

the NABDC, nor any other person, shall use the NABDC web site for any purpose other than that approved under the terms of the agreement between the recipient and MBDA. Every page of the web site shall comply with Federal standards of the American With Disabilities Act, Section 508, and be reviewed by the recipient for accuracy, current, and appropriateness every three (3) months. Appropriate privacy notices and handicapped accessibility will be predominately featured. From time to time, MBDA shall audit the recipient's web site and recommend changes in accordance with the guidelines set forth herein.

5. *Time for Compliance:* Within thirty (30) days after receipt of the award, the recipient shall report via email to the Chief Information Officer, MBDA Office of Information Technology Services and the MBDA Office of Business Development that he/she has complied with all technical requirements as specified herein. Within thirty (30) days after receipt of the award, the recipient shall report the name, contact telephone number and email address of the Project Director, Network or System Administrator. As appropriate, the recipient shall also provide the telephone number and email address for the Technical Contact at the Internet Service Provider (ISP) providing Internet access for the grantee, the IP number of the Domain Name Server (DNS) and/or Domain Control (DC) server, and any other technical information as specified in the Technology Requirements.

6. *Performance System:* All required performance reporting to MBDA shall be conducted via the Internet using the Performance system to be found at a secure web site (<http://www.mbda.gov>). Within thirty (30) days after the receipt of award, each NABDC business consultant and/or anyone providing business assistance to the public under the award shall have satisfactorily completed the Performance System Training Course (PSTC). This course is available on-line from the Performance web site ([www.mbda.gov](http://www.mbda.gov)). Only those persons giving direct assistance to the eligible public shall be given passwords and access to enter Performance data into the system. Only trained staff shall enter data into the Performance system. There shall be no "sharing" of passwords on the Performance system. MBDA encourages input of information on a daily basis.

7. *Data Integrity:* The recipient shall take the necessary steps to ensure that all data entered into MBDA systems, and systems operated by the recipient in support of the award, or by any

employee of the recipient is accurate and timely.

#### Performance Measures

In accordance with 15 CFR Parts 14 and 24, applicants selected will be responsible for the effective management of all functions and activities supported by the financial assistance award. Award recipients will be required to use program performance measures in a performance report due thirty (30) days after the end of the second quarter and to provide an end-of-year assessment of the accomplishments of the project using these measures. The end-of-year or final performance report is due ninety (90) days after the end of the funding year. Once the project is awarded, the evaluation criteria, along with the assigned weight value, to be used for measuring the MBDC project performance on an ongoing basis are:

1. The dollar value of transactions (65);
2. Number of jobs created (10);
3. Number of new clients (5);
4. Administrative Management & Operational Quality (20);
  - Client satisfaction (5);
  - Management assessment (5);
  - Market promotion (1);
  - Resource entries (5);
  - Establish strategic partners (2);
  - Facilitate matches (2).

The *minimum* performance goals required for the above listed performance measures for each of the solicited geographic service areas are outlined under the Funding Availability sub-heading for each geographic service area. The *minimum* performance goals are listed on an annual basis by MBDA and will be broken out into quarterly increments by the applicant and submitted as part of their proposal.

The NABDC is required to utilize, in a good faith effort, all of its resources to achieve the stated goals. Should the NABDC exceed its performance requirements prior to the end of a funding year, the NABDC is expected to *maintain operations at full strength and continue to provide services and reach greater performance outcomes*. MBDA views the NABDC as a designated cooperative partner and an envoy to the greater Native American business community. Thus, high achievement in one performance measure cannot excuse failure to reach other goals as stated in this Notice.

#### Definitions

1. *Dollar Value of Transactions*—The *dollar value of transactions* are defined as:

(a) *Dollar Value of Completed Financial Transactions* which represent

the total principal value of approved loans, equity financings, bonds, or other binding financial agreements secured by clients of the project, with the assistance of NABDC staff. For purposes of this performance element, eligible financial transactions are those which have a specific dollar value, and which expand its capital base/operations, or produce some other direct commercial benefit for client firms. In order to be deemed complete, a financial transaction must be documented by an executed and binding agreement between the NABDC client (firm) and a party (financier) capable of performing its obligations under the terms of the agreement.

(b) *Dollar Value of Gross Receipts* which represent the total dollar value of successfully awarded contracts and/or the total principal value of executed sales/delivery contracts of services/products/intellectual rights and/or increase in sales and/or completed Mergers and Acquisitions or other binding financial considerations secured by clients of the project, with the assistance of project staff. For purposes of this performance element, Dollar Value of Gross Receipts are those transactions which have a specific dollar value, and which produce some other direct commercial benefit for client firms. In order to be deemed complete, successfully awarded contracts or mergers and acquisitions must be documented by an executed and binding agreement between the client firm and a party capable of performing its obligations under the terms of the agreement. Increase in sales must be documented through an initial, a midyear and a year-end client assessment (*see Client Assessment under the heading Client Services*) supported by client submitted financial documentation.

MBDA recognizes that the financial obligations evidenced by these transactions may be long-term, and require performance over an extended period. Consequently it is not necessary that the funds or other financial value specified under the agreements have actually changed hands for the project to receive credit under this performance element, so long as the agreement of the parties is documented and binding.

2. *Number of Jobs Created*—This is defined as the number of new full time and/or part time employment opportunities reported on the client's payroll during the funding year. Persons on paid sick leave, paid holiday and paid vacations are included as employees as are salaried officers and executives of corporations. However, proprietors and partners of unincorporated businesses are not