

SPECIAL AWARD CONDITIONS

(Mock-up. Actual document may vary.)

1. This award number 08-XXXX to American Widget Association, supports the work proposed in the Recipient's application entitled "Market Development Cooperator Program" dated July 30, 2008, this application is incorporated into the award by reference. Where the terms of the award and proposal differ, the terms of the award shall prevail.

2. The Recipient Contact's name, title, address, email, and telephone number are:

Andrew Gibb
Marketing Manager
1717 Widget Lane
Phoenix, AZ 89999
AGibb@AmWidgetAssoc.org
602-555-5555

3. The Grants Officer's name, address, and telephone number are:

Beverly A. Manley
Grants Officer
U.S. Department of Commerce
Office of Acquisition Management
14th Street & Constitution Avenue, N.W., Room H6054
Washington, D.C. 20230
202 482-1370

4. The Grant/Cooperative Agreement Specialist's name, telephone number, and email address are:

Beverly Buggs
202 482-1603
bbuggs@doc.gov

5. The Federal Program Officer's name, address, telephone number, and email address are:

Brad Hess
Manager, Market Development Cooperator Program
International Trade Administration
U.S. Department of Commerce
14th Street & Constitution Avenue, N.W., Room H3215
Washington, D.C. 20230
202 482-2969
Brad.Hess@mail.doc.gov

6. The Recipient shall submit all refund checks to the Department of Commerce (DOC) accounting office identified below. All checks must identify on their face the name of the DOC agency funding the award, award number, and no more than a two-word description to identify reason for refund.

National Business Center
 Products and Services
 Mail Stop D-2761
 P.O. Box 272025
 Denver, Colorado 80227-9025

7. The line item budget for this award is as follows:

	<u>Federal</u>	<u>Non-Federal</u>	<u>Total</u>
Personnel	\$ _____	\$ _____	\$ _____
Fringe Benefits			
Travel			
Equipment			
Supplies			
Contractual			
Other			
Total Direct	\$ _____	\$ _____	\$ _____
Indirect Charges			
Total	\$ _____	\$ _____	\$ _____

8. Program income earned during the award period shall be retained by the Recipient and used in accordance with 15 CFR Part 14, Sec. 14.24(b)(2), or 15 CFR Part 24, Sec. 24.25(g)(3), to finance the non-Federal share. Program income earned in excess of the amount necessary to meet the Recipient's cost share shall be used in accordance with 15 CFR Part 14, Sec.14.24(b)(1), or 15 CFR Part 24, Sec. 24.25(g)(2).
9. Notwithstanding Sec. A.01 of the DoC Financial Assistance Standard Terms and Conditions dated May 2007, the Recipient shall submit a Financial Status Report (SF-269) on a quarterly basis for the calendar quarters ending September 30, December 31, March 31, and June 30, or any portion thereof. Reports are due no later than 30 days following the end of each reporting period. A final SF-269 shall be submitted within 90 days after the expiration date of the award.
10. The recipient shall provide to the Federal Program Officer pre-award review and

procurement documents, such as request for proposals or invitations for bids, independent cost estimates, etc., when any of the following conditions apply:

- a. The recipient's procurement procedures or operation fails to comply with the procurement standards in 15 CFR Part 14 and 15 CFR Part 24.
- b. The procurement is expected to exceed the small purchase threshold fixed at 41 U.S.C. 403(11) (currently \$100,000) and is to be awarded without competition or only one bid or offer is received in response to a solicitation.
- c. The procurement, which is expected to exceed the small purchase threshold, specifies a "brand name" product.
- d. The proposed award over the small purchase threshold is to be awarded to other than the apparent low bidder under a sealed bid procurement.
- e. A proposed contract modification changes the scope of a contract or increases the contract amount by more than the amount of the small purchase threshold.

The Federal Program Officer will review these documents and make a recommendation to the Grants Officer. The Grants Officer shall provide the recipient with a written determination as to whether the proposed action is in compliance with the terms and conditions of the award.

11. Substantial Federal involvement with the Recipient in the performance of this award is anticipated as the Federal Government shall collaborate and participate in the management of the project. Within thirty (30) days of the start date of the award, the Recipient and the Federal Program Officer shall establish a project team to include individuals needed to ensure the success of the project. The project team will include personnel from the Department of Commerce's International Trade Administration (ITA). ITA personnel includes representatives from Manufacturing and Services, Market Access and Compliance, and U.S. and Foreign Commercial Service. One of the ITA personnel on the team will be designated as team leader. The project team will:
 - a. Collaborate in carrying out the scope of work of the project effort.
 - b. Formulate an annual operating plan based on the approved project timeline included in the Recipient's application. The components and requirements of the annual operating plan are summarized below.
 - (1) A timetable for the most significant award activities scheduled from October 1 to September 30.

- (2) A rough approximation of the entire budgeted cost of the activities listed on the timetable.
 - (3) A short list (no more than seven) of persons who will be responsible for and/or participate in the listed activities. This should include relevant representatives from Recipient's staff and officers, partner organizations, and the ITA team.
 - c. Determine the mode of project operations and other management processes, coupled with close monitoring or operational involvement during performance of the project.
 - d. Determine, as necessary, other areas of substantial involvement to ensure the successful accomplishment of the objectives of the project and maximization of the Recipient's partnership with ITA.
12. The Recipient shall submit a performance report for each calendar quarter or portion thereof. Calendar quarters end on September 30, December 31, March 31, and June 30. When an award period begins or ends less than three months before the end of a calendar quarter, the report period will be less than three months. The report period never exceeds three months.
 - a. Reports are due thirty (30) days following the end of the calendar quarter.
 - b. The titles of the numbered questions from the online report are listed below. A blank report is attached as **Attachment A**, to this award. It includes greater detail and explanation than the titles provided below:
 - (1) Value of exports, including exporter name, destination market and other details as set forth in Attachment A.
 - (2) Value of other export-related developments.
 - (3) Value of target markets and U.S. market share.
 - (4) Jobs created by MDCP activity.
 - (5) Date that Recipient first presents success agreement to prospective project participants.
 - (6) Brief notes, other.

- (7) Estimated value of exports.
 - (12) Calendar of upcoming events.
 - (20-49) Cooperator (Recipient's) performance milestones.
13. The non-Federal share shall consist of two elements. The first element must be Recipient's cash equal to the Federal share. The second element, which must equal, and may exceed the Federal share, may consist of in-kind contributions (goods and services) or Recipient's cash or both.
 14. Within thirty (30) days of the execution of this award, the Recipient shall submit to the Federal Program Officer a projection of its advances or reimbursements distinguishing the Federal and non-Federal shares. A blank format for this projection of cost-share advance or reimbursement projection is attached. An example of this is attached as Attachment B, to this award. An electronic version may be obtained from the Federal Program Officer.
 15. In accordance with Sec. B.01.a. of the DoC Financial Assistance Standard Terms and Conditions, the Recipient shall submit to the ITA team leader a final performance report within ninety (90) days of the expiration date of the award. Unlike the quarterly performance report, the final report is not submitted online and has no set form. It is, however, limited to four (4) letter-sized pages and must be easily legible. The final report is not meant to be comprehensive. It should not include everything the Recipient included in its quarterly reports. Instead, the Recipient should summarize only its most significant accomplishments that can be attributed to award-related activity.
 16. Notwithstanding Section A.02 of the DoC Financial Assistance Standard Terms and Conditions, dated January 2005;
 - a. The advance method of payment shall be authorized unless otherwise specified in a special award condition.
 - b. Payments will be made through electronic funds transfers, using the Department of Treasury's Automated Standard Application for Payment (ASAP) system, and in accordance with the requirements of the Debt Collection Improvement Act of 1996. The following information is required when making withdrawals for this award: (1) ASAP account identification (id) = award number found on the cover sheet of this award; (2) Agency Location Code (ALC) = 13060001; and (3) Region Code = 02. Recipients do not need to submit a "Request for Advance or Reimbursement" (SF-270) for payments relating to this award. Enrollment application information can be found at <http://www.fms.treas.gov/asap>.

c. Advances taken through the ASAP shall be limited to the minimum amounts necessary to meet immediate disbursement needs. Advanced funds not disbursed in a timely manner must be promptly returned, via an ASAP credit, to the account from which the advanced funding was withdrawn. Advances shall be for periods not to exceed 30 days.

d. This award has the following control or withdrawal limits set in ASAP:

Agency review for all withdrawals will continue throughout the duration of the award or until notification of the grant recipient by the Grants Officer that the requirements for agency review have been removed.

e. Funds that have been withdrawn through ASAP may be returned to ASAP via the Automated Clearing House (ACH) or via FEDWIRE. The ACH or FEDWIRE transaction may only be performed by the Recipient's financial institution. Full or partial payments received by a Payment Requestor/Recipient Organization may be returned to ASAP. All funds returned to the ASAP system will be credited to the ASAP Suspense Account. The Suspense Account allows the Regional Financial Center to monitor returned funds and ensure that they are credited to the correct ASAP account. Returned funds that cannot be identified and classified to an ASAP account will not be accepted and will be returned to the originating depository financial institution (ODFI).

It is essential that the Payment Requestor/Recipient Organization provide its financial institution with ASAP account information (ALC, Recipient ID and Account ID) to which the returned funds are to be credited. Additional detailed information can be found at:

<http://www.fms.treas.gov/asap/pay-return2.pdf>.

17. Recipient shall provide to the ITA project team a list of participants in any project activity. Recipient shall provide this list well in advance of the project so that ITA project team members have time sufficient to provide meaningful assistance to project participants prior to the activity.
18. Recipient shall ensure that participants in its project activity sign a success agreement prior to participation in project activity. This agreement spells out the benefits to participants as well as their responsibilities, one of which must be to report any project-related success, particularly exports, to either Recipient or ITA. An example agreement is provided in Attachment C. Recipient shall draft its own agreement in consultation with the ITA project team.