



*Empowered lives.
Resilient nations.*

ANNEX 4

**SPECIAL TERMS AND CONDITIONS
TO THE SUB-RECIPIENT AGREEMENT
BETWEEN THE UNITED NATIONS DEVELOPMENT PROGRAMME (UNDP)
AND CENTRO DE ORIENTACIÓN E INVESTIGACIÓN INTEGRAL, (COIN) FOR A
PROJECT FUNDED BY THE GLOBAL FUND TO FIGHT AIDS, TUBERCULOSIS
AND MALARIA**

WHEREAS, UNDP and COIN (“Sub-recipient” or “SR”) (together referred to as the “Parties”) entered into a Sub-recipient agreement, ref. “SUB-RECIPIENT AGREEMENT BETWEEN THE UNITED NATIONS DEVELOPMENT PROGRAMME AND CENTRO DE ORIENTACIÓN E INVESTIGACIÓN INTEGRAL, (COIN) FOR A PROJECT FUNDED BY THE GLOBAL FUND TO FIGHT AIDS, TUBERCULOSIS AND MALARIA” dated 15 December 2016 (the “SR Agreement”).

WHEREAS, in accordance with Article XXVIII (8) of the Standard Terms and Conditions to the SR Agreement, providing that the SR Agreement is subject to special terms and conditions, the Parties now wish to introduce said terms and conditions.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree to the following special terms and conditions:

1. All references to the Country Coordinating Mechanism (“CCM”) in the SR Agreement shall be understood to refer to the Technical Advisory Group, which is responsible for the management of oversight of the regional Caribbean grant which is composed of leaders and representatives of all the key implementing partners, including CVC, COIN, U-RAP, CSWC, and CRN+, as well as international technical support agencies such as UNDP as PR, and the Regional Civil Society Forum, which is composed of representatives from a range of civil society sectors, including the human rights and women’s movements, and KP networks and partners. The RCSF is expected to provide a forum for exchange of ideas, for development of plans for advocacy or political engagement, for sharing best practices and effective strategies and for strengthening knowledge of and understanding of human rights principles and legal literacy.

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2. Notices to the TAG as defined above shall be directed to the following persons: Mr Ian McKnight and Mrs Dona DaCosta Martinez at 1d-1e Braemar Avenue, Kingston 10, Jamaica
3. With reference to Article III(1) of the Standard Terms and Conditions to the SR Agreement, the SR Agreement is concluded for the initial duration of one year, with the possibility of extension on an annual basis based on the Sub-recipient's performance in the achievement of deliverables and performance targets set forth in the Work Plan within the timeframes indicated therein and in accordance with this Agreement.
4. For the avoidance of doubt, Article VII(1) of the Standard Terms and Conditions to the SR Agreement does not apply to COIN, which is authorized to conduct procurement of SR Resources in accordance with the Work Plan and the terms of the SR Agreement.
5. Notwithstanding anything to the contrary in Article VII(8) of the Standard Terms and Conditions to the SR Agreement, the ownership of all materials produced under the said SR agreement in accordance with the Work Plan and Budget attached thereto (the "Work") shall vest in the Sub-recipient. The Sub-recipient hereby grants to UNDP a perpetual, transferrable and royalty-free license to reproduce, export, translate, distribute, communicate and otherwise use the Work for non-commercial purposes worldwide.
6. With reference to Article VIII(1) of the Standard Terms and Conditions to the SR Agreement, UNDP will disburse the SR Funds in United States Dollars.
7. Article VIII (2)(c) of the Standard Terms and Conditions to the SR Agreement is hereby amended to read as follows: "satisfaction of UNDP regarding the management and use of SR Funds and SR Resources in the achievement of deliverables and performance targets set forth in the Work Plan within the timeframes indicated therein and in accordance with this Agreement."
8. Notwithstanding anything to the contrary in the SR Agreement, Article XI(7) of the Standard Terms and Conditions is hereby revised to read as follows: "Not later than three (3) months after the completion of SR Activities, the SR Activities Ending Date or the termination of this Agreement, whichever is earlier, the Sub-recipient shall provide to UNDP a final report on SR Activities and include a final financial report on the use of SR Funds, as well as an inventory of SR Resources."
9. Notwithstanding anything to the contrary in the SR Agreement, Article XXVIII (1) is deleted in its entirety.
10. Notwithstanding anything to the contrary in the SR Agreement the requirement in Article XVII. Additionality of the Standard Terms and Conditions is hereby deleted in its entirety.
11. In view of the insurance arrangements maintained by the Sub-recipient, the provisions set forth in Article V(3) and Article XIV(1) of the Standard Terms and Conditions of the SR Agreement are hereby removed in their entirety.
12. With reference to Article XVIII(7), the Sub-recipient shall provide to UNDP the name of an entity providing donor funds targeted towards any similar purposes and objectives as SR Activities and the amount of such funding.