amend when changes are necessary.	Scope of work may be less flexible and more difficult to amend. Firm delivery schedule with deliverables subject to rigorous inspection.
Payment Schedule	Funds usually drawn down by recipient or paid in a lump sum.	Payment is usually made by invoice only after goods are delivered or services

	<p>Payments are based on budgeted amounts rather than the unit cost of services.</p>	<p>rendered. Advances are made under specific, limited circumstances. Payments are related to goods delivered or services rendered.</p>
--	--	---

\*The distinction between subgrants vs. subcontracts should be made primarily based on these three definitions. Even if an agreement has some or many of the “usual characteristics” of a subgrant, project managers and auditors should closely examine its purpose, focus, and recipient responsibilities (using the definitions provided above) before determining whether it meets the definition of a subgrant or subcontract.