



USAID
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Branding & Marking in Acquisition

Quick Reference for USAID Employees

March, 2007

This quick reference guide is based upon ADS chapter 320, as revised and issued on January 10, 2007. For a full understanding of Agency policy in this area, employees are urged to read ADS 320.

Branding & Marking in Acquisition: Quick Reference for USAID Employees is designed to provide a broad overview and understanding of branding and marking issues in the acquisition process. It outlines the steps needed to implement the Agency's new branding and marking requirements in acquisition instruments, provides tips on assuring that your work implements the spirit of the policy, and seeks to lessen any further burden during its implementation.

OVERVIEW

Section 641 of the Foreign Assistance Act of 1961 (as amended) requires that any foreign assistance provided under the act is communicated to host country audiences as "American Aid." Traditionally with USAID, this was interpreted to require that stickers with the Agency's logo were placed on the various commodities that were delivered. It's clear that with changes in communications technologies, the spread and adoption of mass-communications practices beyond the developed world and increased sophistication of all communications consumers, these procedures needed to be updated.

Further, since 9/11, America's foreign assistance programs have been more fully integrated into the United States' National Security Strategy. This elevation to the so-called "third-D" (development being added to diplomacy and defense) increased the need for U.S. foreign assistance activities to be more fully identified in the host country as being provided "from the American People." We have been identified as "America's good-news story" and have been tasked to make our efforts more visible and better known in the countries where we work.

Beneficiaries of U.S. aid receive billions of dollars of foreign assistance every year, often with little to no awareness that the assistance is provided by the American people. Clear evidence of the new visibility and value of foreign aid came in the aftermath of the 2004/2005 U.S. tsunami relief effort, the first time USAID's new "brand identity" was used publicly. According to a State Department study, in 2004, favorable opinions of the U.S. were at record lows in many Muslim countries. But, in early 2005, favorability of the U.S. nearly doubled in Indonesia (from 37 to 66 percent) thanks to the massive delivery of – for the first time “well branded” – U.S. foreign assistance. A Pew Research study confirms this: “Positive opinions of the U.S. in Indonesia, which had plummeted to as low as 15 percent in 2003, also have rebounded to 38 percent. The U.S. tsunami aid effort has been widely hailed there; 79 percent of Indonesians say they have a more favorable view of the U.S. as a result of the relief efforts.”

A senior U.S. diplomat summarized the impact of our campaign this way: “The people of Aceh (Indonesia) saw the branding; they knew right away the U.S. Government was responding. That absolutely had a major impact on their perception of the U.S. I think our new global branding is a major foreign policy achievement.” Such awareness of the generosity of the American people is an important part of the U.S. Government's public diplomacy strategy and a critical part of the post 9/11 war against terrorism.

THE BRANDING & MARKING PROCESS IN ACQUISITION

This is a simple, 4 step process. The Agency takes the first step during its preparation of the materials leading-up to the issuance of the Request for Proposals (RFP) or Request for Task Order Proposal (RFTOP); offerors take the next two steps while preparing their responses to the RFP; and the final step is the review and evaluation process leading up to the final negotiation and award by the Contracting Officer. These are the 4 steps:

Step 1. Pre-award: Preparation of a Branding Strategy. The operating unit within the Agency that requires the contract (referred to as the “requiring office” or RO in the chapter) prepares a “Branding Strategy” to include in the materials that they prepare to describe the work requirements, or Statement of Work, for the RFP or RFTOP. This section reflects some basic decisions that the requesting unit has made about the proposed activity. ADS 320.3.2 requires that Branding Strategies include:

- **The program or project name.** USAID receives “exclusive branding and marking” for the work conducted under all acquisition awards. This means that the foreign assistance delivered is clearly credited to the American people. It also means that competing logos or identities, such as the contractor's, are excluded. Therefore, activities should be known by a simple, easily understood name – the “USAID | Basic Education Improvement Program” for example. Avoid program names that use acronyms that spell-out, or can be pronounced as, words and that do not provide clear and direct association with the Agency. An example of an activity name that only competes with this goal and does not credit the American people is the “African Training Leadership in Advanced Skills program (ATLAS).”

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- **How the materials and communications about the project or activity will be “positioned.”** Positioning is a public relations term of art that simply means the process by which we create an image or identity in the minds of our target market for the project or activity. Positioning expresses the *values, goals* and *attributes* for the project or activity and how we want the recipients and the citizens of the host country to *remember* or *recall* the assistance delivered. For further information, see the Wikipedia article on positioning [[http://en.wikipedia.org/wiki/Positioning_\(marketing\)](http://en.wikipedia.org/wiki/Positioning_(marketing))].
 - **The desired level of visibility.** Define the audience – who should know about the American people’s generosity in providing this assistance? Of course we want the direct beneficiaries to know ... but who else? What other audiences should be targeted to know about our work? The direct beneficiaries of the assistance aren’t the only people who will benefit from our work. While the children who receive a better education are the primary beneficiaries of the assistance being provided by the American people, their families are secondary beneficiaries. So, too, are the communities where we are delivering our educational assistance. Therefore, answer this question: “who cares?” The answer to “who cares” about the benefits of our assistance will help you define your audience, and therefore will define the desired level of visibility.
 - **Any other organizations to be acknowledged.** Sometimes, depending on the bilateral relationship or the strategic reasoning for USAID’s activities within a country or a sector, we may want to share the credit for our activities with other donors or other host-country institutions. The Branding Strategy is where we define that requirement, tell our contractor which other organizations receive visibility, what we want to achieve through acknowledging other organizations and when we want to acknowledge these organizations. Remember, USAID contractors or sub-contractors do not use their corporate identities or logos on our assistance.

Also, during this phase of the process, the requesting unit should also determine, and document within the materials developed for the RFP or RFTOP, whether the Agency desires to place any limitations or conditions on the release or use of data or other materials produced in performing the contract. For example, if the contract calls for a study on infant mortality and morbidity, who controls the announcement of the results of the study? Should the Agency place any conditions of the further distribution or marketing of a device or product developed under an Agency contract? These discussions should be held in close consultation with the CO, the RO, and the Regional Legal Advisor or Office of the General Counsel.

Step 2. & Step 3. Branding Implementation Plan and Marking Plan.

An existing or prospective contractor typically prepares these two plans concurrently, but they are two different plans with different, but related, purposes. The offeror prepares the Branding Implementation Plan (BIP) to describe and detail how it will implement the Branding Strategy (see above). It prepares the Marking Plan (MP) to enumerate all of the public communications, commodities, program materials and other items that will be marked with the USAID identity or brand. The Agency evaluates the proposed BIP and

MP for sufficiency, not competitively as part of the technical evaluation of the proposal, during pre-award evaluation process (see Step 4). It is important to note that offeror failing to submit an adequate BIPs and MPs, or failing to negotiate acceptable plans, are grounds for not awarding the contract.

ADS 320.3.2.2 for BIPs and 320.3.2.3 for MPs enumerate numerous items that might be included in each document. It is important to remember that the items listed are illustrative and not an exhaustive listing.

Marking Plans are also the vehicles for contractors to request exceptions to the marking requirement. Exceptions are programmatic in nature, and while they may be presumptive, they are not automatic. This means that if the offeror/contractor believes that one or more of the exceptions in 320.3.2.5 applies, it must enumerate which exception(s) apply and why in the marking plan. The Contracting Officer is authorized to approve any exceptions. (FYI: Waivers, as opposed to exemptions, are granted by the USAID Principal Officer -- the most senior USAID officer in the USAID operating unit, e.g., the Mission Director in the field. Waivers document that the required USAID marking would pose compelling political, safety or security concerns or that the marking of the foreign assistance will have an adverse effect in the host country. Adverse waiver requests are appealed to Principal Officer's Assistant Administrator. Only AO and CO have the authority to inform the awardee of the waiver decision. See ADS 320.3.2.6)

Step 4. Review and Evaluation Prior to Award. As you do during your consideration of all of the other sections of the response to a RFP or RFTOP, review and evaluate the offerors' submitted MIPs and MPs for responsiveness to the Branding Strategy that prepared in step one.

Branding Implementation Plans and Marking Plans should all be unique, and address the specific circumstances, implementation challenges and working environments that each USAID award faces. Just as one of the hallmarks and strengths of our foreign assistance is our ability to adapt to the circumstances in the countries where we operate, truly effective Branding Implementation Plans and Marking Plans would address specific circumstances on the ground.

For example, branding efforts in societies where the literacy rate is low and the population is largely rural would differ dramatically from an effort in an urbanized, more literate country. While both efforts might share the same branding goals, implementation mechanisms and methodologies would be dramatically different. Therefore, such bland and obvious statements such as "send out press releases" or "work with the news media" should be challenged for further detail and scrutinized for appropriateness to the audiences being addressed (i.e., what good would sending out press releases do if the targeted audience is largely illiterate?) This is why ADS 320 provides guidance on what subjects should be addressed in the Branding Strategy, Branding Implementation Plan and Marking Plan but does not go into specifics about how to achieve results.

Both the approved Branding Implementation Plan and approved Marking Plan are made part of the award.

POST-AWARD ADMINISTRATION

After the award is made, the Branding Implementation Plan and the Marking Plan are monitored and implemented just as any other provision of a USAID contract. First, immediately after the award is made, the CO, with the support of the CTO, must brief the USAID contractor on USAID's monitoring and enforcement of these requirements. During this briefing, the CO must emphasize that failure to meet the requirements may be considered noncompliance. (see 320.3.7 for noncompliance issues.)

From that point on, the CTO serves as the USAID point-of-contact for reviewing materials and answering questions from the contractor. As the person with the most direct knowledge of the contractor's activities, the CTO must make sure before accepting deliverables under the contract that the materials are in compliance with its BIP and MP as they are incorporated into the award.

If, during the pre-award decision-making process, any controls on the contractor's release of data or other materials were put into place, the CTO monitors these provisions, consulting with the appropriate offices within USAID (such as the USAID Press Relations Office within LPA for releases to the press of other public statements or events) before authorizing the release of the material.

Also, during the administration of the contract, circumstances concerning the delivery of goods or services under the contract may change that might warrant the need to apply for an exception to the marking requirements or the approval of a waiver. It is the CTO's responsibility to bring these possible changes to the CO's attention. Exceptions (ADS 320.3.2.5) are made by the CO as a modification to the agreement. Waivers (ADS 320.3.2.6) are approved by the Principal Officer (as defined in ADS 320), but after a decision on a waiver is made, only the CO has the authority to inform the contractor of the decision and to direct the contractor to comply with it. Requests by the contractor for a waiver are made directly to the CO. The CTO then must assist in processing the waiver request to the cognizant Principal Officer. Once a waiver is granted, USAID may review its waiver determination at any time due to changed circumstance. As a part of the waiver decision, the USAID Principal Officer may also determine that the contractor(s) must remove prior USAID markings, if circumstances warrant, and the CO will then direct the contractor(s) to comply.

ADDITIONAL RESOURCES

USAID employees should consult the following documents for additional details concerning the Agency's branding and marking requirements.

- **USAID ADS Chapter 320: Branding and Marking** – the official rules and policies concerning the branding and marking of contract materials. Available at: <http://www.usaid.gov/policy/ads/300/320.pdf>
- **USAID Graphic Standards Manual** – the GSM provides detailed guidance on the branding and marking of Agency materials. It provides examples of the correct application of the brand and sub-brands, templates for materials, imagery

guidance and the allowable selection of colors for communications materials. Available at <http://www.usaid.gov/branding/gsm.html>

- **USAID Templates** – Templates in MS Word documents and PowerPoint that allow the desk-top publisher in you to comply with the USAID branding requirements internally. Available at: <http://www.usaid.gov/branding/templates.html>
- **USAID Identity Electronically** – A wide variety of image files available for download for use on your desktop, the web or by professional graphic designers. Also available are the USAID identities translated into a variety of different languages and USAID country sub-brands in both English and the appropriate local languages. Available at:
 - <http://www.usaid.gov/branding/downloadsweb.html> (smaller files for websites and desktop applications),
 - <http://www.usaid.gov/branding/downloadsprint.html> (larger files suitable for professional designers).
 - <http://www.usaid.gov/branding/translated.html> (the main USAID identity translated), and
 - Country sub-brands by region:
 - AFR: <http://www.usaid.gov/branding/afr.html>
 - ANE: <http://www.usaid.gov/branding/ane.html>
 - E&E: <http://www.usaid.gov/branding/ee.html>
 - LAC: <http://www.usaid.gov/branding/lac.html>
- **Branding and Marking for Assistance Awards** – If you require information and branding and marking in grants and cooperative agreements, please consult ADS chapter 320 (<http://www.usaid.gov/policy/ads/300/320.pdf>) and USAID regulation 22 CFR 226 (http://www.usaid.gov/branding/final_rule.pdf)

Please note: This Quick Reference Guide was created for USAID employees to provide background and easy reference concerning the USAID branding and marking requirements for contracts. It should not be construed to be a substitute for the actual policy, rules or regulations.

Please consult ADS chapter 320 (<http://www.usaid.gov/policy/ads/300/320.pdf>) for the actual text of the agency's regulation on branding and marking.

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