



## Regional Analytical and Strategic Services in Southeast Asia

Request for Proposal (RFP)

No. RFP-PROS-JKT-19-0001

Issue Date: February 11, 2019

**WARNING:** Any Prospective Offeror who has received this document from a source other than the DAI Global, LLC-implemented ASEAN-USAID PROSPECT Project should immediately contact the Point of Contact in the Synopsis and provide their name and email address in order that amendments to the RFP or other communications can be sent directly to them. Any prospective Offeror who fails to register their interest assumes complete responsibility if they do not receive communications prior to the closing date.

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## I. Synopsis of the RFP

RFP No.	RFP-PROS-JKT-19-0001
Issue Date	11 February 2019
Title	Regional Analytical and Strategic Services in Southeast Asia
Issuing Office & Email Address for Submission of Proposals	DAI Global, LLC ASEAN-USAID PROSPECT Project Jakarta, Indonesia <a href="mailto:prospectlQC@dai.com">prospectlQC@dai.com</a>
Instructions for Proposal Submission	Proposals must be submitted via email. <b>The maximum size per email is 30MB.</b>
Deadline for Receipt of Questions	<b>26 February 2019 at 11:59 PM Western Indonesia Time (GMT+7)</b>  Questions shall be sent to <a href="mailto:prospectlQC@dai.com">prospectlQC@dai.com</a> with the subject: <b>RFP-PROS-JKT-19-0001 - Questions</b>
Deadline for Receipt of Proposals	<b>12 March 2019 at 11:59 PM Western Indonesian Time (GMT+7)</b>
Point of Contact	<a href="mailto:prospectlQC@dai.com">prospectlQC@dai.com</a>  This RFP, responses to questions, and any related notices will be posted on the DAI website. To receive direct notification of any amendments or other announcements related to this RFP, potential bidders may also register their interest by sending an email to <a href="mailto:prospectlQC@dai.com">prospectlQC@dai.com</a> with the subject: <b>RFP-PROS-JKT-19-0001 – Interest – [ORG NAME]</b>
Anticipated Award Type	Multiple Award Indefinite Quantity Contract (IQC) with issuance of Firm Fixed Priced Task Orders (TO) under said IQC. DAI anticipates awarding multiple IQCs with an ordering period through July 31, 2023. The maximum aggregate dollar value of task orders awarded to all IQC holders shall not exceed \$800,000. This ceiling is not being subdivided among the number of awardees nor is it being multiplied by the number of awardees. There is no guarantee on the number of task orders that the IQC holders will receive nor the minimum value of each task order. This RFP is for the IQC only. The first TO is anticipated to be released on or around March 2019.
Basis for Award	Awards will be made based on the Trade-off Method to responsible and reasonable offerors who provide the best value to DAI using a combination of technical and cost/price factors.

## **2. Introduction and Purpose**

### **2.1 Purpose**

DAI Global, LLC (hereafter referred to as “DAI”), the implementer of the USAID-funded PROSPECT Project invites bidders to submit proposals to supply and deliver analytical and strategic services, including but not limited to undertaking regional and targeted country studies and assessments across a number of technical areas further detailed below. DAI seeks qualified firms to provide the PROSPECT project with strategic and timely analysis and technical assessments to support the aims of the United States Government’s engagement with ASEAN through the auspices of the Indo-Pacific Strategy. The Issuing Office and Contact Details noted in the above synopsis are the sole DAI points of contact for the purposes of this RFP.

### **2.2 Type of Award Anticipated**

DAI anticipates awarding multiple Indefinite Quantity Contracts (IQCs) with further issuance of Firm Fixed Price Task Orders (TOs). A Firm Fixed Price TO is an award for the provision of specific services, goods, or deliverables and is not adjusted if the actual costs are higher or lower than the fixed price amount. This subcontract type is subject to change during the course of negotiations. Under this RFP, DAI requests offerors to provide IQC proposals, including Technical and Cost proposals.

DAI anticipates awarding multiple IQCs with an ordering period through July 31, 2023. The maximum aggregate dollar value of task orders awarded to all IQC holders shall not exceed \$800,000. This ceiling is not being subdivided among the number of awardees nor is it being multiplied by the number of awardees. There is no guarantee on the number of task orders that the IQC holders will receive. The value of each task order will correspond to the task order’s scope of work. This RFP is for the IQC only. The first TO is expected to be released on or around March 2019.

### **2.3 Task Order Process**

To obtain services within the Scope of Work of this IQC contract, DAI will issue Task Orders. Task Orders may be awarded within the IQC ordering period, through July 31, 2023.

Requests for Task Order Proposals (RFTOPs) will be issued to all IQC holders. IQC holders may be asked to provide technical and cost proposals in response to RFTOPs. Technical responses to RFTOPs will include information such as proposed team, implementation plan/timeline, specific country and technical experience and knowledge, etc. as relevant. DAI will not reimburse IQC holders for the cost of preparing, submitting, and/or negotiating a Task Order proposal. All IQC holders will be provided the opportunity to submit proposals for all RFTOPs issued but are not required to submit a proposal in response to all RFTOPs.

## **3. General Instructions to Offerors**

### **3.1 General Instructions**

“Offeror,” “Subcontractor,” and/or “Bidder” means a firm proposing the work under this RFP. “Offer” and/or “Proposal” means the package of documents the firm submits to propose the work.

Firms should submit a proposal in accordance with the following instructions. Offerors are required to review and follow all instructions and specifications contained in this RFP. If the

solicitation is amended, then all terms and conditions not modified in the amendment shall remain unchanged.

Issuance of this RFP in no way obligates DAI to award a contract or task order. Offerors will not be reimbursed for any costs associated with the preparation or submission of their proposal. DAI shall in no case be responsible for these costs.

Potential offerors who wish to receive direct notification of announcements related to this solicitation, including *Questions and Answers*, should register their interest by sending an email to [prospectIQC@dai.com](mailto:prospectIQC@dai.com) with the subject: **RFP-PROS-JKT-19-0001 – Interest – [ORG NAME]**.

### 3.2 Proposal Submission

Proposals are due no later than **12 March 2019 at 11:59pm Western Indonesia Time (GMT+7)**. Proposals shall be submitted via email to [prospectIQC@dai.com](mailto:prospectIQC@dai.com) with technical and cost proposals provided as separate attachments, clearly labeled with the terms *Volume 1: Technical Proposal* and *Volume 2: Cost/Price Proposal*, as appropriate. The maximum size per email is 30MB. Offerors sending files larger than this should split the files into separate emails (denoted as part 1 of 2, part 2 of 2, etc.). Hard copy proposals will not be accepted.

The submission to DAI of a proposal in response to this RFP will constitute an offer and indicates the Offeror's agreement to the terms and conditions detailed in this RFP and any attachments hereto. DAI reserves the right not to evaluate a non-responsive or incomplete proposal.

### 3.3 Proposal Cover Letter

A cover letter must be included with the Proposal on the Offeror's letterhead with a duly authorized signature using Attachment B as a template for the format. The cover letter shall include certification that the labor rates provided in the Cost Proposal—including annual escalation, if indicated—are valid for the life of the IQC.

### 3.4 Questions regarding the RFP

Offerors are responsible for reading and complying with the terms and conditions of this RFP. All communications regarding this solicitation are to be made solely through the Issuing Office and must be submitted via email to [prospectIQC@dai.com](mailto:prospectIQC@dai.com) with the subject **RFP-PROS-JKT-19-0001 - Questions** no later than the date and time specified above.

All questions received will be compiled and answered in writing and posted at <https://www.dai.com/our-work/working-with-dai/current-procurements>, as well as sent via email to potential bidders who have registered their interest as instructed above.

No questions will be answered by phone. Any verbal information received from a DAI employee or other entity shall not be considered as an official response to any question regarding this RFP.

## 4. Instructions for the Preparation of Technical Proposals

Technical proposals must be submitted separately from Cost Proposals and shall be clearly labeled as "VOLUME I: TECHNICAL PROPOSAL". Proposals should respond to the Scope of Work outlined in Attachment A. Technical Proposals must include the following sections and be limited to the following page limitations, excluding cover letter, cover page, table of contents, and acronym lists. Tables, graphics, and charts WILL count against page limits. Personnel CVs should be limited to a maximum of 4 pages each and WILL NOT count against page limits.

1. **Understanding of ASEAN (max 1 page).** Offerors must demonstrate a working knowledge of ASEAN and its 10 Member States, including but not limited to its history, basic organizational structure, limitations, current opportunities, and its relevance in terms of the United States Government's Indo-Pacific Strategy. Offerors' knowledge of relevant ASEAN sectoral bodies pertaining to the specified technical requirements within the statement of work will also be evaluated.
2. **Technical Approach (max 4 pages).** Offerors must demonstrate clear strategies for undertaking requests for one or more of the various technical areas listed under the statement of work, including the feasibility of the Offeror's proposed plan to independently engage and draw in relevant data from critical stakeholders and influencers—including those from within ASEAN Member State (AMS) governments, civil society, private sector, and international actors. Offerors do not have to demonstrate expertise in all possible technical areas listed in the statement of work for this RFP (Attachment A) or that of the broader PROSPECT project (Attachment I) but are encouraged to highlight those areas in which they have relevant technical qualifications.
3. **Case Study: Multi-Country Assessment of Forced Labor in the Fishing Industry in ASEAN (max 5 pages).** Offerors must describe how they would design a comprehensive three-country study on the prevailing laws, policies, and practices pertaining to labor in the fishing industry across Indonesia, Thailand, and the Philippines. This should include:
  - Summary of the Offeror's technical approach, including detailed research methodology to ensure the most accurate and detailed data is gathered. Strategies for gathering this data should be clearly laid out.
  - Mapping of relevant stakeholders to be engaged and/or interviewed
  - Illustrative team composition and roles of each member, drawing upon the guidance of the labor categories described in Attachment C.
  - Any additional details to reflect the Offeror's understanding of designing a complex, multi-country study of this nature, including anticipated time to be spent on desktop research and time to be spent in the field, and potential risk factors to be addressed. Offerors should integrate their unique experience and qualifications as much as possible in their response.

**Please note:** The case study is not intended to evaluate the Offeror's expertise in the topic of forced labor in the fishing industry in Indonesia, Thailand, and the Philippines. Rather it is intended to help DAI to evaluate the Offeror's ability to design a compelling technical approach and research plan for the type of complex multi-country assessments envisaged under this IQC.

#### Brief Background

Of the many breaking stories about modern slavery in 2014 and 2015, perhaps the Benjina case gained the most international attention and put the brightest spotlight on the scourge of forced labor in the fishing industry. In March 2015, the Associated Press broke the story of a modern-day slave port in the Indonesian island of Benjina, where fishermen from Myanmar, Cambodia, Laos, Thailand, and parts of Indonesia were abused, jailed, and even killed by fishing boat operators using them as captive labor. Some fishermen had been living in Benjina for over 10 years, abandoned by boats with no means to make their way home again. Despite increased awareness, international pressures and sanctions, and new laws and regulations in countries such as Thailand, illegal practices and human rights violations continue. Recent reports from the International Labour Organization indicate that as many as 1.8 million workers in the

fishing and agricultural sectors are forced or trafficked every year. Numerous investigations and news stories have told the story, but to date there has yet to be a comprehensive multi-country assessment conducted within the ASEAN region to look at the issue of forced labor in the fishing industry, nor have any formal ASEAN actions been taken to address this issue.

4. **Management Approach (max 5 pages).** Offerors must demonstrate expertise and capacity to provide the services requested in the scope of work, including demonstrated experience successfully managing similar analytical and support services in Southeast Asia. Specifically, offeror must demonstrate the following:
  - *Task Order Mobilization.* Clear strategy, based on experience, for undertaking future efforts in response to specific TOs, including strategies for quickly and effectively engaging key stakeholders, influencers, and experts, drawing upon existing and/or new organizational and expert relationships; approaches to identifying and collecting relevant data; strategies for defining timeframes and mobilizing necessary resources; and plans for potential dissemination, presentation, and outreach of research findings.
  - *Quality Control.* Demonstrated capacity to provide high quality management and quality control, including applying best practices to maintain high standards for research and data collection and a proven methodology for managing diverse analytical tasks efficiently across AMS.
  - *Risk Mitigation.* Identify major performance risks in connection with the provision of analytical and other services described in the scope of work and provide appropriate mitigation measures and adaptive principles.
5. **Personnel (max 3 pages).** Offeror must demonstrate expertise and capacity to provide the services requested in the scope of work, including experience successfully undertaking similar analytical and support services in Southeast Asia. Offerors should highlight individuals with expertise relevant to the technical areas described in the scope of work. In cases where relevant expertise is not readily available, offerors must provide compelling strategy and proven capacity to source and recruit qualified national and international expertise. This section should also demonstrate the extent to which identified experts possess or exceed the professional competence and experience to carry out their responsibilities (in reference to the minimum requirements set forth in Attachment C) and ensure the successful implementation of the contract requirements. CVs for all named personnel must be provided as an annex to the Technical Proposal (not to count against the *Personnel* section page limit but not to exceed 4 pages each in length). This includes CVs for technical researchers as well as program managers.
6. **Past Performance (max 2 pages).** Provide a list of at least three (3) awards of similar scope implemented within the past five years. The information shall be supplied as a table and shall include the legal name of the organization for which services were performed, description and location of work performed, duration of the work (start/end dates), value and type of contract, and a current phone/email contact of a responsible and knowledgeable representative of the client organization. See Attachment D.

#### 4.1 **Services Specified**

DAI is in need of the services described in Attachment A.

## 4.2 Technical Evaluation Criteria

Proposals will be evaluated and scored against the evaluation criteria stated in the table below. Cost/Price proposals are not assigned points, but for overall evaluation purposes of this RFP, technical evaluation factors other than cost/price, when combined, are considered significantly more important than cost/price factors.

**Table 1: Evaluation Criteria**

Scored Sections	Maximum Points
1. Understanding ASEAN	10 points
2. Technical Approach	15 points
3. Illustrative Case Study	15 points
4. Management Approach	25 points
5. Personnel	25 points
6. Past Performance	10 points
<b>Total Points</b>	<b>100 points</b>

## 5. Instructions for the Preparation of the Cost/Price Proposal

### 5.1 Cost/Price Proposal

Cost/Price Proposals shall be separate from Technical Proposals and shall be clearly labeled as "VOLUME II: COST/PRICE PROPOSAL".

Provided in Attachment C are the instructions for preparing Cost/Price Proposals. The Offeror shall provide the information as requested in the instructions. DAI requires the Offeror to provide a salary table of fixed labor rates by category for the IQC Cost Proposal. These rates shall be fixed for any and all task orders issued under this IQC, shall be valid for the life of the IQC and shall include proposed escalation percentage, if any. The Offeror is responsible for all applicable taxes and fees, as prescribed under the applicable laws for income, compensation, permits, licenses, and other taxes and fees due as required.

## 6. Basis of Award

### 6.1 Best Value Determination

DAI will review the Technical and Cost/Price Proposals and based on the evaluation criteria stated above will proceed with selection of awardees for the proposals that provide the best value to DAI. DAI may not proceed with an award if it determines that an Offeror is "not responsible" (i.e., it does not have the management and financial capabilities required to perform the work required).

Evaluation points will not be awarded for Cost Proposals. Cost Proposals will be evaluated for realism and reasonableness. DAI may award to a higher priced offeror(s) if a determination is made that the higher technical evaluation of that offeror merits the additional cost/price.

DAI may award without discussion. Therefore, the initial offer **must contain the Offeror's best technical and cost/price terms.**



## **6.2 Responsibility Determination**

DAI will not enter into any type of agreement with an Offeror prior to ensuring the Offeror's responsibility. When assessing an Offeror's responsibility, the following factors will be considered:

1. Evidence of the required business licenses to operate.
2. Evidence of a DUNS number, unless exemption applies.
3. Evidence that the source, origin, and nationality of the products or services are not from a Prohibited Country (explained below).
4. Adequate financial resources to finance and perform the work or deliver goods, or the ability to obtain financial resources without receiving advance funds from DAI.
5. Ability to comply with required or proposed delivery or performance schedules.
6. Past performance record.
7. Record of integrity and business ethics.
8. Evidence of the existence of necessary organization, experience, accounting, and operational controls and technical skills.
9. Evidence of the necessary production, construction, and technical equipment and facilities, if applicable.
10. Qualifications and eligibility to perform work under applicable laws and regulations.

## **7. Inspection & Acceptance**

DAI reserves the right to inspect the services being performed to determine whether they are being performed in a satisfactory manner and according to international quality standards (research methodology, fair and courteous treatment of interviewees and sources, etc.). The Offeror will be responsible for any countermeasures or corrective action, within the scope of this RFP arising from these inspections and at the behest of the PROSPECT Chief of Party or his designee.

## **8. Compliance with Terms and Conditions**

### **8.1 General Terms and Conditions**

Offerors agree to comply with the general terms and conditions for an award resulting from this RFP, including compliance with PROSPECT's approved Branding and Marking Plan referenced in Attachment H. The selected Offeror(s) shall comply with all Representations and Certifications of Compliance listed in Attachment E.

### **8.2 Source and Nationality**

Under DAI's prime contract with USAID, the authorized Geographic Code for this procurement is **937**: Goods and services from the United States, Indonesia, Cambodia, Laos, Malaysia, Myanmar, Philippines, Thailand, Vietnam and developing countries other than advanced developing countries, but excluding prohibited source countries. Please note, DAI encourages proposals from firms of advanced developing and developed countries, including but not limited to Singapore; however, prior to issuing individual awards of over \$25,000 to any such a firm, PROSPECT must obtain a waiver from USAID.

DAI must verify the source and nationality of goods and services and ensure (to the fullest extent possible) that DAI does not directly, or through TO awardees, procure any goods or services from prohibited countries listed by the Office of Foreign Assets Control (OFAC) as sanctioned countries. OFAC sanctioned countries may be searched within the System for Award Management (SAM) at [www.SAM.gov](http://www.SAM.gov). The current list of countries under comprehensive sanctions include: Cuba, Iran, North Korea, Sudan, and Syria. Goods may not transit through or be assembled in comprehensive sanctioned origin or nationality countries

nor can the vendor be owned or controlled by a prohibited country. DAI is prohibited from facilitating any transaction by a third party if that transaction would be prohibited if performed by DAI.

By submitting a proposal in response to this RFP, Offerors confirm that they are not violating the Source and Nationality requirements of the goods or services being offered and that the goods and services comply with the Geographic Code and the exclusions for prohibited countries outlined above.

### 8.3 Data Universal Numbering System (DUNS)

All U.S. and foreign organizations which receive first-tier subcontracts/purchase orders with a value of \$30,000 and above are required to obtain a DUNS number prior to signing of the agreement. Organizations are exempt from this requirement if the gross income received from all sources in the previous tax year was under \$300,000. DAI requires that Offerors sign the self-certification statement if the Offeror claims exemption for this reason (see Attachment G).

If the above exemptions do not apply, there is a **mandatory** requirement for your organization to provide a DUNS number to DAI. The Data Universal Numbering System is a system developed and regulated by Dun & Bradstreet (D&B) that assigns a unique numeric identifier, referred to as a "DUNS number" to a single business entity. Without a DUNS number, DAI cannot deem an Offeror "responsible" to conduct business with and therefore, DAI will not issue a purchase order or other monetary agreement with any organization. The determination of a successful offeror resulting from this RFP/RFQ/RFA is contingent upon the winner providing a DUNS number to DAI. Offerors who fail to provide a DUNS number will not receive an award and DAI will select an alternate Offeror. Instructions for obtaining a DUNS number are provided in Attachment F.

## 9. Procurement Ethics

Neither payment nor preference shall be made by either the Offeror, or by any DAI staff, in an attempt to affect the results of the award. DAI treats all reports of possible fraud and abuse very seriously. Acts of fraud or corruption will not be tolerated, and DAI employees and/or subcontractors and vendors who engage in such activities will face serious consequences. Any such practice constitutes an unethical, illegal, and corrupt practice and either the Offeror or the DAI staff may report violations to the Toll-Free Ethics and Compliance Anonymous Hotline at +1 855-603-6987, via the DAI website, or via email to [Ethics@dai.com](mailto:Ethics@dai.com). DAI ensures anonymity and an unbiased, serious review and treatment of the information provided. Such practice may result in the cancellation of the procurement and/or disqualification of the Offeror's participation in this, and future, procurements. Violators will be reported to USAID, and as a result, may be reported to the U.S. Department of Justice to be included in a Restricted Parties list, preventing them from participating in future U.S. Government business.

Offerors must provide full, accurate and complete information in response to this solicitation. The penalty for materially false responses is prescribed in Section 1001 of Title 18 of the United States Code.

In addition, DAI takes the payment of USAID funds to pay Terrorists, or groups supporting Terrorists, or other parties in exchange for protection very seriously. Should the Terrorist, groups or other parties attempt to extort/demand payment from your organization you are asked to immediately report the incident to DAI's Ethics and Compliance Anonymous Hotline at the contacts described in this clause.

By submitting a proposal, offerors certify that they have not/will not attempt to bribe or make any payments to DAI employees in return for preference, nor have any payments with Terrorists, or groups supporting Terrorists, been attempted.

## 10. Attachments

### ATTACHMENT A: STATEMENT OF WORK

#### Regional Analytical and Strategic Services in Southeast Asia

**PERIOD OF PERFORMANCE: March 2019 – June 2023**

#### BACKGROUND

The United States' Indo Pacific Strategy (IPS) and its three overarching pillars—1) enhancing shared prosperity (Economic), 2) championing good governance and civil society (Governance), and 3) ensuring peace and security (Security)—provide an overall lens through which the United States engages ASEAN.

Under the ASEAN-U.S. Strategic Partnership agreement, the U.S. government (USG) and ASEAN cooperate across mutually beneficial priority areas, including through two major 5-year projects: the ASEAN-USAID Partnership for Regional Optimization within the Political-Security and Socio-Cultural Communities (PROSPECT) project, focused on strengthening institutions to advance political-security and social-cultural integration, and the ASEAN-USAID Inclusive Growth in ASEAN through Innovation, Trade, and E-Commerce (IGNITE) project, which is focused on supporting integration efforts primarily in partnership with ASEAN's Economic Community. Through comprehensive, multi-year initiatives, PROSPECT, implemented by DAI Global, LLC, contributes to the implementation of the IPS and supports ASEAN efforts to build a more inclusive and prosperous Southeast Asia.

More specifically, PROSPECT contributes to USAID's overarching goal of helping ASEAN and ASEAN Member States (AMS) create more sustainable and inclusive growth and encourage rules-based systems to support a prosperous Southeast Asia. To achieve maximum impact, PROSPECT focuses its activities on three main work streams:

1. **Non-Traditional Security** – interventions designed to combat human and wildlife trafficking, counter violent extremism, and improve response to emerging humanitarian emergencies, particularly natural disasters;
2. **Responsive and Transparent Governance** – support for rule of law through engagement with judicial, legislative, and executive branches and increased citizen participation;
3. **Human Rights and Opportunities for Marginalized and/or Vulnerable Groups** – expanding rights and opportunities for women, youth, and other vulnerable and marginalized groups.

These work streams emphasize PROSPECT's direct and focused support across two pillars of the IPS, governance and security, while activities also lay the critical foundation for a more transparent, stable ASEAN region that remains poised for increased economic competitiveness and continued regional prosperity.

#### OBJECTIVE

- Assist the PROSPECT project through provision of timely analytical and strategic services to better understand the current context within ASEAN related to a number of technical focus areas, including but not limited to the following:
  - Rule of Law
  - Human Rights
  - Violent Extremism
  - Trafficking in Persons
  - Labor Migration

- Cybersecurity
- Wildlife Trafficking
- Corruption

## **PURPOSE**

The purpose of this award is to provide the PROSPECT project with analytical and strategic services to support its program aims and to help the project effectively address and respond to an evolving context. This mechanism will help PROSPECT take a proactive approach to analyzing in-country and regional trends, challenges, and initiatives to inform decision-making on new strategies and initiatives and contribute to the project's adaptive management. Services requested under the task orders released will include but are not limited to research and analysis, assessments, presentations of findings, and program evaluations. Methodologies and tools employed must reflect best practices within their respective analytical fields and all tasks must be performed in compliance with ADS requirements.

## **SCOPE OF WORK**

Evaluations, analyses, assessments, and other work requested under this IQC will focus on the technical areas and issues described in the PROSPECT Statement of Work (Attachment I). The specific nature of the work to be performed will be described in individual task order scopes of work. Awardees will be asked to draw upon national- and regional-level capacity by coordinating and communicating with local organizations and engaging local experts as appropriate. Strong local relationships are essential for performing the required work. Awardees will be responsible for drawing upon their own networks and establishing new relationships as necessary (i.e. the PROSPECT project SHOULD NOT be depended upon to help establish these relationships).

Expected analytical and strategic services are further described below:

### **Assessments**

Assessments comprise research at the national and regional levels across countries and sectors and are used to inform strategic planning and program design for USG-funded programs, including those implemented by the PROSPECT project in the future. In addition, awardees may be requested to undertake mapping and/or political economy analyses for current PROSPECT project technical areas and/or areas of future engagement. Some potential types of requests for comprehensive assessments may include:

- Political economy analyses and/or mapping of actors
- Desktop research and studies (national-level, multi-country, or ASEAN-wide)
- Case studies on specific topic(s) at the national-level, multi-country, or ASEAN-wide
- Field-based research and studies (national-level, multi-country, or ASEAN-wide)
- Combination desktop and field-based research and studies (national-level, multi-country, or ASEAN-wide)
- Comparative country and/or regional studies on specific topic(s)

### **Program Evaluations**

Program evaluations involve a systematic collection and analysis of information about the nature of strategies, projects, and activities conducted under a given program or programs and are conducted to assess effectiveness and to inform areas for improvement and decision-making for future programming. Awardees may be required to communicate and present findings and recommendations to relevant stakeholders, including USAID, U.S. State Department, and ASEAN as appropriate.

**Other Support Services**

Task orders may be released that draw upon other strategic and analytical services not specified above, such as for facilitation services for strategic planning sessions, assistance organizing conferences and events, and assistance developing survey tools and methodologies and conducting primary data collection as needed.

## ATTACHMENT B: PROPOSAL COVER LETTER

[On Firm's Letterhead]

<Insert date>

TO: Procurement Department  
DAI Global, LLC.  
ASEAN-USAID PROSPECT

We, the undersigned, provide the attached proposal in accordance with **RFP-PROS-JKT-19-0001** issued on **February 11, 2019**.

I certify a validity period through the life of the IQC for the prices provided in the attached Cost/Price Proposal. Our proposal shall be binding upon us subject to the modifications resulting from any discussions.

*Offeror shall verify here the items specified in this RFP document.*

We understand that DAI is not bound to accept any proposal it receives.

Yours sincerely,

Authorized Signature:

Name and Title of Signatory: [Click here to enter text.](#)

Name of Firm: [Click here to enter text.](#)

Address: [Click here to enter text.](#)

Telephone: [Click here to enter text.](#)

Email: [Click here to enter text.](#)

## ATTACHMENT C: COST PROPOSAL INSTRUCTIONS

The Offeror is asked to provide a cost proposal for the IQC outlined above. The Offeror shall furnish personnel with the necessary education, training and/or relevant experience as specified in the task orders to be issued under this contract. The cost proposal should comprise **burdened** daily rates (to include base salary plus any and all indirect costs such as fringe, overhead, fees, and any other benefits) for various labor categories only. **The daily rates set forth below shall be fixed for any and all task orders issued under this IQC.** As such, Offerors should include any expected escalation for each successive year as appropriate. Travel and Other Direct Costs will only be provided at the Task Order proposal stage. Offerors shall use the format provided below with reference to the subsequent Labor Category Definitions in their submissions.

**Table 2: Labor Category Rates (USD)**

<b>Labor Category</b>	<b>Burdened Daily Rate Year 1</b>	<b>Burdened Daily Rate Year 2</b>	<b>Burdened Daily Rate Year 3</b>	<b>Burdened Daily Rate Year 4</b>
Senior Researcher				
Mid-level Researcher				
Junior Researcher				
Senior Program Manager				
Program Manager				

To perform the scope of work set forth in Attachment A, the Offeror must provide personnel that meet the following minimum education and experience requirements.

### Definition of Labor Categories

**Senior Researcher:** The Senior Researcher will lead a research team focused on one or more of the technical research areas listed under “Objectives” section of the Statement of Work in Attachment A. S/he should be a subject matter expert with significant knowledge and experience associated with the technical area(s). S/he must have significant relationships with relevant stakeholders within Southeast Asia and be able to leverage these relationships and his/her expertise to provide current data and analysis and to present findings, as requested. The Senior Researcher will be responsible for determining the most appropriate research design and data collection methodologies; interpreting, evaluating and understanding the meaning, limitations and scope of data results; writing technical publications and reports; presenting project results to internal and external parties; summarizing results for client-oriented publications; providing quality control for all deliverables.

**Mid-level Researcher:** The Mid-level Researcher will be responsible for working independently or as part of a research team to provide current data and analysis on one or more of the technical research areas listed under “Objectives” section of the Statement of Work in Attachment A. S/he should be a subject matter expert with significant knowledge and experience associated with the technical area(s). S/he must have relationships with relevant stakeholders within Southeast Asia and be able to draw upon these relationships and his/her expertise to provide current data and analysis and to present findings, as requested. S/he will also assist to design and inform the methodology employed to undertake the assignment. Responsibilities may include conducting independent research relevant to the projects such as literature reviews and case studies; managing information gathered through research and other activities of the projects (e.g., interviews, convenings) into written materials for DAI and/or policy maker



audiences; assisting in conducting site visits, interviews and other original research through data gathering and analysis.

**Junior Researcher:** The Junior Researcher will be responsible for working independently or part of a research team to provide current data and analysis on one or more of the technical research areas listed under “Objectives” section of the Statement of Work in Attachment A. S/he will assist the research team in defining research tasks and methodologies as well as implementing a variety of research tasks. Responsibilities may include performing literature searches using web and hard copy sources; database management, including collecting, entering and evaluating data; creating tables, charts, and graphics using existing data; preparing materials for submission; and preparing interview questions, recruiting subjects, and summarizing results.

**Senior Program Manager (SPM):** Responsible and accountable to DAI for delivering the TO statement of work. Responsible for the effective management of funds and personnel and is accountable for the quality and timely delivery of all contractual deliverables. Operates within client guidance, contractual limitations, and company business and policy directives. Directs team members and serves as focal point of contact with the PROSPECT project on all aspects of the program. Ensures that all required resources including manpower, production standards, and facilities are available for program implementation. Participates in contract negotiations.

**Program Manager:** Supports the SPM and is responsible for day-to-day management of the program, ensuring the effective management of funds and personnel. Operates within client guidance, contractual limitations, and company business and policy directives. Directs team members and serves as focal point of contact with the PROSPECT project on all aspects of the program in the absence of a Senior Program Manager. Ensures that all required resources including manpower, production standards, and facilities are available for program implementation.

**Table 3: Labor Category Qualifications**

<b>Labor Category</b>	<b>Academic Degree*</b>	<b>Plus Approx. Years of Relevant Work Experience</b>	<b>Including Years of Experience in Relevant Technical Area</b>	<b>Relevant Regional Experience</b>	<b>Relevant Language Fluency</b>
Senior-level Researcher	Ph.D.	8	As specified in the Task Order	As specified in the Task Order	English fluency required  [Others as specified in the Task Order]
	MS/MA/MB	12			
	BS/BA	15			
Mid-level Researcher	Ph.D.	4	As specified in the Task Order	As specified in the Task Order	English fluency required  [Others as specified in the Task Order]
	MS/MA/MB	6			
	BS/BA	8			
Junior-level Researcher	Ph.D.	0	As specified in the Task Order	As specified in the Task Order	English fluency required  [Others as specified in the Task Order]
	MS/MA/MB	0			
	BS/BA	2			
Senior Program Manager	Ph.D.	8	As specified in the Task Order	As specified in the Task Order	English fluency required  [Others as specified in the Task Order]
	MS/MA/MB	10			
	BS/BA	14			
Program Manager	Ph.D.	4	As specified in the Task Order	As specified in the Task Order	English fluency required  [Others as specified in the Task Order]
	MS/MA/MB	6			
	BS/BA	10			

\*Highest degree obtained shall be related to work being performed

## ATTACHMENT D: PAST PERFORMANCE

Include **at least 3** projects that best illustrate your work experience relevant to this RFP, sorted by decreasing order of completion date.

Projects should have been undertaken in the **past five years**. Projects undertaken more than five years ago may be taken into consideration at the discretion of the evaluation committee. This table is considered part of the Technical Proposal and will count against page limits (**max 2 pages**).

#	Project Title	Description of Activities	Country/Region Location	Client Name/Tel No/Email address	Value of Contract in US\$	Start-End Dates	Completed on schedule? (Yes/No)	Completion Letter Received? (Yes/No)	Type of Agreement, Subcontract, Grant, PO (fixed price, cost reimbursable)
1									
2									
3									
4									
5									

## ATTACHMENT E: REPRESENTATIONS AND CERTIFICATIONS OF COMPLIANCE

1. Federal Excluded Parties List. The Bidder Select is not presently debarred, suspended, or determined ineligible for an award of a contract by any Federal agency.
2. Executive Compensation Certification. FAR 52.204-10 requires DAI, as prime contractor of U.S. federal government contracts, to report compensation levels of the five most highly compensated subcontractor executives to the Federal Funding Accountability and Transparency Act Sub-Award Report System (FSRS)
3. Executive Order on Terrorism Financing. The Contractor is reminded that U.S. Executive Orders and U.S. law prohibits transactions with, and the provision of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of the Contractor/Recipient to ensure compliance with these Executive Orders and laws. Recipients may not engage with, or provide resources or support to, individuals and organizations associated with terrorism. No support or resources may be provided to individuals or entities that appear on the Specially Designated Nationals and Blocked persons List maintained by the US Treasury (online at [www.SAM.gov](http://www.SAM.gov)) or the United Nations Security Designation List (online at: [http://www.un.org/sc/committees/1267/aq\\_sanctions\\_list.shtml](http://www.un.org/sc/committees/1267/aq_sanctions_list.shtml)). This provision must be included in all subcontracts/sub awards issued under this Contract.
4. Trafficking of Persons. The Contractor may not traffic in persons (as defined in the Protocol to Prevent, Suppress, and Punish Trafficking of persons, especially Women and Children, supplementing the UN Convention against Transnational Organized Crime), procure commercial sex, and use forced labor during the period of this award.
5. Certification and Disclosure Regarding Payment to Influence Certain Federal Transactions. The Bidder certifies that it currently is and will remain in compliance with FAR 52.203-11, Certification and Disclosure Regarding Payment to Influence Certain Federal Transactions.
6. Organizational Conflict of Interest. The Bidder certifies that it will comply FAR Part 9.5, Organizational Conflict of Interest and is not aware of any information bearing on the existence of any potential organizational conflict of interest. The Bidder further certifies that if it becomes aware of information bearing on whether a potential conflict may exist, that Bidder shall immediately provide DAI with a disclosure statement describing this information.
7. Business Size and Classification(s). The Bidder certifies that it has accurately and completely identified its business size and classification(s) herein in accordance with the definitions and requirements set forth in FAR Part 19, Small Business Programs.
8. Prohibition of Segregated Facilities. The Bidder certifies that it is compliant with FAR 52.222-21, Prohibition of Segregated Facilities.
9. Equal Opportunity. The Bidder certifies that it does not discriminate against employees or applicants because of age, sex, religion, handicap, race, creed, color or national origin.
10. Labor Laws. The Bidder certifies that it is in compliance with all labor laws.
11. Federal Acquisition Regulation (FAR). The Bidder certifies that it is familiar with the FAR and is not in violation of any certifications required in the applicable clauses of the FAR, including but not limited to certifications regarding lobbying, kickbacks, equal employment opportunity, affirmation action, and payments to influence Federal transactions.
12. Employee Compliance. The Bidder warrants that it will require all employees, entities and individuals providing services in connection with the performance of an DAI Purchase Order to comply with the provisions of the resulting Purchase Order and with all Federal, State, and local laws and regulations in connection with the work associated therein.

By submitting a proposal, offerors agree to fully comply with the terms and conditions above and all applicable U.S. federal government clauses included herein and will be asked to sign these Representations and Certifications upon award.

## ATTACHMENT F: INSTRUCTIONS FOR OBTAINING A DUNS NUMBER

### INSTRUCTIONS FOR OBTAINING A DUNS NUMBER

**Note:** There is a Mandatory Requirement for your Organization to Provide a DUNS number to DAI, unless exemption applies.

**I. SUBCONTRACTS/PURCHASE ORDERS:** All domestic and foreign organizations which receive first-tier subcontracts/ purchase orders with a value of \$30,000 and above are required to obtain a DUNS number prior to signing of the agreement. *Your organization is exempt from this requirement if the gross income received from all sources in the previous tax year was under \$300,000. Please see the self-certification form attached.*

**II. MONETARY GRANTS:** All foreign entities receiving first-tier monetary grants (standard, simplified and FOGs) with a value equal to or over \$25,000 and performing work outside the U.S. must obtain a DUNS number prior to signing of the grant. All U.S. organizations who are recipients of first-tier monetary grants of any value are required to obtain a DUNS number; the exemption for under \$25,000 applies to foreign organizations only.

**NO SUBCONTRACTS/POs (\$30,000 + above) or MONETARY GRANTS WILL BE SIGNED BY DAI WITHOUT PRIOR RECEIPT OF A DUNS NUMBER.**

*Note: The determination of a successful offeror/applicant resulting from this RFP/RFQ/RFA is contingent upon the winner providing a DUNS number to DAI, unless exemption applies. Organizations who fail to provide a DUNS number will not receive an award and DAI will select an alternate vendor/subcontractor/grantee.*

-----

#### **Background:**

#### **Summary of Current U.S. Government Requirements- DUNS**

The Data Universal Numbering System (DUNS) is a system developed and managed by Dun and Bradstreet that assigns a unique nine-digit identifier to a business entity. It is a common standard world-wide and users include the U.S. Government, European Commission and the United Nations. The DUNS number will be used to better identify related organizations that are receiving U.S. federal funding, and to provide consistent name and address data for electronic application systems.

**Instructions detailing the process to be followed in order to obtain a DUNS number for your organization begin on the next page.**

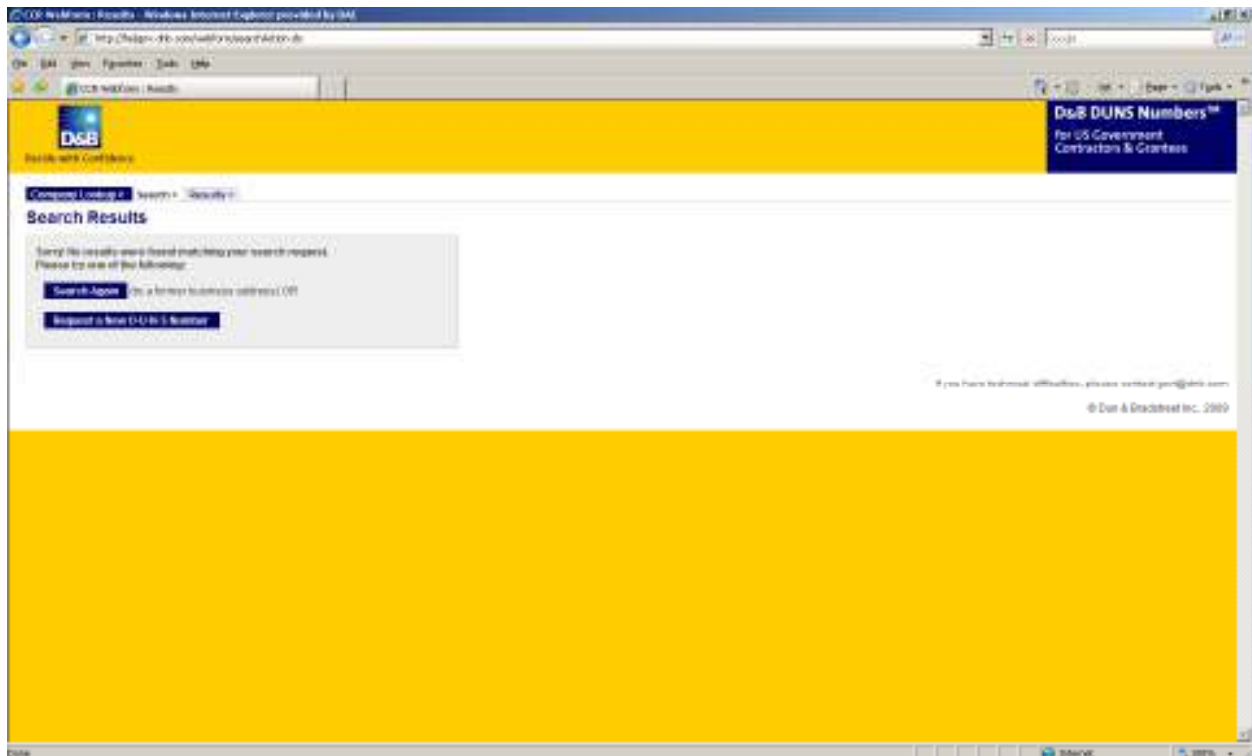
## THE PROCESS FOR OBTAINING A DUNS NUMBER IS OUTLINED BELOW:

1. Log on to the D&B (Dun & Bradstreet) DUNS registration website to begin the process of obtaining a DUNS number free of charge.

<http://fedgov.dnb.com/webform/index.jsp>

Please note there is a bar on the left for Frequently Asked Questions as well as emails and telephone numbers for persons at Dun & Bradstreet for you to contact if you have any questions or difficulties completing the application on-line. DAI is not authorized to complete the application on your organization's behalf; the required data must be entered by an authorized official of your organization.

2. Select the Country where your company is physically located.
3. You will first be asked to search the existing DUNS database to see whether a DUNS number already exists for your organization/entity. Subcontractors/grantees who already have a DUNS number may verify/update their DUNS records.
4. Potential DAI subcontractors/vendors/grantees who do not already have a DUNS number will be shown the screen below. To request a new DUNS Number, the "Request a New D-U-N-S Number" button needs to be selected.



5. Enter the information regarding your organization listed on the next three screens. (See screen shots below.) Make sure you have the following information available (in English) prior to beginning the process of entering this section in order to ensure successful registration.
  - Legal Business Name (commas are allowed, periods are not allowed)
  - Address
  - Phone
  - Name of Owner/Executive
  - Total Number of Employees
  - Annual Sales or Revenue (US Dollar equivalent)
  - Description of Operations
6. Note that some fields are Optional, however all other fields must be completed to proceed further with the application process. For example, all applicants must complete the Organization Information sections. The Company Name and Physical Address fields are self-populated based on information previously entered during the initial DUNS search. The question marks to the left of the field provide additional information when you click on them.

**Request for New D-U-N-S Number**

Any additional companies at the same address, will not be affected. If there are additional companies at the same address, please specify in the future sections.

Complete the information below to obtain a new D-U-N-S Number for your company's physical location.

**Company Name**

(?) Legal Name:

(?) Legal Structure:

(?) Trade Name 1 (optional):

Trade Name 2:

Trade Name 3:

(?) Phone Number of Business:

**Physical Address**

(?) Street:

(?) City:

(?) State:

(?) Zip Code + 4 Postal Code:

Country:

**Mailing Address (optional)** (?) Same as Physical Address

(?) Mailing P.O. Box:

City:

7. You must select the legal structure of your organization from the pull down menu. To assist you in selecting the appropriate structure that best represents your organization, a brief description of the various types follows:

- **Corporation** – A firm that meets certain legal requirements to be chartered by the state/province in which it is headquartered by the filing of articles of incorporation. A corporation is considered by law to be an entity separate and distinct from its owners. It can be taxed; it can be sued; it can enter into contractual agreements.
- **Government** - central, province/state, district, municipal and other U.S. or local government entities. Includes universities, schools and vocational centers owned and operated by the government.
- **Limited Liability Company (LLC)** - This is a type of business ownership combining several features of corporation and partnership structures. It is designed to provide the limited liability features of a corporation and the tax efficiencies and operational flexibility of a partnership. Its owners have limited personal liability for the LLC's debts and obligations, similar to the status of shareholders in a corporation. If your firm is an LLC, this will be noted on the organizations registration and licensing documents.
- **Non-profit** - An entity which exists for charitable reasons and is not conducted or maintained for the purpose of making a profit. Any money earned must be retained by the organization, and used for its own expenses, operations, and programs. Most organizations which are registered in the host country as a non-governmental organization (NGO) rather than as a commercial business are anon-profit entities.

**Community based organizations, trade associations, community development councils, and similar entities which are not organized as a profit making organization should select this status, even if your organization is not registered formally in country as an NGO.**

- **Partnership**- a legal form of operation in which two or more individuals carry on a continuing business for profit as co-owners. The profits and losses are shared proportionally.
  - **Proprietorship**-These firms are owned by one person, usually the individual who has day-to-day responsibility for running the business. Sole proprietors own all the assets of the business and the profits generated by it.
8. One of the most important fields that must be filled in is the Primary SIC code field. (See screen shot below.) The Primary Standard Industrial Code classifies the business' most relevant industry and function.



9. If you are unsure of which SIC Code your organization's core business falls under, please refer to the following website: <http://www.osha.gov/oshstats/sicser.html>

STATISTICS & DATA | SECURITY MANUAL

This page allows the user to search the 1997 version SEC manual by keyword to access descriptive information for a specified 3-4-digit SIC and to [view the Search Results](#).

Enter a SIC CODE:

Enter the search keyword(s):

[Search Results and Descriptions](#)

- 2021 Aircraft
- 2024 Aircraft Engines and Engines Parts
- 2025 Aircraft Parts and Auxiliary Equipment, Not Otherwise Classified
- 2061 General Purpose and Special Vehicles
- 2062 General Purpose and Special Vehicles, Engines and Engines Parts
- 2063 General Purpose Special Vehicle Parts and Auxiliary Equipment, Not Otherwise Classified
- 2064 X-Ray Apparatus and Tubes and Related Instrument Apparatus
- 2081 Scientific Advice
- 2082 Insurance Agents, Brokers, and Services
- 2083 Educational, Religious, and Charitable Trusts
- 2084 Health, Medical Educational, Religious, and Charitable
- 2085 Commercial Physical and Biological Research
- 2086 Commercial Economic, Sociological, and Sociological Research
- 2087 Miscellaneous, Research, Development
- 2088 Management Consulting Services
- 2089 Air and Water Resources and Solid Waste Management
- 2090 Administration of Justice Programs
- 2091 Administration of Justice Programs and Community and Rural Development
- 2092 Regulators of Agricultural Marketing and Commodity
- 2093 Space and Related Technology

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U.S. Department of Justice | Department of Justice & Public Safety | 2000 ...  
Telephone: 202-473-1000 | Fax: 202-473-1001

[www.DHS.gov](#)

## 8742 Management Consulting Services

## Industry Group 357: Computer And Office Equipment

## Industry Group 356: General Industrial Machinery And Equipment

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10. Description of Operations- Enter a brief description of the primary services you provide the example below, “agricultural technical assistance” was chosen as the primary function of the business.

Country: [dropdown]

☐ Mailing Address (optional) ☐ Same as Physical Address

☐ Business Information

☐ Employment Information

☐ Physical Address (optional)

☐ Notes (optional)

[Submit Your Request](#)

11. The Annual Sales or Revenue figure should be provided in USD (US Dollar) equivalent.
12. Once all of the fields have been completed, click on “Submit Your Request” to be taken to the Verification page.
13. Note: Representative (Principal, Owner or Officer) needs to verify and provide affirmation regarding the accuracy of the data under criminal or civil penalties as per Title 18, Section 1001 of the US Criminal Code.
14. Once “Yes, Continue” button is clicked, the registration application is sent to D&B, and a DUNS number should be available within 24-48 hours. DUNS database can be checked in 24-48 hours by entering the Business Information in the Search window – which should now display a valid result with the new DUNS number for the entity.

Internet Explorer - Windows Internet Explorer (64-bit) [D&B]

http://dbs.dhs.gov/verify/verify.asp?app=01

File Edit View Favorites Tools Help

http://dbs.dhs.gov/verify/verify.asp

**D&B**  
DoD's Defense Information System

**D&B DUNS Numbers™**  
For US Government Contractors & Customers

[D&B S Module Request](#) | [Search](#) | [Enter Your Company Information](#) | [Verify Information Page](#)

### Verification Page

**Company Name**

(1) Legal Name:

(2) Phone Number of Business:

**Physical Address**

(1) Street:

(2) City:

(3) State:

(4) Zip Code - 5 digit code:

(5) Zip Code - 9 digit code:

**Organizational Information**

(1) Executive Name:

You affirm that you are a principal, owner or officer of the entity for which you are submitting provided information and that you are personally authorized to submit these changes. You also agree not to knowingly provide any false or misleading information to D&B. Knowingly providing false or misleading information may result in criminal or civil penalties as per [Title 18, Section 1001 of the U.S. Criminal Code](#), and may negatively impact the status of the D&B report maintained in this company.

This site includes the use of a Shell Corporation (SC) which is a Small Corporation as one that controls either of the following characteristics: (1) its aged corporate where its other business activities could be confined or (2) its aged corporate that are reviewed, disposed or sent to a dormant status and is subsequently reactivated and is under new control. It is D&B's policy that the historical business activity of a Small Corporation, if any, will not be factored into the determination of such Small Corporation's status. As such, any individual who attempts to acquire or control the shell corporation's business through the use of a Small Corporation or any other means is immediately put on information and status of high-risk status, or subject, for criminal penalties provided under this act.

Done

**ATTACHMENT G: SELF CERTIFICATION FOR EXEMPTION FROM DUNS REQUIREMENT**

**Self Certification for Exemption from DUNS Requirement  
For Subcontractors and Vendors**

Legal Business Name:

---

Physical Address:

---

Physical City:

---

Physical Foreign Province (if applicable):

---

Physical Country:

---

Signature of Certifier

---

Full Name of Certifier (Last Name,  
First/Middle Names):

---

Title of Certifier:

---

Date of Certification (mm/dd/yyyy):

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The sub-contractor/vendor whose legal business name is provided herein, certifies that we are an organization exempt from obtaining a DUNS number, as the gross income received from all sources in the previous tax year is under USD \$300,000.

\*By submitting this certification, the certifier attests to the accuracy of the representations and certifications contained herein. The certifier understands that s/he and/or the sub-contractor/vendor may be subject to penalties, if s/he misrepresents the sub-contractor/vendor in any of the representations or certifications to the Prime Contractor and/or the US Government.

The sub-contractor/vendor agrees to allow the Prime Contractor and/or the US Government to verify the company name, physical address, or other information provided herein. Certification validity is for one year from the date of certification.

## ATTACHMENT H: BRANDING IMPLEMENTATION AND MARKING PLAN

All successful Offerors will be expected to comply with DAI's approved Branding Implementation and Marking Plan for the ASEAN-USAID PROSPECT project. As stated in the Plan, and with reference to Section 320.3.2.1 of the Automated Directives System (ADS), USAID PROSPECT will comply with the detailed guidance for contractors about branding and marking (<https://www.usaid.gov/branding/acquisition-awards>):

- ADS 320 Branding and Marking;
- *Graphic Standards Manual* and *Partner Co-Branding Guide*;
- ADS 558 Use of Social Media for Public Activity; and
- 2 Code of Federal Regulations (CFR) 700.16 (Marking).

## **ATTACHMENT I: EXCERPT FROM PROSPECT'S SCOPE OF WORK**

[Begins on following page.]



## **SECTION C – DESCRIPTION/SPECIFICATIONS/STATEMENT OF WORK**

### **C.1 PURPOSE**

The United States Agency for International Development (USAID) Indonesia ASEAN Office and the U.S. Department of State’s Bureau of East Asian and Pacific Affairs work in partnership with ASEAN to support the ASEAN Community Vision 2025 through this activity entitled “The ASEAN-USAID Partnership for Regional Optimization with the Political-Security and Socio-Cultural Communities (ASEAN-USAID PROSPECT).”

The purpose of this activity is to provide support for ASEAN’s objective of building a more inclusive, rules-based, and prosperous Southeast Asia by engaging the services of the Contractor to advance the U.S. Government to increase ASEAN’s capacity to resolve regional and global challenges and advance an effective, rules-based architecture for cooperation among governments in the region to uphold human dignity and the rule of law.

The activity will provide technical assistance, training, workshops and other resources to strengthen the capacity of targeted ASEAN institutions, including the ASEAN Secretariat (ASEC) as well as other ASEAN institutions and sectoral bodies. Activities will provide targeted assistance to enable these bodies, and therefore ASEAN as a whole, develop effective multi-lateral policy standards and agreements, and strengthen its ability to implement these policies.

### **C.2 BACKGROUND**

#### **ASEAN Institution**

ASEAN was founded on August 8, 1967 by Indonesia, Malaysia, Philippines, Singapore and Thailand as a means of facilitating economic, political, military, educational and cultural integration. In addition to spurring economic development and social progress, the organization also seeks to provide a mechanism for peaceful resolution of differences and to promote regional stability. Since its formation, it has expanded to include Brunei Darussalam, Vietnam, Laos, Myanmar, and Cambodia, bringing its current membership to ten countries. The ASEAN region includes nearly 650 million people and has a GDP (as of 2016) of over \$2.8 trillion.

Over the past 50 years, ASEAN has made significant advances in security and stability among ASEAN Member States (AMS). This stability has allowed the region to focus on economic development and other areas of transnational cooperation. Consequently, ASEAN has become a key regional institution for rule-making and fostering peace and stability in Southeast Asia. However, ASEAN has no supranational authority over its members. Rather, it functions as a framework for collaboration and cooperation.

The requirement that all ASEAN decisions be consensus-based, along with the ASEAN principle of non-interference in the internal affairs of other AMS, consistently affects the timeliness and quality of ASEAN agreements. The only way to increase ASEAN’s effectiveness within these parameters is to address its underlying governance capacity. ASEC facilitates the activities of ASEAN’s various sectoral bodies, but ASEC cannot enforce agreements. In addition to this lack of authority, ASEC has limited capacity to support ASEAN bodies and the AMS or to effectively coordinate activities across sectors. In addition, the ASEAN region is extraordinarily prone to natural disasters; the costs of such disasters pose both short- and long-term threats to economic development as well as social structures and the environment.

In 2015, ASEAN leaders endorsed the ASEAN Community Vision 2025, which articulates ASEAN goals and aspirations to achieve further consolidation, integration and strong cohesion, striving towards establishment of an association that is more “politically cohesive, economically integrated, and socially responsible.” The Vision established three distinct ASEAN “communities”<sup>1</sup>:

- The ASEAN **Political-Security Community**, which seeks to create a rules-based community of shared values and norms; a cohesive, peaceful, stable and resilient region with a shared responsibility toward comprehensive security; and a dynamic and outward-looking region with deepened cooperation with external parties. A critical element of this is the strengthening ASEAN’s institutional capacity through improved work processes and coordination.
- The ASEAN **Economic Community**, which seeks to build and strengthen a highly integrated and cohesive regional economy within the global economic system. It aims to do so by focusing on creation of a single market and production base, a highly competitive region, fair economic development and integration into the world economy. Free movement of skilled labor, goods, services and investment will enable ASEAN to rise globally as one market with each member gaining from each other's strengths.
- The ASEAN **Socio-Cultural Community**, which seeks to build an inclusive, sustainable, resilient and dynamic community through accountable and inclusive governance. This includes promoting improved quality of life, equitable access to opportunities for all, and protecting human rights, with particular emphasis on the rights of women, children, youth and other vulnerable and marginalized groups. It also seeks to promote social development and environmental protection; build enhanced capacity and capability to adapt and respond to social and economic vulnerability, disasters, climate change, and other emerging threats and challenges; and promote awareness and pride in an ASEAN identity, culture and heritage.

The implementation the ASEAN Vision blueprint will require effective institutions that have the capacity to develop, promote, and implement policy consistently and effectively. Recognizing these needs, the AMS included a subcategory in the Vision document entitled “Moving Forward,” which implicitly acknowledged weaknesses in ASEAN’s institutional capacity to process and coordinate the work of the association. Therefore, ASEAN institutions must be strengthened to help resolve regional challenges, become increasingly integrated, and advance a rules-based architecture that upholds human dignity and the rule of law.

## U.S Relations with ASEAN

The United States has had an official relationship with ASEAN since 1977. The U.S. is on of ten official ASEAN “dialogue partners,” meaning the U.S. has a seat at the table in some ASEAN discussions without being a voting member; The U.S. is also a member of ASEAN-centered fora such as the East Asia Summit and the ASEAN Regional Forum. For forty-one years, the U.S and ASEAN have cooperated in trade, economic and social development, people-to-people connections, institutional strengthening, national security, defense, science and technology, and education.

The United States was the very first non-ASEAN country to name an Ambassador to ASEAN in 2008. In June 2010, the United States became the first non-ASEAN country to establish a dedicated Mission to ASEAN in Jakarta and in 2011 the first resident Ambassador to ASEAN was appointed. The United States and ASEAN relationship was elevated to a Strategic Partnership in recognition of the importance of the cooperation in 2015. The partnership focuses on five areas including supporting economic

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<sup>1</sup> <http://www.asean.org/storage/2015/12/ASEAN-2025-Forging-Ahead-Together-final.pdf>

integration, expanding maritime cooperation, cultivating ASEAN emerging leaders, promoting opportunity for ASEAN women, and addressing transnational challenges.

### C.3 PROGRAM DEVELOPMENT OBJECTIVES

As an official dialogue partner of ASEAN, the United States is working closely with ASEC and other ASEAN sectoral bodies to promote the institutional capacity within each of the three communities. This activity will specifically support the Political-Security Community and the Socio-Cultural Community.

This activity will focus on improving the capacity of targeted ASEAN institutions, sectoral bodies, and ASEC offices. With each of these bodies, effective international policy standards and agreements will be developed through targeted support services, which will in turn help to strengthen the ability of the ASEAN bodies to implement these policies. The activity is part of the U.S. Government’s overall program designed to provide comprehensive support to all three ASEAN communities. This activity and its activity components will primarily contribute to Development Objective (DO) 1 and 3 under the USAID Development Cooperation Framework for ASEAN as seen in Figure 1 below.

**Figure 1: ASEAN Development Cooperation Framework**



More specifically, the ASEAN-USAID PROSPECT Activity will contribute to achieve the following Development Objectives:

- (DO1) ASEAN and its Member States More Capably and Frequently Contribute to Resolving Regional and Global Challenges: Rapid economic growth and regional integration have come with additional transnational challenges. Human trafficking, irregular labor migration, illegal fishing, wildlife trafficking, violent extremism, natural disasters and health threats are among the most pressing challenges to long term sustainable economic growth in Southeast Asia. Although

national efforts are indispensable, a regional, ASEAN-wide approach is necessary to effectively address these transboundary challenges and threats.

- (DO3) ASEAN and its Member States Advance an Effective, Rules-based Architecture to Uphold Human Dignity and the Rule of Law: Important development outcomes have been achieved from the regional integration facilitated through ASEAN. However, more needs to be done to secure benefits, social protection, justice, and human rights to reduce persisting inequalities, including gender-based violence and limited opportunities to benefit from regional economic growth. High youth unemployment and underemployment persists, presenting conditions that can create instability such as violent extremism. Civil society organizations (CSOs) represent these vulnerable groups, but are mostly in early developmental stages. Increased community political engagement, including through civil society organizations, and consistent rules-based good governance systems will contribute to reducing long-term risks. This will require ASEAN and AMS to engage with non-state actors and civil society more effectively in decision-making, and increase citizens' access to justice.

#### **C.4 OVERVIEW OF ACTIVITY OBJECTIVES & TASKS**

The Contractor must provide targeted support to priority sectoral bodies within ASEAN to contribute toward the achievement of the Development Objectives. Specifically, the Contractor must focus efforts of support to contributing to the achievement of the following activity objectives:

Activity Objective 1: Help ASEAN to take a united, collaborative and proactive approach to addressing transnational challenges relevant to human security (such as human trafficking, labor migration, or violent extremism), and potentially other relevant transnational issues such as wildlife trafficking. – Approximately 15% of activity effort.

Activity Objective 2: Enable a more robust response to emerging humanitarian crises, particularly relating to natural disasters. – Approximately 15% of activity effort.

Activity Objective 3: Address governance gaps within ASEAN and the AMS to strengthen their ability to implement and enforce existing or future whole-of-ASEAN conventions and agreements. This must be achieved by working with all three branches of ASEAN governance (judicial, legislative, and executive). – Approximately 30% of activity effort.

Activity Objective 4: Strengthen civil society engagement and influence on critical issues being addressed within the ASEAN context – Approximately 10% of activity effort; and

Activity Objective 5: Expand rights and opportunities for women, youth, and other vulnerable and marginalized groups – Approximately 30% of activity effort.

While this appears to be a broad selection of different objectives, all of them share a common theme – institutional governance strengthening of the ASEAN sectoral bodies that are working toward these results.

The services implemented by the Contractor will all be a form of targeted technical assistance or institutional support aimed at enhancing the ability of the sectoral body to reach these objectives. The Contractor must also consider prioritizing activities/interventions that help work toward more than one of the activity objectives where there is clear overlap within ASEAN institutional efforts or among sectoral bodies. In addition, some limited support may be given to non-ASEAN bodies, namely Civil Society

Organizations (CSOs), to enhance their capacity to interact effectively with ASEAN and ASEAN sectoral bodies, and to contribute toward achieving the objectives of this activity.

Common among all activity objectives is a series of tasks that will enable the Contractor to effectively engage with ASEAN bodies to achieve the objectives. The Contractor must focus on these four tasks, which will be consistent towards achieving the activity objectives:

- Task 1: Develop and maintain strong working relationships with the key actors in identified ASEAN sectoral bodies.
- Task 2: Work with those sectoral bodies to obtain official ASEAN endorsement (approval to move forward with activity implementation) of support activities.
- Task 3: Work with other dialogue and development partners, as well as the AMS, to leverage financial and other types of support for these activities.
- Task 4: Implement the activities as an equal partner with the representatives on the ASEAN sectoral bodies.

Following this approach and pattern to working with the sectoral bodies will help reach the activity objectives.

The Contractor must have an appropriate and effective approach to partnering with and strengthening each relevant ASEAN sectoral body relevant to activity outputs. The activities implemented by the Contractor will all be a form of targeted technical assistance or institutional support aimed at enhancing the ability of the sectoral body to reach the activity objectives. While this typically is accomplished at the ASEAN sectoral body level, there may be some instances identified where specific, national-level support will be provided by the Contractor within select AMS. The Contractor has the responsibility to identify such opportunities in tandem with their support to the ASEAN sectoral bodies.

The Contractor must also provide insight on how to harmonize gender considerations across sectoral bodies. As part of the Contractor's engagement with each sectoral body, it must help to identify current efforts, gaps, and opportunities for promoting gender equality and the mainstreaming of gender-focused institutional practices within ASEAN. The level of effort put into this analysis and incorporation of gender into specific activity components will be contextualized based on each sectoral body engaged.

## **C.5 ACTIVITY COMPONENTS AND OUTPUTS**

The five activity objectives outlined above correspond to five activity outputs, which are described below. These five outputs are categorized under two activity components, which correspond to the two development objectives - DO1 and DO3 - listed above.

### **C.5.1 Component 1: Build ASEAN and AMS Capacity to Resolve Regional and Global Challenges**

The Contractor must contribute to achieving DO1, which is improving ASEAN and AMS capacity to resolve regional and global challenges. This particularly pertains to transnational challenges that directly threaten human safety and security. The Contractor must provide technical assistance and institutional support to relevant ASEAN bodies to build their capacity to manage transnational challenges, including, but not limited to, violent extremism, trafficking in persons, and disaster management.

## **Output 1.1: Advance capacity to prevent violent extremism and combat transnational crimes**

ASEAN political-security cooperation aims to strengthen a peaceful, secure and stable region. Growing levels of violent extremism and human trafficking threaten advances toward this objective. ASEAN must develop its capacity to curb security challenges from international terrorism. An estimated 1,000 fighters from Southeast Asia, especially Indonesia, Malaysia and the Philippines, have joined the Islamic State in Iraq and Syria (ISIS)<sup>2</sup>. These fighters, after returning home, frequently join existing extremist cells or form new ones with the aim of advancing their violent agenda across the AMS. The 2017 outbreak of violence in the city of Marawi demonstrated this phenomenon; ISIS-affiliated fighters from Malaysia, Indonesia, and other countries engaged in a five-month urban battle with the goal of establishing an Islamic State province within the Philippines. The Philippines, Thailand, Indonesia and Myanmar ranked 12th, 15th, 38th and 45th respectively in the 2016 Global Terrorism Index.

ASEAN leaders signed the ASEAN Convention on Counter-Terrorism in 2007, which has now been ratified by all ten AMS. To respond to the increase in violence, ASEAN endorsed a declaration to counter the rise of radicalization and violent extremism in 2017<sup>3</sup>. The declaration acknowledged the role of civil society in preventing violent extremism and in pursuing strong collaboration with ASEAN Dialogue Partners, related international organizations and other stakeholders through the exchange of experiences, lessons learned and best practices in addressing radicalization and violent extremism. Supporting ASEAN in countering violent extremism is a new area of engagement for the U.S. Government, meaning that the initial outputs of the activity will include working across multiple ASEAN bodies to identify a feasible way forward to provide institutional support in this sector.

The ASEAN Convention on Trafficking in Persons (ACTIP) was signed in late 2015 and came into force in early 2017 after ratification by six countries. Human trafficking is a key challenge in the region and ACTIP provides a framework for building capacity, adapting domestic laws and practices, and increasing awareness in all AMS of the need to reduce human trafficking in the region. The ASEAN Committee on the Protection of Women and Children (ACWC) followed up ACTIP by conducting a regional review of law and policies related to trafficking in persons within AMS<sup>4</sup>. This review provides an assessment of the current situation and is assisting ASEAN institutions and AMS in efforts to improve national and regional responses in assisting victims of trafficking<sup>5</sup>. The 2017 State Department TIP Report put the Philippines as the only AMS at Tier 1. Malaysia's rank improved from Tier 2 Watch List to Tier 2, joining Brunei, Cambodia, Indonesia, Singapore and Vietnam. Myanmar joined Laos and Thailand on the Tier 2 Watch List, an improvement from Tier 3 status the previous year. In addition, women and girls in the ASEAN region are more vulnerable to becoming victims of trafficking, constituting 52% and 26% respectively of all identified victims in East Asia and Pacific (UNODC, 2016). ACTIP emphasizes protection of women and children but AMS has legal diversity on identifying victims of trafficking.

While ASEAN has established these Conventions on Counter Terrorism and Trafficking in Persons, continual work is needed to promote full adaptation and compliance at the national level within AMS.

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<sup>2</sup> Former Secretary General of ASEAN, Ambassador Ong Keng Yong, in the conference of peace and prevention of violent extremism in Southeast Asia, Manila 22 September 2017

<sup>3</sup> <http://asean.org/storage/2017/09/Manila-Declaration-to-Counter-RRVE-Adopted-by-the-11th-AMMTC1.pdf> and [http://treaty.kemlu.go.id/uploads-pub/5383\\_ASEAN-2007-0257.pdf](http://treaty.kemlu.go.id/uploads-pub/5383_ASEAN-2007-0257.pdf)

<sup>4</sup> <https://acwc.asean.org/resources/activities-recommendations/regional-review-on-laws-policies-and-practices-within-asean-relating-to-the-identification-management-and-treatment-of-victims-of-trafficking-especially-women-and-children/>

<sup>5</sup> <https://acwc.asean.org/resources/activities-recommendations/regional-review-on-laws-policies-and-practices-within-asean-relating-to-the-identification-management-and-treatment-of-victims-of-trafficking-especially-women-and-children/>

ASEAN oversees this process and multiple sectoral bodies are engaged with the AMS national governments. In order to support the ASEAN bodies in this effort, the Contractor must help establish more detailed guidance for implementation by the sectoral bodies. This guidance will help to describe technical policies, and provide tools for helping AMS harmonize national-level policies with convention standards. To provide this guidance, the Contractor must consult with the relevant ASEAN sectoral bodies and select the most appropriate and realistic areas to be addressed. Given that these issues have been shown to disproportionately affect women in ASEAN, the Contractor must prioritize guidance that addresses issues most critical to the rights of women.

The role of civil society in ASEAN when it comes to combatting violent extremism and trafficking in persons is limited. Closely related to Output 2.2 below, the Contractor must engage civil society as part of interventions designed with the ASEAN bodies to address these issues. The Contractor will support workshops and meetings that facilitate this important interaction between and among the ASEAN sectoral bodies, alongside civil society.

The following are interventions that the Contractor must pursue to combat violent extremism and transnational crimes. While the output had been identified as a priority in consultation with ASEAN, undertaking these interventions will require endorsement by the sectoral bodies at the time when work plans are developed. Therefore, reasonable adaptation to endorsement processes may be required in order to ensure that all activities have been properly endorsed. This applies to the interventions for all output areas of ASEAN-USAID PROSPECT:

- Facilitate active civil society and private sector participation and engagement in ASEAN sectoral body processes and activities.
- Identify ASEAN sectoral bodies most likely to effectively prevent and counter the growing threat of violent extremism within ASEAN, and identify effective means of institutional support.
- Facilitate ASEAN dialogue and events that involve multiple ASEAN sectoral bodies to ensure that efforts to reduce transnational crimes are more holistic and cooperative in their approaches.
- Provide technical support to provide updates AMS national level on the review of laws and policies related to trafficking in persons. If appropriate, provide training or workshops to the sectoral bodies that help institutionalize these updates into their work.

Illustrative indicators:

- Number of new ASEAN policies developed in consultation with civil society organizations.
- Number of participants in workshops or trainings on preventing violent extremism.
- Number of coordination meetings on combatting transnational crimes.
- Number of updates to laws and policies on combatting trafficking in persons.
- Number of CSO participants in meetings of ASEAN bodies.
- Number of tools, laws, policies, or procedures drafted, proposed or adopted to promote women's economic empowerment or to prevent violence against women

#### **Output 1.2: Strengthen implementation of ASEAN Vision 2025 provisions regarding disaster management**

The ASEAN region is extraordinarily prone to natural disasters; the costs of such disasters pose both short- and long-term threats to economic development as well as social structures and the environment. The ASEAN Agreement on Disaster Management and Emergency Response (AADMER),<sup>6</sup> which entered into force in December 2009, has served as a framework for regional cooperation, coordinating AMS assets to respond regionally to disasters. The AADMER establishes the foundation for the ASEAN

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<sup>6</sup> <http://agreement.asean.org/media/download/20140119170000.pdf>



Coordinating Centre for Humanitarian Assistance and Emergency Response (AHA Centre) to facilitate cooperation and coordination for regional disaster preparedness and joint disaster response operations.

In 2015, ASEAN Vision 2025 on Disaster Management<sup>7</sup> was endorsed as a strategic policy document to provide a roadmap for progress over the next ten years. It identified the key areas to help enable implementation of AADMER by 2025, applying a people-centered, financially sustainable, and networked approach. The ASEAN Committee on Disaster Management (ACDM) has developed a work program for 2016-2020<sup>8</sup> to implement the Vision and AADMER, with the objective of building a resilient ASEAN community. As part of the work program, ACDM endorsed the ASEAN Joint Disaster Response Plan to build national capacities and to coordinate AMS responses to disasters.

The AHA Centre and ASEC are in regular coordination with the dialogue partners, including the United States, to identify means of contributing to the AADMER work program. The Contractor must identify gaps and opportunities among support provided by the other Dialogue Partners, and then provide targeted technical assistance to help address those needs. The Contractor must prioritize efforts to implement the ASEAN Joint Disaster Response Plan (AJDRP) and the ASEAN Standardization and Certification for Experts in Disaster Management (ASCEND). The Contractor must provide technical assistance to AHA Centre as the body that implements AADMER. This technical assistance will take the form of workshops or trainings on specific skills for AHA Centre staff and the AMS National Disaster Management Offices (NDMOs). The Contractor must facilitate coordination between the AHA Centre and the NDMOs. This may result in possibilities to work at the national level to synchronize regional and national disaster response systems. The Contractor must promote private sector engagement in relevant discussions and policy development exercises.

The following are interventions that the Contractor must pursue to improve ASEAN disaster management; reasonable adaptation is anticipated in order to ensure that all activities are properly endorsed:

- Provide technical support for the implementation of AADMER and its work programs.
- Continue support for implementation of the ASEAN Joint Disaster Response Plan.
- Provide technical assistance to the AHA Centre.

Illustrative indicators:

- Number of regional disaster management policies and plans developed and implemented to promote coordinated responses to natural disasters.
- Number of private-sector/CSO collaborative actions taken with ASEAN bodies.

### **C.5.2 Component 2: Support ASEAN and its Member States in advancing effective regional integration to enhance the rule of law and uphold human rights**

The Contractor must contribute to achieving DO3, assisting ASEAN and its AMS in enhancing the rule of law and upholding human rights. The Contractor must build the capacity of relevant ASEAN institutions to strengthen judicial cooperation and promote human rights. The Contractor must work with ASEAN institutions to include CSOs as an active participant in ASEAN activities, policy development, and formal discussions. At the same time, the Contractor must identify specific ways to increase CSO capacity in critical sectors, enabling key CSOs to more effectively contribute to the ASEAN policy-making process and promote gender equality. CSOs receiving support must be engaged with ASEAN as an institution on relevant issues being addressed under the Contract's objectives.

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<sup>7</sup> [http://www.asean.org/storage/2012/05/fa-220416\\_DM2025\\_email.pdf](http://www.asean.org/storage/2012/05/fa-220416_DM2025_email.pdf)

<sup>8</sup> <http://www.asean.org/wp-content/uploads/2016/02/AADMER-Work-Programme-2016-2020-v1.6.pdf>



The Contractor must also give particular attention to expanding effective engagement in the evolving area of ASEAN-wide judicial cooperation. This includes identifying areas of institutional support that could be provided to the Council of ASEAN Chief Justices (CACJ). The ultimate goal is to establish cooperation among national level judicial bodies (Supreme Courts) to build trust, learn from one another other, and identify how they might more effectively cooperate on transnational judicial issues that involve more than one AMS.

Among the AMS there are gaps in institutional governing capacities at the national level, which affects ASEAN’s ability to reach its stated goals in economic and social development. ASEAN includes advanced economies such as Singapore and Brunei, as well as less-developed countries in the Mekong region, including Cambodia, Myanmar, Laos and Vietnam (commonly referred to within ASEAN as the CLMV countries). Common problems across the AMS include, but are not limited to insufficient governance, corruption, uneven adherence to the rule of law, low levels respect for universal human rights and basic freedoms, inter-ethnic tensions, economic and political nationalism, and inter-religious tension.

ASEAN provides guidance regarding respect for human rights and fundamental freedoms, democracy, rule of law and good governance. The ASEAN Charter<sup>9</sup> enacted in 2007 strengthening democracy, enhancing good governance and the rule of law, and promoting and protecting human rights and fundamental freedoms as one of ASEAN’s purposes. ASEAN Vision promotes women’s equality and empowerment but gender equality is concentrated in the socio-cultural pillar, which needs to be mainstreamed across the other two pillars of political–security and economics.

The Contractor must work with the sectoral bodies representing the three branches of government (ASEC, AIPA and CACJ) to establish an equal understanding on the policies developed to enhance rule of law and human rights. The Contractor must increase capacity and network among civil society in AMS to enable them to work productively within ASEAN on policy development and implementation. The Contractor must facilitate learning among ASEAN sectoral bodies to effectively engage with civil society and foster environment for civil society to express their aspiration to ASEAN institutions.

While ASEAN must endorse all activities that provide direct support to ASEAN sectoral bodies, a limited amount of direct institutional support to civil society organizations that engage with ASEAN toward the attainment of these results may also be pursued via grants under contracts (GUCs).

**Output 2.1: Strengthen judicial, legislative, and executive body cooperation and networks to promote the rule of law and compliance with ASEAN agreements.**

As ASEAN strives to develop itself as a rules-based community, it must foster stronger cooperation among AMS judicial institutions. The ASEAN Chief Justice Meeting (ACJM) in 2016 agreed to establish the Council of ASEAN Chief Justices (CACJ), with the intention that the CACJ should become an entity associated with ASEAN under the ASEAN Charter. The establishment of the CACJ sets the foundation for long-term, sustainable cooperation among the judiciaries of the AMS. This step was followed by a declaration at the first CACJ meeting in 2017 pledging to institutionalize judicial cooperation among the AMS. Acting in parallel to ASEC and the ASEAN Inter Parliamentary Assembly (AIPA), the CACJ provides, for the first time in an ASEAN context, representation within the association’s structures for the “third branch of government.”

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<sup>9</sup> <http://www.asean.org/wp-content/uploads/2012/05/11.-October-2015-The-ASEAN-Charter-18th-Reprint-Amended-updated-on-05.-April-2016-IJP.pdf>

Various ASEAN stakeholder meetings have produced agreements that often require legal adjustment. In such cases, the agreements fall under the authority of AMS parliaments to adopt. The ASEAN Inter Parliamentary Assembly (AIPA) was established to promote closer cooperation among AMS parliaments, and therefore plays a significant role in helping to ensure that each AMS adopts the agreements at the national level, so that their laws conform to agreements made within ASEAN. In this sense, AIPA plays an important collaborative role as ASEAN's primarily legislative coordination body.

ASEC plays an important role as well. Although ASEC cannot enforce agreements, ASEC does have a mandate to monitor and report on the status of ASEAN agreement implementation through the Legal Services and Agreements Division (LSAD). Reports issued by LSAD are used to analyze gaps between the agreement and implementation in each AMS. The purpose of this is to identify necessary support for specific countries that still have implementation challenges.

A strong network and cooperation among ASEC, AIPA and the CACJ will ensure that all ASEAN agreements are made through a full participatory process. By addressing all three branches of government, ASEAN's governance capacity will increase and agreements will be more successfully implementing, providing AMS with equal understanding of agreements, crucial support for national-level legislation, and means by which transnational issues can be fully considered and adjudicated on the regional level. This cooperation will promote the ASEAN principles of adherence to the rule of law as stipulated in the ASEAN Charter.

The Contractor must provide technical assistance to further institutionalize the CACJ's role and procedures, such as by helping in the development of terms of reference or other guidance that stipulate roles and functions of the institution. The Contractor must link the work of the CACJ with ASEC and AIPA. In addition, the Contractor must bolster the capacity of ASEAN bodies across all three branches of government in their efforts to monitor and help implement the stipulations of ASEAN agreements.

The following are interventions that the Contractor must pursue to strengthen judicial cooperation; reasonable adaptation is anticipated in order to ensure that all activities are properly endorsed:

- Technical assistance provided to the CACJ or other judicial bodies to establish and institutionalize the mechanisms for judicial cooperation in ASEAN.
- Build capacity and strengthen networks to promote the rule of law among ASEC, AIPA, and the CACJ.
- Provide technical assistance to ASEC to help bolster its efforts to create reporting mechanisms for the implementation of ASEAN legal agreements.

Illustrative indicators:

- Number of technical meetings among ASEAN bodies, convened with U.S. support, to strengthen mutual cooperation in the judicial context.
- Number of laws, policies, procedures and/or programs developed and/or adopted that promote integration and resiliency as well as economic, social and gender inclusion.

## **Output 2.2: Increase civil society engagement with ASEAN**

ASEAN citizens must engage with their governments and regional institutions to ensure their aspirations are considered at every step in the public policy-making process. Civil society organizations (CSOs) serve as representatives of the people and can channel their voices during ASEAN policy development efforts; they also serve to engage in the implementation of these policies in each AMS at the national level. Civil society engagement will contribute to more effective policies, encourage the strengthening of democratic values and good governance, and increase citizen access to justice. While the number of

CSOs may be growing, the challenge remains that there is restricted space for civil society in most ASEAN countries. Therefore, the Contractor must institutionalize a role for civil society and CSO participation in relevant ASEAN events facilitated. ASEAN has a CSO accreditation process that involves lengthy application waits and tough requirements,<sup>10</sup> and the ASEAN Intergovernmental Commission on Human Rights (AICHR) has initiated a CSO accreditation process with fewer restrictions. Currently, AICHR has accredited 22 CSOs that have a consultative relationship<sup>11</sup> with the body.

The Contractor must support participation of CSOs in ASEAN meetings and official processes whenever possible. At the same time, the Contractor must work to improve the capacity of CSOs in specific areas relating to activity results. The Contractor must establish and maintain CSO networks within AMS and provide technical support to link the network with ASEAN. The Contractor must leverage the relationships between AICHR and CSOs as a good model that can be replicated or adapted across sectoral bodies.

The following are interventions that the Contractor must pursue to increase civil society engagement with ASEAN; reasonable adaptation is anticipated in order to ensure that all activities are properly endorsed:

- Build CSO capacity with targeted grants, increasing their ability to effectively engage on critical issues with ASEAN bodies pertaining to activity results.
- Establish and maintain CSO networks within Southeast Asia.
- Promote and facilitate active civil society engagement in all ASEAN processes supported by the activity.

Illustrative indicators:

- Number of U.S.-supported workshops and regional forums promoting greater social protections and human rights advocacy.
- Number of laws, policies, procedures and/or programs developed and/or adopted that promote integration and resilience as well as economic, social and gender inclusion.
- Number of dialogues between CSOs and ASEAN bodies.

### **Output 2.3: Enhance ASEAN institutional capacity to promote human rights**

Human rights are recognized in the ASEAN Charter, which provided for the establishment of the ASEAN Intergovernmental Commission on Human Rights (AICHR). However, human rights are still considered a sensitive subject, with norms and standards varying across AMS governments. The AICHR was established in 2009 to promote and protect human rights and fundamental freedoms, but its progress has been slow, and antipathy is widespread. In addition, many vulnerable populations including women and people with disabilities are fully included in ASEAN economic development efforts.

The promotion and protection of human rights in the diverse ASEAN region is challenging and will require active and full participation by both the governmental and non-governmental sectors. Youth represent approximately 65 percent of ASEAN's population, and thus have a critical role to play in the promotion of human rights in the AMS. ASEAN adopted its first Youth Development Index (YDI)<sup>12</sup> at the 31<sup>st</sup> ASEAN Summit in November 2017 as a basis to measure youth development and to develop policies and programs on youth across ASEAN and in member states. YDI covers topics such as access to education; health and well-being; employment; participation; and engagement. The YDI range is from 0

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<sup>10</sup> <http://asean.org/storage/2016/07/18.-September-2016-ASEAN-Engagement-with-Entities-1st-Reprint.pdf>

<sup>11</sup> <http://aichr.org/external-relations/consultative-relationship-with-the-aichr/>

<sup>12</sup> [http://asean.org/storage/2017/10/ASEAN-UNFPA\\_report\\_web-final-05sep.pdf](http://asean.org/storage/2017/10/ASEAN-UNFPA_report_web-final-05sep.pdf)

to 1, with 0 denoting the lowest youth development and 1 the highest. AMS overall scores are between 0.37 and 0.94 which show a wide gap among youth development levels in ASEAN and score for participation and engagement is the lowest.

The Contractor must provide technical assistance to AICHR and facilitate additional avenues of AICHR cooperation with other sectoral bodies. The Contractor must work with AICHR to pursue a more policy-driven mandate of the human rights body through technical assistance and policy development interventions. The Contractor must support AICHR's continued work with CSOs and facilitate meetings and workshops that bring AICHR and CSOs together to further institutionalize this cooperation.

The Contractor must also provide support to establish and maintain regional youth networks, facilitating ways for these networks to then interact with ASEAN sectoral bodies and to participate in ASEAN events. The support for youth may also be achieved through use the GUCs mechanism.

The following are interventions that the Contractor must pursue to enhance ASEAN institutional capacity to promote human rights; reasonable adaptation is anticipated in order to ensure that all activities are properly endorsed:

- Provide technical assistance to relevant ASEAN sectoral bodies that promote human rights, such as AICHR, increasing their capacity to develop policies and launch programs that address risks among vulnerable groups.
- Promote and facilitate active civil society engagement in all ASEAN processes supported by the activity.
- Provide activity support for existing activities aimed at increasing the participation of youth in ASEAN processes.

Illustrative indicators:

- Number of technical meetings among ASEAN bodies, held with U.S. support, to strengthen mutual cooperation.
- Number of U.S.-supported workshops and regional forums promoting greater social protections and human rights advocacy.
- Number of women and youth with increased knowledge, leadership capabilities, and technical skills as a result of USG assistance. .
- Number of USG funded workshops, seminars and/or trainings targeting ASEAN youth to raise awareness of ASEAN and/or strengthen a shared ASEAN identity

