

**U.S. Department of Labor
Bureau of International Labor Affairs**

Mexico Labor Discrimination Project

Announcement Type: Initial Funding Opportunity Announcement (FOA).

Funding Opportunity Number: SCA-14-25.

Catalog of Federal Domestic Assistance Number: 17.401.

Total Funding Available for Award: USD 1,389,000.

Number of Anticipated Funding Awards: 1

Funding Period: Effective date of award through 3 years (36 months).

Executive Summary: In Fiscal Year 2014, the U.S. Department of Labor's (USDOL) Bureau of International Labor Affairs (ILAB) will award up to USD 1,389,000 for one cooperative agreement to fund a technical assistance project in Mexico. This FOA requests proposals for a project to assist the Government of Mexico in combating discrimination in employment and occupation (labor discrimination). The project will support efforts to enforce the strengthened discrimination clause in the Federal Labor Law Reform of 2012, with emphasis on combating gender discrimination, discrimination based on sexual orientation, sexual harassment, and forced pregnancy testing. Eligible Applicants may include any commercial, international, educational, or non-profit organization(s), including any faith-based, community-based, or public international organization(s), capable of successfully fulfilling the objectives identified in the Funding Opportunity Description. See Section III for detailed eligibility requirements.

Key Dates:

Issuance Date:	October 14, 2014
Closing Date and Time:	November 7, 2014
Closing Time:	4:00:00 p.m. Eastern Time
Technical Question Submission Deadline:	October 31, 2014
Date of Award:	No later than December 31, 2014

Agency Contacts:

Primary: Bruce Yoon

Email: Yoon.Bruce@dol.gov

Applications will be accepted via electronic submission via [Grants.gov \(http://www.grants.gov\)](http://www.grants.gov) or by hardcopy (to include electronic copy/CD) hand delivered or mailed to the GO at the following address:

USDOL/ETA

Office of Grants Management

Attention: Donna Kelly

Grant Officer

Reference: SCA-14-25

200 Constitution Avenue NW, Room N4716

Washington, DC 20210

A list of frequently asked questions about USDOL's FOA for ILAB grants and responses to technical questions received by e-mail will be posted on [Grants.gov](http://www.grants.gov).

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I. Funding Opportunity Description

USDOL/ILAB intends to award up to USD 1,389,000 for one cooperative agreement to fund a technical assistance project in Mexico. The purpose of this project is to assist the Government of Mexico in combating discrimination in employment and occupation (labor discrimination). The project will support efforts to enforce the strengthened discrimination clause in the Federal Labor Law (FLL) Reform of 2012, with emphasis on combating gender discrimination, discrimination based on sexual orientation, sexual harassment, and forced pregnancy testing. The duration of the project funded by this announcement is up to 3 years (36 months) from the effective date of award. The project start date will be negotiated upon award of the individual cooperative agreement, but will be no later than December 31, 2014.

ILAB's mission is to use all available international channels to improve working conditions, raise living standards, protect workers' ability to exercise their rights, and address the workplace exploitation of children and other vulnerable populations. ILAB is authorized to award and administer cooperative agreements by the Consolidated Appropriations Act, 2014, Pub. Law 113-76 (2014). Cooperative agreements awarded under this solicitation will be administered by the Employment and Training Administration (ETA) and technically managed by ILAB's Office of Trade and Labor Affairs (OTLA). The mission of OTLA is to implement trade-related labor policy and coordinate international technical cooperation in support of the labor provisions in free trade agreements; to develop and implement USDOL's policy positions on international economic and trade issues; and to fund and oversee technical assistance projects addressing worker rights issues in key trading partner countries.

A. Background and Problem Statement

Labor discrimination based on sex has historically been a concern in Mexico, with pregnancy cited as the number one basis for labor discrimination against women. Civil society organizations, academics, and others have worked for decades to address this type of labor discrimination. As detailed below, 2012 labor law reforms further refined the legal concept of sex discrimination in Mexico to recognize specific manifestations of such discrimination, including discrimination on the basis of gender and sexual orientation, sexual harassment, and forced pregnancy testing. These forms of sex discrimination affect some industries, sectors, and regions more than others, and workers' and employers' awareness of these concepts and related rights and responsibilities also varies widely. This variability seems related, among other factors, to unequal exposure to government and civil society outreach efforts.

Legal Framework

In November 2012, Mexico passed sweeping reforms to its FLL. The reform expands protections against discrimination for workers by expressly prohibiting new categories of discrimination. Prior to the reforms, employers were prohibited from discriminating in hiring against workers on the basis of age and sex. The labor law reform explicitly adds ethnic or national origin, gender, disability, social status, health conditions, religion, personal views, sexual orientation, and civil status as prohibited bases for discrimination in hiring decisions. Similarly, the reform expands prohibited bases for discrimination related to working conditions, which already included race, nationality, sex, age, religion, and political views, to also include ethnic origin, gender, disability, social status, health conditions, personal views, sexual orientation, pregnancy, family responsibilities, and civil status.

The reform also defines and explicitly prohibits sexual harassment in the workplace, whereas the original law did not specifically include this concept. Employers are now explicitly prohibited from sexually harassing any person in the workplace and are also prohibited from permitting or tolerating such acts. The reform adds committing sexual harassment in the workplace to the list of just causes for termination.

In addition to protecting pregnant workers from discrimination related to working conditions, the reform also prohibits employers from demanding medical proof that a worker is not pregnant as a condition of employment or promotion. Employers also are prohibited from dismissing a worker due to her pregnancy or pressuring her, directly or indirectly, to resign.

Implementation Challenges

The Mexican Ministry of Labor (*Secretaría del Trabajo y Previsión Social* or STPS) has begun implementing these new labor discrimination protections, but more work remains to be done. One significant challenge to effective enforcement is the small number of workers filing any labor discrimination complaints with authorities. According to Mexican government officials, labor discrimination complaints are under-reported, in part, because workers are sometimes encouraged to file discrimination cases under more general labor law provisions, such as the ban on unjustified firing, since discrimination cases are hard to prove.

Additionally, workers seem to be unevenly aware of the newly expanded list of prohibited categories of discrimination under the law. For example, discrimination complaints based on sexual orientation appear disproportionately represented among cases reported to authorities, which government officials attribute, in part, to ongoing awareness campaigns targeting the lesbian, gay, bisexual and transgender (LGBT) community. In contrast, other types of labor discrimination complaints under the 2012 reforms, such as gender discrimination, sexual harassment, and pregnancy-based discrimination, are filed much less frequently, potentially because of gaps in the scope, targeting, and messaging of existing public awareness campaigns.

STPS' Office of Labor Inspection and Social Inclusion also faces challenges enforcing the new legal framework on labor discrimination created by the 2012 legal reforms. Inspectors have not received specific training on the reforms, and corresponding changes have not been made to the inspection manual, methodologies, tools, and protocols. The labor discrimination reforms are not reflected, for example, in inspection guidelines, tests, and checklists to identify non-compliance, standard forms for initial employer contact, data collection processes, inspection reporting, worker and employer interview guidelines, monitoring and surveillance methodologies, record checking techniques, and incident documentation. Additionally, while STPS has an advanced electronic inspection planning and tracking system, the labor discrimination reforms have not yet been incorporated.

Private Sector Engagement and Outreach

While its outreach capacity is limited, as part of a broad strategy to combat labor discrimination, STPS has tried to increase compliance by reaching out to the private sector to promote programs that engage employers as proactive partners for protecting labor rights and, in particular, combating labor discrimination. Many of STPS' efforts target small and medium enterprises, enrolling them in voluntary programs that promote compliance with labor laws and recognize and certify additional employer efforts to improve working conditions. Enterprises that want to be certified set goals for

improvement and are subsequently inspected and validated by STPS. Noting that STPS' outreach capacity for such initiatives is extremely limited, resulting in limited private sector participation, public officials and private sector representatives express the shared opinion that these efforts could have a bigger impact if STPS' outreach capacity was increased.

B. Objectives and Expected Outcomes

The overarching objective for the project is increased compliance with the expanded protections against labor discrimination under Mexican labor law, with a focus on gender discrimination, discrimination based on sexual orientation, sexual harassment, and forced pregnancy testing.

Specific objectives and expected outcomes should include (but are not limited to) the following:

Objective 1: Improve enforcement of the expanded protections against labor discrimination under Mexican labor law by STPS labor inspectors, with a focus on gender discrimination, discrimination on the basis of sexual orientation, sexual harassment, and forced pregnancy testing. Expected outcomes include:

- Increased technical capacity to identify such unlawful labor discrimination;
- Increased number of violations related to such unlawful labor discrimination identified and remedied; and
- Increased application and collection of fines assessed for violations of such labor discrimination protections.

Objective 2: Increase employer participation in STPS social compliance programs that incorporate best practices with respect to combatting labor discrimination, with a focus on gender discrimination, discrimination on the basis of sexual orientation, sexual harassment, and forced pregnancy testing. Expected outcomes include:

- Improved focus on and incorporation of best practices with respect to combatting such discrimination in STPS social compliance programs;
- Increased number of employers participating in STPS social compliance programs; and
- Employers participating in STPS social compliance programs increase adoption of practices to combat such discrimination.

Objective 3: Improve worker understanding of the 2012 legal reforms on labor discrimination, with a focus on gender discrimination, discrimination on the basis of sexual orientation, sexual harassment, and forced pregnancy testing, and increase knowledge of how and willingness to report violations. Expected outcomes include:

- Workers demonstrate increased knowledge and awareness of the 2012 labor discrimination law reforms.
- Workers demonstrate increased understanding of how violations of the newly prohibited categories of labor discrimination can be effectively reported.
- Workers demonstrate increased willingness to report such violations, including through an increase in filing of claims.

Applicants may suggest additional objectives and/or outcomes and a rationale for how they will achieve ILAB's purpose for this project.

C. Targets and Partners

The direct beneficiary of this project is STPS, specifically its Offices of Labor Inspection and Social Inclusion. Indirect beneficiaries include employers participating in STPS programs that promote best practices on protecting workers' rights, with a focus on labor discrimination, in particular with respect to gender discrimination, discrimination based on sexual orientation, sexual harassment, and forced pregnancy testing. The indirect beneficiaries are workers who will receive more effective protection against such labor discrimination as a result of increased knowledge and awareness of applicable Mexican labor law and the processes for reporting violations, improved STPS enforcement of such labor laws, and increased employer participation in STPS social compliance programs and adoption of programs to combat such labor discrimination.

The Applicant may specify additional proposed target populations and partners, as appropriate, in its submission and its rationale for selecting them. The Applicant may also propose specific target region/s for interventions to reduce labor discrimination, with a focus on gender discrimination, discrimination on the basis of sexual orientation, sexual harassment, and forced pregnancy testing. The Applicant must include its rationale for target region selection, articulating the relevance of the issue(s) for each proposed region, industries to be engaged, and current government and civil society capacity and efforts to address such labor discrimination.

ILAB has informed host government officials of the proposed award. Applicants may discuss proposed interventions, strategies, and activities with host government officials and work cooperatively with government stakeholders at the national and/or regional level during the preparation of their applications and in developing project interventions. Applicants may also develop project interventions in partnership with other organizations in the country, such as international or local non-governmental organizations. Efforts should be made to avoid duplication and enhance collaboration.

D. Project Interventions (Strategy, Outputs, Activities)

To achieve the project objectives, the Applicant must develop a comprehensive strategy to increase compliance with labor discrimination laws, focusing on gender discrimination, discrimination on the basis of sexual orientation, sexual harassment, and forced pregnancy testing. This strategy should include efforts to improve STPS labor inspectors' enforcement of such labor discrimination laws, including through training on the relevant reforms, adoption of corresponding modifications to the inspection manual, methodologies, protocols, and tools and incorporation of the reforms in the STPS electronic planning and tracking system; amend STPS private sector social compliance programs, as needed, to include a focus on and incorporate best practices with respect to combatting such labor discrimination; increase employer participation in such programs; increase adoption by employers of programs to combat such labor discrimination; and expand worker knowledge and awareness of Mexican labor laws governing such discrimination and how to effectively report violations. This project should be designed as a pilot program that can eventually be scaled up to other regions and/or sectors and/or generalize the skills, knowledge, and best practices gained to cover other types of labor discrimination.

The following is a list of strategies and associated activities, outputs, and deliverables that must be included in this project to support realization of the identified overarching and specific objectives. Applicants are expected to explain how they will track and measure outputs and outcomes (see

Section IV.B.1.c.7 on page 14). Applicants are encouraged to propose additional activities, outputs, and deliverables, as appropriate to their proposed strategy.

Objective 1: Improved enforcement of the expanded protections against labor discrimination under Mexican labor law by STPS labor inspectors, with a focus on gender discrimination, discrimination on the basis of sexual orientation, sexual harassment, and forced pregnancy testing.

- Revise the existing inspection manual, methodologies, protocols, and tools to reflect the 2012 legal reforms on labor discrimination, specifically focusing on gender discrimination, discrimination on the basis of sexual orientation, sexual harassment, and forced pregnancy testing, including revisions to the following: Inspection guidelines, tests and checklists, standard forms for initial employer contact, data collection processes, inspection reporting, worker and employer interview guidelines, monitoring and surveillance methodologies, record checking techniques, and incident documentation.
- Develop an electronic module to be incorporated into the STPS's existing electronic inspection planning and tracking system related to such labor discrimination and provide comprehensive training through the *Sistema de Capacitación a Distancia (SICADIT)* and/or in-person training for inspectors in the regions selected for implementation of the module.

Objective 2: Increased employer participation in STPS social compliance programs that incorporate best practices with respect to combatting labor discrimination, with a focus on gender, discrimination on the basis of sexual orientation, sexual harassment, and forced pregnancy testing.

- Analyze and work with the STPS *Subsecretaria de Inclusión Laboral* to amend, as needed, social compliance programs to incorporate best practices with respect to combatting labor discrimination, with a focus on gender discrimination, discrimination on the basis of sexual orientation, sexual harassment, and forced pregnancy testing.
- Provide technical and strategic support for the expansion of such programs (e.g., *Distintivo Empresa Familiarmente Responsable*; *Distintivo Empresa Incluyente "Gilberto Rincón Gallardo;"* and *Norma Mexicana NMX-R-025-SCFI-2012 para la Igualdad Laboral entre Mujeres y Hombres*), including the development of promotional materials that encourage participation, in coordination with the Confederación Patronal de la República Mexicana (COPARMEX) and the American Chamber of Commerce of Mexico (AmCham).

Objective 3: Improved worker understanding of 2012 legal reforms on labor discrimination, with a focus on gender discrimination, discrimination on the basis of sexual orientation, sexual harassment, and forced pregnancy testing, and increased knowledge of how and willingness to report violations.

- Working with STPS and other relevant institutions, assess existing government awareness-raising campaigns on workers' rights to determine any gaps in scope, targeting, and messaging, with a focus on such expanded protections against labor discrimination and including identification of impediments to workers using existing complaint mechanisms to report violations.
- Based on assessment results and working with STPS and other relevant institutions to reinforce efforts and avoid duplication, design and implement campaigns to fill the identified gaps, including providing information to workers on their rights under such 2012 labor law reforms on discrimination and how to claim them through appropriate governmental channels and addressing identified impediments to reporting violations.

Proposed indicators and targets can be revisited during the finalization of the Project Document and development of the Performance Monitoring Plan (PMP) (see deliverables table below)

E. Project Requirements

Grantees must comply with the following post-award requirements. Grantees must adhere to all of the post-award requirements outlined in the Management Procedures Guidelines (MPG)¹ and summarized below.

Following the award of the grant, the Grantee must collaborate with USDOL/ILAB to develop and/or finalize the following deliverables:

DELIVERABLE	DEADLINE ²	SUBMITTED TO
<p>Project Document and Project Budget: It must be prepared according to the standardized format outlined in the MPG and include performance indicators that support ILAB’s Performance Goal to <i>advance workers’ rights and livelihoods, particularly for the vulnerable workers.</i></p>	<p>1st draft – Due within 30 days after the completion of a joint project design mission between USDOL and grantee or 90 days after award (if no project design mission is conducted)</p> <p>Final draft – Due within 30 days after receipt of USDOL comments on the draft</p>	<p>Grant Officer’s Representative (GOR)</p>
<p>Revised Work Plan: If necessary, a revision to the Work Plan originally submitted as part of the application. A revision may result from adjustments made to the project design originally submitted as part of the application. The Work Plan identifies major project activities, deadlines for their completion, and person(s) responsible for completing these activities.</p>	<p>Due within 30 days of Project Document approval by USDOL</p>	<p>GOR</p>
<p>PMP: Establishes the data needed to measure achievement of project performance indicators and the methods for and frequency of collection, reporting and analysis. It must be prepared according to a mutually-agreed upon format (See MPG for example of PMP).</p>	<p>Due within 60 days of Project Document approval by USDOL</p>	<p>GOR</p>

¹ The complete listing of post-award deliverables and deadlines is contained in the applicable MPG.

² All deadlines specified herein refer to calendar days. If a particular calendar day falls on a weekend or holiday, the deadline will refer to the following business day.

DELIVERABLE	DEADLINE ²	SUBMITTED TO
<p>Data collection system: Established to systematically collect and report on the data necessary to measure achievement against the performance indicators and analyze results.</p>	<p>Due within 60 days of PMP approval by USDOL</p>	<p>GOR</p>
<p>Baseline and Endline Data: After project indicators are finalized and PMP and data collection systems are established, the Grantee must work with USDOL and/or its contractors to collect baseline data (either directly or indirectly). Data collection will focus on indicators that are linked directly and clearly to the ILAB logic model, are objective, measurable and are necessary and sufficient to assess project impact.</p>	<p>Baseline data - Due within 60 days of PMP approval by USDOL</p> <p>Endline data - Due 60 days prior to the final evaluation fieldwork</p>	<p>GOR</p>
<p>Sustainability and Exit Strategy: All Grantees must work in consultation with the GOR and local partners to produce a sustainability plan that explains how (and in what forms) sustainability will be achieved by the end of the project according to the project's specific objectives.</p>	<p>Within 12 months of award</p>	<p>GOR</p>
<p>Subgrants and Subcontracts Matrix: Subcontracts awarded after the cooperative agreement is signed, and not proposed in the application, must be awarded through a formal competitive bidding process in accordance with 29 Code of Federal Regulations (CFR) 95.40-48). Subgrants not named in the application must be competed.</p>	<p>Within 120 days after the Cooperative Agreement is signed, and submissions submitted in accordance instructions in the MPG.</p>	<p>GOR Grant Officer (GO)</p>
<p>Government Property Inventory Disposition Request: Inventory list of all real property, equipment, and supplies if aggregate value exceeds USD 5,000.</p>	<p>Physical inventory: Submit 12 months after the Cooperative Agreement is signed and any revision at least once every two years</p> <p>Final Disposition: Submit final inventory list within 120 days prior to the end of the Cooperative Agreement period</p>	<p>GOR GO</p>

DELIVERABLE	DEADLINE ²	SUBMITTED TO
Closeout Documents Checklist: Final Technical Progress Report, Final Quarterly Federal Financial Report (FFR)/Standard Form (SF)-425, Closeout Financial Form, Recipient's Release Form, Government Property Closeout Inventory Certification.	Within 90 days after the end of the Cooperative Agreement period	GOR GO
Other Deliverables agreed upon between ILAB and Grantee in the GOR-approved Project Document (<i>e.g.</i> , training materials, informational-educational-communication materials).	Delivery dates TBD in Project Document	GOR

F. Required Staffing

Key personnel positions are deemed essential to the successful operation of the project and completion of all proposed activities and deliverables. USDOL shall retain the authority to approve all key personnel changes throughout the life of the cooperative agreement. ILAB strongly prefers that key personnel allocate 100% of their time to the project and live in the country where the project is being implemented. Key personnel must be employed by the Grantee (not subgrantees/subcontractors).

Applicants are required to ensure that all proposed key personnel will be available to staff the project should the Applicant be selected for award (See Section IV.B.1.d.4) for additional details). Key personnel positions must not be combined. Within 45 days of award, key personnel must begin to work on the project.

Applicants must propose candidates with qualifications to successfully implement the proposed strategy. Applicants must address candidates' level of competence, past experience relevant to this announcement and qualifications to perform the requirements outlined in the Funding Opportunity Description and the Project Intervention proposed by the Applicant.

Proposed key personnel candidates must sign letters indicating their commitment to serve on the project for a stated term of the service and their availability to commence work within 45 days of cooperative agreement award. USDOL encourages Applicants to hire national/local staff for key personnel positions.

The Grantee must assume full responsibility for ensuring that all key personnel have a clear and thorough understanding of USDOL policies, procedures, and requirements, and that all documents submitted to USDOL are in highly-proficient English. The application will be considered non-responsive and rejected if any key personnel candidates are not designated.

USDOL has designated the following position(s) as key personnel. Requirements and job duties for each individual position follow.

Project Director:

- Minimum of seven years of experience in project management, supervision, administration, and implementation of grant/cooperative agreement requirements (including meeting deadlines, achieving targets, and overseeing the preparation and submission of required reports to the project donor).
- Experience, in a leadership role, in implementing labor and/or development projects relevant to this announcement.
- Fluency in Spanish and English.
- Establishes and maintains systems for project operations.
- Maintains working relationships with all project stakeholders.

II. Award Information

Award information is provided on the cover page (page 1) of the FOA.

III. Eligibility Information

A. Eligible Applicants

Any commercial, international, educational, or non-profit organization, including any faith-based, community-based, or public international organization, capable of successfully fulfilling the objectives identified in the Funding Opportunity Description is eligible to apply. Organizations applying for this award must demonstrate a proven ability to manage complex projects in developing countries. This FOA is for the award of a new cooperative agreement with the specific project objectives and outcomes outlined in this FOA. As such, applicants may not submit applications to renew or supplement an already-existing USDOL-funded project.

Public International Organizations (PIOs) are eligible to apply. However, USDOL requires that PIOs and all other entities that elect to apply for this cooperative agreement opportunity adhere to the specific requirements outlined in this FOA concerning monitoring and evaluation, audits and counter-terrorism. In negotiating an award with a PIO, USDOL will discuss the inclusion of appropriate language acknowledging the rights and privileges as currently established and afforded to PIOs by the U.S. Government in accordance with U.S. law.

Applicants and any proposed subgrantees and/or subcontractors must comply with all audit requirements under the Single Audit Act, as applicable. Applicants must also demonstrate in-country presence and ability to begin implementation of the project in Mexico upon award. Applicants may demonstrate this either independently or through a relationship with another organization with country presence that will be directly involved in project implementation— so that program activities can be initiated upon award of the cooperative agreement (see Section IV. Application and Submission Information).

The following Applicants (including subgrantees/subcontractors) **will not** be considered:

- Foreign governments and entities that are agencies of, or operated by or for, a foreign state or government.

- Organizations designated by the U.S. Government to be associated with terrorism or that have been debarred or suspended.
- Applicants charging a fee (profit) associated with a project funded by USDOL under this award.

B. Voluntarily Committed Cost Sharing or Matching

Cost sharing or matching funds (including in-kind contributions) are not required as a condition to apply and are not weighted in the scoring of the proposal. However, USDOL welcomes applications that include cost share or matching funds. Applicants that propose cost sharing or matching funds must indicate the nature; source(s) of funds and/or in-kind contributions; the amount in U.S. dollars; and the proposed project activities to be performed with these resources. Applicants must also explain how these activities will complement or enhance project objectives. Grantees that have proposed cost sharing or matching funds will be required to report on those funds in the FFR or SF-425 and are accountable to deliver the full amount of cost sharing or match which is ultimately reflected in the Notice of Award.

Cost sharing, including from subgrantees and/or subcontractors, must be used to support the work of the project or defray its costs. Applicants may not award a subgrant or subcontract contingent upon the provision of matching funds from those entities.

C. Other

Applicants will be screened out and will not be eligible for consideration under this FOA for any of the following reasons:

1. Failure to meet the application submission date and time through [Grants.gov](https://www.grants.gov) or hard copy via the U.S. Postal Service or other delivery service, such as Federal Express, DHL, or UPS;
2. Failure to register with and maintain an active account in the System for Award Management (SAM) (<http://www.sam.gov>);
3. Failure to submit both a complete Technical Proposal and a complete Cost Proposal as specified in Section IV;
4. Failure to include all of the required documents and appendices in the Technical Proposal and Cost Proposal;
5. Submission of an application with an accompanying budget that exceeds the ceiling amount as specified on the cover page (page 1) of the FOA;
6. Failure to designate key personnel candidates, or the failure to include résumés and signed letters of commitment for key personnel candidates;
7. Failure to include an English language copy of the opinion letter(s) and a summary of audit findings for the Applicants and subgrantee/subcontractors providing services related to project intervention strategies (see Section I.D.) For U.S.-based non-profit organizations that are subject to the Single Audit Act, failure to submit their most recent single audit or to demonstrate compliance with single audit submission timeframes established in OMB Circular A-133. For non-U.S.-based and for-profit entities, failure to submit opinion letters of the most current independent financial audit and a summary of audit findings in English.

IV. Application and Submission Information

A. Address to Request Application Package

All information needed to apply for cooperative agreement funding is included in this announcement. The FOA package and any amendments can be downloaded and viewed from Grants.gov by referencing the Funding Opportunity Number.

B. Content and Form of Application Submission

Applications must consist of two separate parts: a Technical Proposal and Cost Proposal. Unless specified as “optional” or “as applicable,” all documents identified in this section must be included in the application package for it to be considered complete and responsive.

Applicants’ Technical and Cost Proposals must address the project objectives and requirements outlined in the FOA. Applications must be organized as outlined below. All pages of the application must be numbered. All required documents (including appendices) must be submitted in English. Any additional documentation submitted that is not required or specifically requested under this announcement will not be considered. Technical Proposals must be no more than 30 pages single-sided, double-spaced pages (8-1/2” x 11” with 1” margins). Font size must be no less than 12-point Times New Roman. The Abstract, Table of Contents and required appendices to the Technical Proposal do not count toward the page limit.

1. Technical Proposal (30 pages limit)

a. Abstract (Executive Summary)

The Abstract must include: project title; name of the Applicant; any proposed subgrantees or subcontractors; summary of the proposed project design and key project activities; funding amount requested from USDOL; and total dollar value of cost share (if applicable). If using Grants.gov for submission, this document must be attached under the Mandatory Other Attachment section and labeled “Abstract.”

b. Table of Contents

The Table of Contents must list all required documents and include their corresponding page numbers.

c. Project Design Narrative

The Project Design Narrative must describe in detail the Applicant’s response to the Funding Opportunity Description. At a minimum, the Project Design Narrative must contain the following sections:

1) Background and Problem Statement

Applicants are expected to describe relevant cultural, economic, social, labor and legal factors contributing to the problem to be addressed by the project. Applicants should identify significant gaps in laws, policies, programs and coordination efforts that contribute to the identified problem and that need to be filled by the project.

2) Objectives and Expected Outcomes

The Applicant's Objectives and Expected Outcomes section should clearly identify specific objectives that address the challenges identified in the Background and Problem Statement section and are ambitious but realistic given the implementing environment, scope of the problems to be addressed, and proposed budget. The Applicant should also identify expected outcomes resulting from achievement of the identified objectives that are specific and related directly to the objectives.

3) Targets

Applicants must describe the target populations that are to be direct or indirect beneficiaries of the project (see Appendix B for definitions of direct and indirect beneficiaries). Applicants must provide initial criteria for selection of potential project beneficiaries, if applicable. Applicants must also provide a justification for their selection of a target geographical area(s), as applicable. Applicants must describe how target populations and/or geographic areas reflect the problem to be addressed and the overall strategy being proposed by the Applicant.

4) Partners

Applicants must include a brief description of all project partners, as applicable, including a description of the project partners' role in implementing the proposed project strategy. Applicants must describe how the partners being proposed for project implementation strengthen the overall proposal.

5) Project Interventions

Applicants should outline a project strategy that fully responds to the project's purpose, *i.e.*, achieve the objectives and expected outcomes and requirements discussed in Section I. Applicants should describe and justify all major areas of project intervention, identify and prioritize the specific outputs they will produce and explain how the selected outputs will collectively achieve the relevant objectives, and identify the major activities that will be implemented in order to produce those outputs. In describing project interventions, Applicants are expected to describe the purpose of the interventions proposed and justify how implementing the proposed interventions will fill identified gaps and lead to achievement of the project's purpose.

The project strategy should illustrate a clear, causally sound, theory of change presented in explicit "if...then" hypotheses between proposed project interventions and desired results. The Applicant's description of the project strategy should:

- Explain/depict the causal relationships and flow of inputs to activities, activities to outputs, outputs to outcomes (short term, intermediate, and long term), and the overall objective;
- Include footnote references to applicable research that establishes either strong or moderate evidence of a causal relationship or correlation between the intervention and its expected outcome;
- Identify critical assumptions supporting the causal relationships that are outside the project's control, that must hold for the project's strategy to succeed, and have a high likelihood of holding; and
- Recognize possible external factors and their potential influence on the project and expected results.

Proposed strategy, outputs, and activities should be ambitious but realistic given the implementing environment, scope of the problems to be addressed, and proposed budget. Under each objective, the Applicant should propose a complete set of outputs that are necessary and sufficient to achieve the expected objective. Under each output, the Applicant should propose a set of major activities that are necessary and sufficient to produce the proposed output.

Applicants should demonstrate knowledge of political, gender, cultural, or other traditions and norms pertaining to and impacting the interventions proposed in the target sectors, including how these issues will be considered while implementing project activities. Applicants must consider long-term sustainability of all efforts in the design of the proposal.

The logical cause and effect relationships of the proposed strategy must not only be presented clearly in the Project Design Narrative but also in graphic form using the Logic Model template provided in the ILAB/OTLA MPG.

6) Work Plan

The Work Plan must identify major project activities, deadlines for completing these activities, and person(s) or institution(s) responsible for completing these activities for the entire life of the project. The work plan must be included as an appendix and correspond to activities identified in the logic model and the project design narrative. Applicants may choose an appropriate format for their work plan (sample provided in the MPG).

7) Proposed Performance Indicators and Monitoring and Evaluation (M&E) Capacity Statement

Applicants must include proposed performance indicators as part of their proposal. USDOL will review the proposed performance indicators to assess the extent to which the indicators are necessary and sufficient to measure progress toward the project objectives. USDOL will work with the Grantee to refine those indicators, finalize them, and set targets after the award is made during the development and finalization of a PMP.

The PMP is a tool to integrate and guide the project's monitoring, evaluating, and reporting on the project's progress toward achieving intended results and outcomes. It is also intended to serve as a management tool to facilitate managing for results. The PMP serves to ensure data comparability over time and across project sites by clearly defining indicators and specifying means of data collection; to assist in managing the data collection process by identifying timeframes and responsible parties for data collection and analysis; and to inform data analysis by providing detailed information on the characteristics of collected data. PMP finalization includes reviewing proposed indicators and eliminating those that are not necessary and sufficient to measure progress toward the project objectives, as well as determining precise indicator definitions, data collection methodologies, responsibilities and costs. Target setting is also a critical part of the PMP finalization process and targets will be listed by time period in the PMP's Data Tracking Table. See ILAB/OTLA MPG for templates and examples of PMP and Data Tracking Tables. Applicants must confirm in their proposal their commitment to collaborate with USDOL in developing the project's PMP.

Applicants must also describe their commitment to M&E and their capacity and approach to deliver the M&E requirements described in this FOA. These requirements include baseline and follow-up surveys, the PMP, development and implementation of a data collection system to systematically collect and report on the data necessary to measure achievement against the performance indicators and to analyze results, collaboration on externally conducted midterm and final evaluations, impact evaluations (if required), and performance reporting. Applicants may use their own staff, a partner organization, or a sub-contractor to carry out these activities (or components of these activities). Applicants must describe in the capacity statement how they will carry out these activities and ensure high quality data and deliverables. Applicants also should briefly address how they will safeguard all project data, particularly any personal data on beneficiaries.

The Applicant's M&E section must include a description of how the work plan will be monitored and reported upon, how deviations from the work plan will be addressed, and, if applicable, special considerations for the externally-managed implementation evaluations to occur at the project's mid-point and end-point.

d. Organizational Capacity

This section must describe the qualifications of the proposed Applicant and/or any proposed subgrantees and/or subcontractors to implement the project.

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

Applicants must describe any experience they and/or their subgrantees or subcontractors have with implementing projects relevant to the stated objective(s) of this FOA (see Section I) and provide references for past performance (no more than a total of six (6) references/projects, see Appendix C for a sample format). Applicants should prioritize submission of references related to the objectives of the project. References should be included for all the Applicants and subgrantees and/or subcontractors providing services related to project intervention strategies (see Section

I.D.). Projects included in the table must have been active within seven years of the issuance date of the FOA.

2) Country Presence and Host Government Support

Applicants must describe their organization's (and/or subgrantee or subcontractor) existing presence and ability to start up project activities in the target area(s) upon signing a cooperative agreement. Applicants should also discuss their ability to work directly with relevant government agencies and non-governmental organizations, including local organizations and community based organizations, and their past experience working with these stakeholders. Applicants must submit supporting documentation, which demonstrates country presence and outreach to the host government (including the Ministry of Labor and any ministries from which the host government requires approval to implement technical cooperation efforts related to this announcement).

Any documents that demonstrate country presence and corroborate host government support may be included as an appendix to the Technical Proposal. This appendix will not count towards the page limit. Documentation may include official registration of the Applicant's organization in the host country, a current Memorandum of Understanding between the Applicant and the host government, and letters of support for the proposed project from the national and/or local governments.

3) Project Management Plan

Applicants must discuss their project management plan, including a narrative description of the structure of the project's management team, key personnel roles and responsibilities and the lines of authority between key personnel and other project staff responsible for providing direct services related to project intervention strategies. If any of the project's personnel would be employed by a subgrantee/subcontractor, the Applicant must provide a rationale for this arrangement and an explanation of the staffing structure.

Applicants must also include (as an appendix) a project management organization chart that provides 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. Applicants may choose an appropriate format for their project management organization chart.

4) Personnel

Applicants must include (as an appendix) signed letters of commitment from all proposed key personnel (as identified in this FOA) indicating their commitment to serve on the project. Applicants must include as an appendix a one-page personnel description outlining roles and responsibilities for each key personnel and professional personnel position specified in their proposal. Applicants must also submit as an appendix a résumé for all positions designated as key personnel in this FOA and any other professional personnel being proposed by the Applicant in the FOA. Each résumé must include:

- Educational background, including highest education level attained;
- Work experience covering at least the last five years of employment to the present, including such information as the employer name, position title, clearly defined duties, and dates of employment;
- Special experience, capabilities, or qualifications related to the candidate's ability to implement the proposed strategy and perform effectively in the proposed position; and
- English and other relevant language skills (speaking, listening, reading, writing).

5) Audit Reports

Applicants must include (as an appendix) a copy of the opinion letter(s) and a summary of audit findings for the Applicant and all subgrantees/subcontractors providing services related to project intervention strategies. The Applicant must include a cover sheet for its audit attachments. The following audit attachments are required, depending on the organization's status:

- Applicants from U.S.-based non-profit organizations and all proposed U.S.-based, non-profit, subgrantees and/or subcontractors that are subject to the Single Audit Act must include the summary of audit findings and opinion letter of the most recent single audit and demonstrate compliance with single audit submission timeframes established in OMB Circular A-133. Organizations with audit findings that include qualified or adverse opinions must also include a summary of corrective actions undertaken to address the findings.
- Non-U.S. based and for-profit Applicants must submit an English version of opinion letters and a summary of audit findings from their most current independent financial audit report.
- For all proposed subgrantees and/or subcontractors that are for-profit or non-U.S.-based organizations, Applicants must submit English versions of the summary of their audit findings and opinion letters for their most current independent financial audit.
- Upon request, Applicants/Grantees will be required to submit full audit reports and/or official translations of audit reports.

2. Cost Proposal

Applicants must prepare a cost proposal as Part II of the application. Applicants must provide a narrative description and supporting documentation that demonstrate their organization has a sound financial system in place to effectively manage the funds requested under this announcement.

The cost proposal must reflect consistency between the proposed costs and the work to be performed as outlined in the project design narrative of the Applicant's technical proposal. The cost proposal must contain the following: (1) an SF-424 Supplemental Key Contacts Information; (2) an SF-424 Application for Federal Assistance; (3) an SF-424A Budget Information; (4) a detailed outputs-based budget and an accompanying budget narrative; (5) an indirect cost rate agreement; and (6) cost sharing information, if applicable.

a. Dun & Bradstreet (DUNS) Number and SAM Registration

Applicants must include their unexpired DUNS number in the organizational unit section of Block 8 of the SF-424. Applicants proposing subgrantees and/or subcontractors must submit each organization's DUNS number as an attachment to the Cost Proposal.

Organizations that do not have a DUNS number can receive a DUNS number at no cost by using the web-based form available at <http://fedgov.dnb.com/webform>.

In addition to having a current DUNS number, Applicants must be registered with the SAM Web site prior to submitting an application to this announcement. Instructions for registering with SAM can be found at <https://www.sam.gov>. An awardee must maintain an active SAM registration with current information at all times during which it has an active Federal award or an application under consideration. To remain registered in the SAM database after the initial registration, the Applicant is required to review and update the registration at least every 12 months from the date of initial registration or subsequently update its information in the SAM database to ensure it is current, accurate and complete.

b. Required Standard Forms

1) SF-424 Supplemental Key Contacts Information

This form must include name, position title, address, telephone and fax numbers, e-mail address, and other relevant information for the Applicant's designated key contact person.

2) SF-424 Application for Federal Assistance

This form must reflect the entire amount of funds being requested under this announcement and, if applicable, the amount of any cost sharing proposed by the Applicant must be shown in Section 18.b.

3) SF-424A Budget Information (Non Construction Programs)

This form must include all costs for proposed activities. If applicable, line 6 must include minor alterations and renovations that are: 1) over USD 5,000; and/or 2) for the construction of a permanent structure (latrines, wells, etc.)

c. Outputs-Based Budget

The Cost Proposal must include a summary outputs-based budget, along with specific outputs-based budgets for the Applicant and each proposed subgrantee/subcontractor. The outputs-based budget must correspond to the SF-424 and SF-424A. The outputs-based budget (including USDOL funds and any cost sharing funds reported on the SF-424 and SF-424A) must comply with Federal cost principles. Allowable costs include those specifically defined in OMB Circular A-122. The budget will become part of the cooperative agreement in the event of award and any costs omitted by the Applicant may not be allowed after award. Applicants may not rely on other contracts, grants, or awards to implement the Applicant's proposed strategy. The budget submitted with the application must include all necessary funds to implement the proposed project strategy. USDOL will not provide any additional funding to cover unanticipated costs.

The detailed outputs-based budget must present costs in a manner that is linked to activities, objectives, and outputs reflected in the project design narrative, work plan, and logic model and demonstrate cost-effective allocation of project funds. In addition, it must provide a breakdown of total administrative costs into direct and indirect administrative costs and allocate the largest proportion of project resources to direct intervention rather than to direct and indirect administrative costs.³

Applicants must use the following guidance in preparing their outputs-based budget:

1) Travel

Applicants must allocate sufficient funds to finance appropriate in-country and international travel. At a minimum, Applicants must allocate funds for:

- Travel by the Project Director and/or another key personnel staff member to Washington, D.C. to attend a post-award meeting (New Grantee Orientation); and
- Travel by the Project Director and/or other key personnel based in the field to meet annually with USDOL officials in Washington, D.C. or another site determined by USDOL.

2) Project M&E

All USDOL funded projects must allocate funds to cover the costs associated with project M&E activities. Projects must set aside at least five percent of the Federal project budget to cover the costs associated with project M&E activities. This five percent should be included as its own line item/ category within the outputs-based budget. On the SF-424A, this amount can be included in the category "6h-other." Allocations associated with M&E must include:

- The development and implementation of a data collection system to systematically collect and report on the data necessary to measure achievement against the performance indicators and analyze results.

³ The GO reserves the right to negotiate project and administrative cost levels before award.

- Regular collection and processing of monitoring data for project beneficiaries at the appropriate level or unit of analysis.
- The development of monitoring guidelines (in multiple languages, as appropriate) for all project partners responsible for providing services under the project to direct beneficiaries.
- The development and implementation of a system and process for validating monitoring information.
- Support to project M&E processes including project staff in-country travel, costs of hosting workshops (meeting rooms, etc.), training partners, and any other logistical/administrative costs (please see Section VI. Award Administration Information).
- Meeting reporting requirements as discussed in the FOA.
- At least USD 70,000 to support the external interim and final implementation evaluations. Resources permitting, USDOL will directly contract the external evaluators to design and implement the evaluations. However, the project will be responsible for certain support costs for each evaluation, such as translation of the evaluation report from English into the local language, providing ground transportation for the external evaluator, hosting an evaluation stakeholders meeting, and in-country transportation and accommodation costs for staff and other stakeholders' participation in the meeting.
- Collecting baseline data, follow-up surveys, and other needs assessments, as necessary, for the project.

Note:

Costs associated with M&E personnel should be included under the personnel line item and not be included in this budget section.

Costs associated with any required additional research or special studies, as may be required by the FOA or proposed by the project, should not be included in this M&E budget, and must be budgeted for separately.

This budget guidance establishes a minimum amount of funds that must be set aside for monitoring and evaluation activities; the Applicant may propose additional funds as needed, based on cost estimates for required activities. In particular, Applicants are encouraged to conduct a cost analysis for baseline and follow-up surveys and budget for these surveys appropriately.

3) Single Audits / Attestation Engagements

Include costs for single audits as direct or indirect costs, whichever is appropriate, in accordance with the cost allocation procedures approved by the U.S. Federal Cognizant Agency (FCA). Attestation engagements are conducted at USDOL's expense to supplement the coverage provided by the single audits. There should be no costs included in the budget for attestation engagements.

4) Allowance for Unforeseen Costs

Applicants must include five percent of the project's total direct costs to address unforeseen circumstances beyond the Grantee's control that affect specific budget lines related to:

- Inflation affecting specific project costs;
- United Nations System or foreign government-mandated salary scale or benefits revisions; and
- Exchange rate fluctuations.

USDOL also recognizes that certain unforeseen circumstances may arise and result in a need for exceptions to these uses of Allowance for Unforeseen Costs funds and a need for budget modifications or time extensions. These include (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. Use of these funds must be approved by the GO. The MPG gives guidelines for requesting approval of a budget modification to re-allocate funds under the Allowance for Unforeseen Costs budget line, as well as guidance on the timeline by which such re-allocations should be completed.

5) Value Added Tax (VAT)

Applicants must include costs related to VAT. If VAT costs are applied by the host government but are omitted in an Applicant's budget, the Grantee will be responsible for paying them. USDOL-funding cannot be used for VAT costs that were not included in the initial budget proposal.

6) Housing

If included in the budget, provide in the budget narrative a justification for any proposed housing costs, housing allowances, and/or personal living expenses. In accordance with federal cost principles, personnel housing and personal living expenses may not be counted as fringe benefits or indirect costs in the project budget. USDOL funds may only be used to pay for housing costs, housing allowances, and personal living expenses (*e.g.*, dependents' allowance) of project staff if they (1) are separately accounted for as direct costs of the project necessary for the performance of the project and (2) receive prior approval from USDOL. Applicants must provide a brief explanation as to why such costs are considered necessary for the performance of the project, consistent with the

organization's established policies, and reasonable for the country where the staff person will reside.

d. 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.

e. Indirect Cost Information

According to Federal regulations, indirect costs are those that have been incurred for common or joint objectives and cannot be readily identified with a particular final cost objective. Indirect cost charges must be based on allowable, allocable, and reasonable costs based on the applicable cost principles.⁴ Indirect cost support for allocated charges to the grant and the closeout process is validated using a federally approved Negotiated Indirect Cost Rate Agreement (NICRA). The NICRA is issued by the FCA based on annual indirect cost proposal submissions from grantees. Typically, the agency providing the preponderance of direct Federal funds to the organization is the FCA.

1) Indirect Cost Form for the Applicant

The cost proposal must contain information on the Applicant's indirect costs, using the Indirect Cost Form provided on Grants.gov and on the USDOL/ILAB's Web site at <http://www.dol.gov/ilab/grants/SGAguidelines.htm>.

2) Indirect Cost Supporting Documentation

For organizations with a current rate approved by the FCA: provide a copy of the NICRA in the proposal.

For organizations with no budgeted/claimed indirect costs: provide a Certificate of Direct Costs. See the Indirect Cost Form for details and a sample certificate.

3) Indirect Cost Proposal Submission Requirements

For organizations with an expired rate or a rate not previously approved by the FCA: For evaluation purposes, Applicants without an approved NICRA must submit an indirect cost rate or ceiling amount that they propose be incorporated into the resultant cooperative agreement award. An indirect cost proposal must be submitted to the FCA within 90 days of grant award to establish a provisional NICRA. This provisional rate may be effective for a period up to two years until a final NICRA is established.

⁴ OMB Circular A-122 for non-profit organizations or OMB Circular A-87 for State and local organizations; and OMB Circular A-21 for Educational Institutions. These cost principles are available at <http://www.whitehouse.gov/omb/circulars/index.html>. Federal Acquisition Regulations, 48 CFR Part 31, for for-profit organizations are available at: <http://www.arnet.gov/far/>.

For organizations with a current rate: Indirect cost proposals must be submitted on an annual basis to the FCA to obtain federally approved NICRAs for the life of the grant, unless the FCA instructs otherwise. These proposals are based on incurred costs and are due six months after the end of each fiscal year.

4) Indirect Cost Ceilings

The indirect rate proposed in response to this FOA for those organizations without a current or approved rate will be reflected as the estimated amount of indirect costs shown in the approved budget in the Notice of Award. However, only 10% of salaries and wages from the Personnel line will be available for expenditure to support indirect costs in the absence of a NICRA approved by the cognizant agency. The remaining funds which have been awarded for Indirect Costs will be restricted and may not be used for any purpose until the awardee provides a signed copy of the NICRA to the Grant Officer. DOL will then issue a modification to the award to remove the restriction on the additional allowable indirect costs.

3. Survey on Ensuring Equal Opportunity for Applicants (Optional)

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/SGAguidelines.htm>.

C. Submission Dates and Times

All applications must be received by the closing date and time on the cover page of this announcement. Late applications will be considered non-responsive and will not be reviewed.

D. Intergovernmental Review

This funding opportunity is not subject to Executive Order 12372, "Intergovernmental Review of Federal Programs."

E. Funding Restrictions

All Applicants must adhere to requirements concerning restrictions, unallowable activities, and specific prohibitions, as identified in OMB Circular A-122, OMB Circular A-21, 29 CFR Part 95, 29 CFR Part 98, (if the application is funded after December 26, 2014, the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" applies) and USDOL/ILAB policies outlined in the MPG, for all USDOL-funded technical cooperation projects. Applicants should take particular note of and should adhere to the funding restrictions/administrative requirements in the USDOL/ILAB MPG (available on Grants.gov as a document accompanying this FOA).

F. Other Submission Requirements

Applications may be submitted electronically via [Grants.gov](http://www.grants.gov) or in hard copy. Applications submitted by other means, including e-mail, telegram, or facsimile (FAX) will be not be accepted.

1. Electronic Submission

Applicants electing to submit electronically must submit one electronic copy of the complete application via [Grants.gov](http://www.grants.gov). Applicants submitting via [Grants.gov](http://www.grants.gov) are responsible for ensuring that their application is received by [Grants.gov](http://www.grants.gov) by the deadline.

Applicants submitting their application electronically through [Grants.gov](http://www.grants.gov) should note the following submission instructions: (1) an individual with authority to legally bind the Applicant must be responsible for submitting the application on [Grants.gov](http://www.grants.gov), (2) applications submitted through [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, and (3) when submitting on [Grants.gov](http://www.grants.gov), Applicants must save all attachments as a .doc, .pdf, .txt, or .xls file. If submitted in any other format, the application bears the risk that compatibility or other issues will prevent USDOL from considering the application. USDOL will attempt to open the document, but will not take any “corrective” measures in the event of issues with opening the document. In such cases, the non-conforming application will not be considered for funding.

To avoid unexpected delays that could result in the rejection of an application, Applicants should immediately initiate and complete the registration steps at http://www.grants.gov/Applicants/get_registered.jsp as registration can take multiple days to complete. Applicants should consult the [Grants.gov](http://www.grants.gov) Web site’s Frequently Asked Questions and Applicant User Guide, available at http://www.grants.gov/help/general_faqs.jsp, and <http://www.grants.gov/assets/ApplicantUserGuide.pdf>. Within two business days of application submission, [Grants.gov](http://www.grants.gov) will send the Applicant two email messages to provide the status of application progress through the system. The first, almost immediate, email will confirm receipt of the application by [Grants.gov](http://www.grants.gov). The second email will indicate the application has been successfully submitted and successfully validated or has been rejected due to errors. Only applications that have been successfully submitted and successfully validated will be considered. It is the sole responsibility of the Applicant to ensure a timely submission, therefore sufficient time should be allotted for submission (two business days) and, as necessary, additional time should be allotted to address errors and receive validation upon resubmission (an additional two business days for each ensuing submission). It is important to note that if sufficient time is not allotted and a rejection notice is received after the due date and time, the application will not be considered.

Applicants can contact the [Grants.gov](http://www.grants.gov) Contact Center at 1-800-518-4726 or support@grants.gov to obtain assistance with any problems related to using [Grants.gov](http://www.grants.gov), including difficulties downloading the application package; software compatibility questions; and questions on how to assemble electronic application packages. USDOL bears no responsibility for data errors resulting from transmission or conversion processes.

2. Hardcopy Submissions

Applicants electing to submit hard copies must submit one (1) signed original, complete application, *plus* one (1) copy of the application, along with a CD that includes the Technical and

Cost Proposals saved as .doc, .pdf, .txt, or .xls files. Hard copy applications must be delivered to the address on the cover page of this announcement. Applicants are advised to submit their applications in advance of the deadline. Applications may be hand delivered or submitted via the U.S. Postal Service or non-U.S. Postal Service delivery services, such as Federal Express, DHL, or UPS. Regardless of the type of delivery service selected, Applicants bear the responsibility for timely submission. The application package must be received at the designated place by the date and time specified or it will be considered non-responsive and will be rejected. Note: Please be advised that U.S. mail delivery in the Washington D.C. area can be slow and erratic due to security concerns. Applicants must consider this when preparing to meet the application deadline.

Any application received after the deadline will not be considered unless it is received before the award is made and:

1. It is determined by the Government that the late receipt was due solely to mishandling by the Government after receipt at USDOL at the address indicated; and/or
2. It was sent by registered or certified mail not later than the fifth calendar day before the deadline; or
3. It was sent by U.S. Postal Service Express Mail Next Day Service-Post Office to Addressee, no later than 5:00 p.m. at the place of mailing two (2) working days, excluding weekends and Federal holidays, before the deadline.
4. It was sent by non-U.S. Postal Service Next Day Service-carrier facility to Addressee, no later than 5:00 p.m. at the place of mailing two (2) working days, excluding weekends and Federal holidays, before the deadline.

The only acceptable evidence to establish the date of mailing sent by registered or certified mail is the U.S. Postal Service postmark on the envelope or wrapper and on the original receipt from the U.S. Postal Service. The only acceptable evidence to establish the date of mailing sent by U.S. Postal Service Express Mail Next Day Service-Post Office to Addressee is the date entered by the Post Office clerk on the "Express Mail Next Day Service-Post Office to Addressee" label and the postmark on the envelope or wrapper on the original receipt from the U.S. Postal Service. For Applications submitted through other delivery services such as Federal Express, DHL, or UPS, the only acceptable evidence to establish the date of the mailing is the tracking number, which contains detailed information about the mailing.

If the postmark is not legible, an application received after the above closing time and date will be treated as if mailed late. "Postmark" means a printed, stamped, or otherwise placed impression (not a postage meter machine impression) that is readily identifiable without further action as having been applied and affixed by an employee of the U.S. Postal Service on the date of mailing. Therefore, Applicants should request that the postal clerk place a legible hand cancellation "bull's-eye" postmark on both the receipt and the envelope or wrapper.

V. Application Review Information

A. Criteria

Procedures for assessing the technical merit of applications have been instituted to provide for an objective review of applications and to assist the Applicant in understanding the standards against which each application will be judged. The evaluation criteria are based on the information required in the application as described in Section IV.

CRITERIA	REFERENCE	POINTS
Objectives, Expected Outcomes, and Project Interventions	IV.B.1.c.2 and 5	20
Targets	IV.B.1.c.3	5
Partners	IV.B.1.c.4	10
PMP and M&E Capacity Statement	IV.B.1.c.7	10
Logic Model	IV.B.1.c.5	15
Work Plan	IV.B.1.c.6	5
International and US Government Grant and/or Contract Experience	IV.B.1.d.1	10
Country Presence and Host Government Support	IV.B.1.d.2	5
Project Management Plan	IV.B.1.d.3	5
Personnel	IV.B.1.d.4	10
Budget (Outputs-Based Budget and Budget Narrative)	IV.B.2.c	5
Total =		100

B. Review and Selection Process

A merit review panel will evaluate each accepted application against the criteria described in this FOA. Reviewers will award points based on the extent to which the Applicant’s proposal provides a clear and strong response to requirements in the FOA related to each of the criteria above.

Applicants are advised that panel recommendations to the GO are advisory in nature. If deemed appropriate, the GO 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 GO will make final selection determinations based on panel findings and may consider other factors that represent the greatest advantage to the Federal Government, including cost, the availability of funds, and the Applicant’s past performance on Federal awards. USDOL reserves the right to: (1) solicit information from Federal sources and/or non-Federal sources about the Applicant’s past performance on any awards—including evaluations, audits, attestation engagements, and questionnaires; (2) assess the Applicant’s past performance on awards with respect to its potential effect on grant implementation; and (3) consider this information as part of its selection process. If USDOL does not receive technically acceptable applications in response to this announcement, it reserves the right to terminate the competition and not make any award. The GO’s determinations for awards under this announcement are final.

Before the actual cooperative agreement is awarded, USDOL may enter into discussions with one or more selected Applicants for any reason deemed necessary, including negotiating components of the project design/strategy; budget; project duration; staffing; funding levels; and financial and

administrative systems in place to support implementation of the cooperative agreement [including relevant issues raised in submitted audit report(s)]. If negotiations do not result in a mutually acceptable submission, the GO reserves the right to terminate the negotiation and decline to fund the application.

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

C. Anticipated Announcement and Award Dates

Information on the anticipated award date is provided on the cover page of the FOA. USDOL is not obligated to make any awards as result of this announcement.

VI. Award Administration Information

A. Award Notices

The GO will notify Applicants of designation results as follows:

1. Notice of Award

The notice of award signed by the GO serves as official notice of an Applicant's designation as Grantee. The notice of award will be accompanied by a cooperative agreement and the most current MPG, which is available on Grants.gov (as a document accompanying this FOA). The MPG provides general management procedures and guidance for recipients of ILAB's Grants and/or Cooperative Agreements in areas that may not be explicitly detailed in the announcement.

2. Notice to Unsuccessful Applicants

Applicants not selected for award will be provided notification. Unsuccessful Applicants that wish to be briefed by the GO must submit a written request within 10 business days after receipt of notification of non-selection. The GO is not required to provide briefings if written requests are not received within the specified timeframe.

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

B. Administrative and National Policy Requirements

1. General Requirements

Grantees under this FOA shall be subject to the terms outlined in this announcement, the cooperative agreement, and the MPG. They are also subject to applicable U.S. Federal laws (including appropriations laws) and regulations, Executive Orders, applicable OMB Circulars and USDOL policies. If, during project implementation, a Grantee is found in violation of any of the foregoing, remedies may include modification of the terms of the cooperative agreement

awarded under this announcement; disallowance and recovery of costs; termination of the cooperative agreement; and any other action permitted by law.

For the purposes of this announcement and cooperative agreement awards, Grantees will be the sole entity:

- to act as the primary point of contact with USDOL to receive and respond to all inquiries, communications and orders under the project;
- with the authority to withdraw or draw down funds through the Department of Health and Human Services-Payment Management System;
- responsible for submitting to USDOL all deliverables, including all technical and financial reports related to the project;
- that may request or agree to a revision or amendment of the cooperative agreement or the Project Document; and
- responsible for working with USDOL to close out the project. Each Grantee must comply with all applicable Federal regulations and is individually subject to audit.

2. Project Audits and External Auditing Arrangements

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 each single audit conducted within the timeframe of the USDOL-funded project to their assigned GOR at the time it is submitted to the Federal Audit Clearinghouse.

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 that Grantees are required to arrange, which are referenced in the preceding paragraph. All Grantees, including non-U.S.-based and private for-profit Grantees, are subject to attestation engagements during the life of the cooperative agreement. Attestation engagements will be 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 accuracy and reliability of the Grantee's financial and performance reports.

3. Administrative Standards and Provisions

Cooperative agreements awarded under this announcement are subject to all applicable Federal laws, regulations, and applicable OMB Circulars. Awards under this FOA will be subject to the following administrative standards and provisions:

- 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 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 – 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 – Government-wide Requirements for Drug-Free Workplace (Financial Assistance).
- 29 CFR Part 95 – 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 – Audit Requirements for Grants, Contracts and Other Agreements.
- 29 CFR Part 98 – Government-wide Debarment and Suspension (Non-procurement).
- 29 CFR Part 99 – Audits of States, Local Governments, and Non-Profit Organizations.
- OMB Circular A-21 – Cost Principles for Educational Institutions.
- OMB Circular A-110 – Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations.
- OMB Circular A-122 – Cost Principles for Non-Profit Organizations.
- OMB Circular A-133 – Audits of States, Local Governments, and Non-Profit Organizations.

On December 26, 2013, OMB published the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Final Rule, 78 Fed. Reg. 78590, which can be found at: <http://www.gpo.gov/fdsys/pkg/FR-2013-12-26/pdf/2013-30465.pdf>. These new rules will supersede the requirements of OMB Circulars A-21, A-87, A-110, A-122, A-89, A-102, and A-133, and the guidance on Circular A-50 on Single Audit Act follow-up. Federal agencies are required to promulgate a regulation applying the rules by December 26, 2014, at which point the rules will be applied to awards to non-Federal entities. Awards made prior to promulgation of the new regulations will be governed by the terms and conditions contained in that award.

For more information about the Final Rule and uniform guidance, please visit www.cfo.gov/COFAR. Crosswalks and side-by-sides with old guidance next to the new language are available at http://www.whitehouse.gov/omb/grants_docs.

4. Transparency

USDOL is committed to conducting a transparent grant award process and publicizing information about program outcomes. Posting grant applications on public Web sites is a means of promoting and sharing innovative ideas. For this grant competition, USDOL will publish all proposal Abstracts on the Department's public Web site or similar publicly accessible location. Additionally, USDOL will publish a redacted version of the Technical Proposal required by this announcement for all Awardees, on the Department's Web site or a similar location. Except for the sections listed above, none of the Attachments to the Technical Proposal described in Section IV will be published. The Technical Proposals and Abstracts will not be published until after the cooperative agreements are awarded. In addition, information about Cooperative Agreement progress and results may also be made publicly available.

USDOL recognizes that grant applications sometimes contain information that an Applicant may consider proprietary or business confidential information, or may contain personally identifiable information. Proprietary or business confidential information is information that is not usually disclosed outside an organization and the disclosure of which is likely to cause the Applicant substantial competitive harm. Personally identifiable information is any information that can be used to distinguish or trace an individual's identity, such as name, social security number, date and place of birth, mother's maiden name, or biometric records; and any other information that is linked or linkable to an individual, such as medical, educational, financial, and employment information.⁵

Abstracts will be published in the form originally submitted, without any redactions. Applicants should not include any proprietary or confidential business information or personally identifiable information in this summary. In the event that an Applicant submits proprietary or confidential business information or personally identifiable information, USDOL is not liable for the posting of this information contained in the Abstract. The submission of the grant application constitutes a waiver of the Applicant's objection to the posting of any proprietary or confidential business information contained in the Abstract. Additionally, the Applicant is responsible for obtaining all authorizations from relevant parties for publishing all personally identifiable information contained within the Abstract. In the event the Abstract contains proprietary or confidential business or personally identifiable information, the Applicant is presumed to have obtained all necessary authorizations to provide this information and may be liable for any improper release of this information.

By submission of this grant application, the Applicant agrees to indemnify and hold harmless the United States, USDOL, its officers, employees, and agents against any liability or for any loss or damages arising from this application. By such submission of this grant application, the Applicant further acknowledges having the authority to execute this release of liability.

In order to ensure that proprietary or confidential business information or personally identifiable information is properly protected from disclosure when USDOL posts the winning Technical Proposals, Applicants whose Technical Proposals will be posted will be requested by the Grant Office to submit a redacted version of their Technical Proposal, with any proprietary

⁵ Office of Management and Budget, *OMB Memorandum 07-16 and 06-19. GAO Report 08-536, Privacy: Alternatives Exist for Enhancing Protection of Personally Identifiable Information*, May 2008; available from <http://www.gao.gov/new.items/d08536.pdf>.

or confidential business information and personally identifiable information redacted. All non-public information about the Applicant's and subgrantee or subcontractor members' staff (if applicable) should be removed as well.

Submission of a redacted version of the Technical Proposal will constitute permission by the Applicant for USDOL to make the redacted version publicly available. USDOL will also assume that by submitting the redacted version of the Technical Proposal, the Applicant has obtained the agreement of all persons and entities whose proprietary, confidential business information, or personally identifiable information is contained in the Technical Proposal to publish any unredacted information which fits under either category. If an Applicant fails to provide a redacted version of the Technical Proposal by the deadline established by USDOL, USDOL will publish the original Technical Proposal in full, after redacting only personally identifiable information. (Note that the original, unredacted version of the Technical Proposal will remain part of the complete application package, including the Applicant's proprietary and confidential business information and any personally identifiable information).

Applicants are encouraged to maximize the grant application information that will be publicly disclosed, and to exercise restraint and redact only information that clearly is proprietary, confidential commercial/business information, or capable of identifying a person. The redaction of entire pages or sections of the Technical Proposal is not appropriate, and will not be allowed, unless the entire portion merits such protection. Should a dispute arise about whether redactions are appropriate, USDOL will follow the procedures outlined in the Department's Freedom of Information Act (FOIA) regulations (29 CFR Part 70).

Redacted information in grant applications will be protected by USDOL from public disclosure in accordance with federal law, including the Trade Secrets Act (18 U.S.C. § 1905), FOIA, and the Privacy Act (5 U.S.C. § 552a). If USDOL receives a FOIA request for an application, the procedures in USDOL's FOIA regulations for responding to requests for commercial/business information submitted to the government will be followed, as well as all FOIA exemptions and procedures. 29 CFR § 70.26. Consequently, it is possible that application of FOIA rules may result in release of information in response to a FOIA request that an Applicant redacted in its "redacted copy."

5. Transparency Act Requirements

Applicants must ensure that necessary processes and systems are in place to comply with the reporting requirements of the Federal Funding Accountability and Transparency Act of 2006 (Pub. Law 109-282, as amended by section 6202 of Pub. Law 110-252). Complete information on the reporting requirements of the Transparency Act, as described in 2 CFR Part 170, Appendix A, can be found at the following Web site: <http://edocket.access.gpo.gov/2010/pdf/2010-22705.pdf>.

C. Reporting

Grantees must submit copies of all required reports to USDOL by the specified due dates, unless otherwise indicated. More information on the reports and exact timeframes for their completion will be included in the cooperative agreement.

VII. Agency Contacts

Agency contact information is available on the cover page of the FOA.

VIII. Other Information

A. Privacy Act and FOIA

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

Appendices

Appendix A Acronyms

CFR	Code of Federal Regulations
COPARMEX	Confederacion Patronal de la Republica Mexicana
DUNS	Dun and Bradstreet Number
ETA	Employment Training Administration
FCA	U.S. Federal Cognizant Agency
FLL	Federal Labor Law
FFR	Federal Financial Report
FOA	Funding Opportunity Announcement
FOIA	Freedom of Information Act
GO	Grant Officer
GOR	Grant Officer's Representative
ILAB	Bureau of International Labor Affairs
M&E	Monitoring and Evaluation
MPG	Management Procedures and Guidelines
NICRA	Negotiated Indirect Cost Rate Agreement
OTLA	Office of Trade and Labor Affairs
OMB	Office of Management and Budget
PMP	Performance Monitoring Plan
PIO	Public International Organization
SAM	System for Award Management
SF	Standard Form
STPS	Secretaria de Trabajo y Previsión Social
TPR	Technical Progress Report
USDOL	U.S. Department of Labor
VAT	Value Added Tax

Appendix B Definitions

“Cooperative agreement” refers to an award instrument where substantial programmatic involvement is anticipated between the awarding agency (USDOL) and the recipient 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 under a contract, but more than what is required under a regular grant.

“Cost sharing” or “matching” means the portion of project costs not paid by Federal funds (unless otherwise authorized by Federal statute).

“Critical assumption” is a general condition under which the hypothesis or strategy for achieving the project’s objective will hold true.

“Direct beneficiaries” are individuals who receive direct services (interventions) provided by the project. *E.g.*, Direct beneficiaries may include labor inspectors who receive training provided by the project, and indirect beneficiaries may include workers whose workplaces are inspected by those labor inspectors but who did not receive services of training of any kind directly from the project.

“Direct services” are interventions that take the form of services, training, or other types of aid provided by the project.

“Employment discrimination” a form of discrimination based on race, sex, religion, national origin, physical disability, and age by employers.

“In-Kind contributions” means the value of non-cash contributions (i.e., property or services) that – (a) Benefit a Federally assisted project or program; and (b) Are contributed by non-Federal third parties, without charge, to a non-Federal entity under a Federal award.

“Indirect beneficiaries” are individuals who may ultimately derive a benefit from the direct services or interventions provided by the project but who do not receive those services or interventions directly. *E.g.*, Direct beneficiaries may include labor inspectors who receive training provided by the project, and indirect beneficiaries may include workers whose workplaces are inspected by those labor inspectors but who did not receive services of training of any kind directly from the project.

“Monitoring and evaluation” M&E consists of two basic components — performance monitoring and evaluation— each of which serve distinct purposes. Performance monitoring of changes in performance indicators reveals whether desired results are occurring and whether implementation is on track. In general, the results measured are the direct and near-term consequences of project activities. Evaluation is the systematic collection and analysis of information about the characteristics and outcomes of programs and projects as a basis for judgments, to improve effectiveness, and/or to inform decisions about current and future programming.

“Objective” describes the impact, the ultimate, “big picture” changes, that USDOL/ILAB hopes to achieve through the project.

“Outcome” is the change that the project seeks to achieve. They describe the situation that is expected to exist at the end of the project, and/or the changes in a project beneficiary’s performance expected as a result of the project.

“Output” refers to the tangible results produced by the Grantee or that come out of implementing a project activity.

“Partner” refers to an organization or entity that assists with implementing or coordinating activities under the cooperative agreement but is not in a subgrantee or subcontractor relationship with the grantee. A partner may also be a beneficiary.

“Public International Organization (PIO)” is an international organization composed mainly of countries. As defined by the International Organizations Immunities Act, 22 U.S.C. § 288, et. seq, PIOs are eligible to apply for award.

Appendix C
Sample Past Performance Table

Name of Applicant/ Subgrantee/ Subcontractor	Agency/ Donor/ Organization	Agency/ Donor/ Contact Information (Name, telephone, fax, e-mail)	Name of the Project and Instrument Number	Funding Amount (in USD)	Country of Implementation and Period of Performance	Brief Summary of Work Performed and Accomplishments

Appendix D
Documents Required for Application Submission

Required Documents	FOA Reference	Applicant	Subgrantee (providing services related to project intervention strategies)	Subcontractor (providing services related to project intervention strategies)
Technical Proposal	Section IV.B.1	√		
Cost Proposal	Section IV.B.2	√		
Past Performance Table	Section IV.B.1.d.1 Appendix C	√	√	√
Copy of the opinion letter(s) and a summary of audit findings	Section IV.B.1.d.5	√	√	√
Documentation of Host Country Presence and Host Government Support	Section IV.B.1.d.2	√		
Key Personnel Signed Letters of Commitment	Section IV.B.1.d.4	√	√	√
Outputs-Based Budget	Section IV.B.2.c	√	√	√
SAM Registration	Section IV.B.2.a	√		
SF-424	Section IV.B.2.b	√		
SF-424A	Section IV.B.2.b	√		
Indirect Cost Form	Grants.gov and ILAB Web site	√	√	√