



Request for Personal Service Contractor

USAID Office of Civilian Response

Position Title: Democracy Officer - Elections (Multiple Positions)
Solicitation Number: SOL-OCR-14-000002
Salary Level: GS-14 Equivalent Hourly Rate: \$40.58 - \$52.76 (Equivalent Daily Rate: \$324.64 - \$422.08)
Issuance Date: December 9, 2013
Closing Date: January 8, 2014 (Deadline Extended)
Closing Time: 5:00 P.M. EST

Dear Prospective Applicants:

The United States Government (USG), represented by the U.S. Agency for International Development (USAID), is seeking applications from qualified U.S. citizens to provide personal services overseas as a Democracy Officer - Elections under a personal services contract, as described in the attached solicitation.

The Office of Civilian Response (OCR) is hiring a Democracy Officer - Elections who will be U.S. Personal Services Contracts (USPSCs) on intermittent contracts providing support when changed circumstances in a country necessitate an increase in staffing or additional specialized skills. The USPSCs will be a part of OCR's "Firehouse" and those serving in the Firehouse must be prepared to work abroad in USAID missions and embassies, often with little time for preparations. Deployments can be for any period of time from 2 months to almost a full year.

Submittals must be in accordance with the attached information at the place and time specified. Applicants interested in applying for this position **MUST** submit the following materials:

1 Complete resume. In order to fully evaluate your application, your resume must include:

- (a) All full time paid positions, job title, location(s), and dates held (month/year), for each position. Dates (month/year) and locations for all overseas field experience must also be detailed. **Please specify unpaid or part time work. Unless stated otherwise, part-time hours will be prorated at 20 hours worked per week. Unpaid, part-time and any experience that does not include dates (month/year) and locations will not be counted towards meeting the solicitation requirements.**
- (b) Specific duties performed that fully detail the level and complexity of the work.
- (c) Names and contact information (phone and email) for all supervisors within the last 10 years.
- (d) Education and any other qualifications including job-related training courses, job-related skills, or job-related honors, awards or accomplishments.
- (e) Country of Citizenship.

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- 2** A one page narrative demonstrating how you are qualified for the position. The narrative should take into consideration the selection criteria, describing your experience, training, education and/or awards you have received that are relevant to the position. If the narrative exceeds one page the additional pages will NOT be reviewed or evaluated.

Additional documents submitted will not be accepted. Incomplete or late applications will not be considered. Your complete resume and one page narrative addressing the selection criteria must be mailed, delivered, faxed, or emailed to:

GlobalCorps
529 14th Street, NW, Suite 700
Washington, DC 20045
E-Mail Address: raxton@usaid.gov and dgelections@globalcorps.com
Facsimile: (202) 280-1184

Applicants can expect to receive a confirmation email when application materials have been received. Applicants should retain for their records copies of all enclosures which accompany their applications. Any questions on this solicitation may be directed to:

Travis Axton
Telephone Number: (202) 706-6115
E-Mail Address: raxton@usaid.gov
Website: www.globalcorps.com
Facsimile: (202) 280-1184

Sincerely,

Michael Clark
Contracting Officer

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Solicitation for U.S. Personal Service Contractor (USPSC) Democracy Officer - Elections (Multiple Positions)

- 1. SOLICITATION NO.:** SOL-OCR-14-000002
- 2. ISSUANCE DATE:** December 9, 2013
- 3. CLOSING DATE/TIME FOR RECEIPT OF APPLICATIONS:** January 8, 2014 5:00 pm EST (Deadline Extended)
- 4. POSITION TITLE:** Democracy Officer - Elections
- 5. MARKET VALUE:** GS-14 equivalent hourly/daily rate (\$40.58 - \$52.76/\$324.64 -\$422.08-not eligible for locality pay). Final compensation will be negotiated within the listed market value based upon the candidate's past salary, work history and educational background. **Salaries over and above the top of the pay range will not be entertained or negotiated.**
- 6. PERIOD OF PERFORMANCE:** One (1) year, with four (4) option years

STATEMENTS OF LIMITATIONS ON PERIOD/PLACE OF PERFORMANCE AND BENEFITS:

The purpose of this contract is to establish an employee/employer relationship with the contractor to perform services overseas on a temporary, on-call basis as part of the Bureau for Democracy, Conflict, and Humanitarian Assistance (DCHA) / Office of Civilian Response (OCR) "Firehouse." The Personal Services Contractor(s) hired under this contract will provide up to a maximum of 250 workdays of services on an annual basis.

The specific projects, as well as dates, number of days and locations to be worked will be determined by mutual agreement between the contractor and his/her OCR supervisor according to requests made to OCR by USAID overseas missions. This is an intermittent USPSC solicitation. There is no obligation by OCR to provide assignments for a minimum number of days, and the contractor will be free to provide "blackout" dates during which he/she will not be available to accept assignments.

Upon identification of a temporary need within the scope of work, OCR will contact the contractor and provide the following information:

1. Date contractor is needed to report to OCR or assignment in the field
2. Duration of Assignment
3. Place of Performance

The contractor will notify OCR whether he/she is available for the assignment within two business days. At the time the contractor accepts the assignment, he/she is expected to commit for the duration of the assignment. While the contractor will be required to commit to a certain time period, it is understood that the exigencies of a crisis may require the assignment to be curtailed or extended (not to exceed 250 days per year). The contractor shall notify OCR at the time of commitment if his or her existing schedule would preclude an extension.

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Notification of schedule conflicts shall not necessarily disqualify the contractor from the assignment, but will simply assist OCR in recruiting a replacement. Subsequently, if unforeseen circumstances arise, and the contractor needs to curtail the assignment and leave post, the contractor must receive approval from OCR and the Mission prior to departure.

As services provided by the contractor are on a temporary, on-call basis, health and life insurance reimbursements will be provided on a prorated basis based on the number of days during which the contractor actually provides services.

7. PLACE OF PERFORMANCE: Overseas

There may be an initial orientation and training program in Washington, D.C. This may include formal classroom training, online training, on-the-job training and security training. After completion of appropriate training, the Democracy Officer – Elections will be considered available for overseas assignment.

8. STATEMENT OF WORK

POSITION DESCRIPTION

Background

USAID's Office of Civilian Response (OCR) is seeking highly motivated, highly qualified individuals who want the opportunity to help support USAID missions abroad when faced with a natural disaster, political crisis, internal conflict or otherwise in need of surge staff support due to some unforeseen circumstance. Created in 2008, OCR provides crisis staffing to USAID missions throughout the world with a full range of specialized expertise. Since then this office has provided over 20,000 days of mission support in deployments to countries such as Libya, Tunisia, Kyrgyzstan, Sri Lanka, Burma, Honduras, Somalia, South Sudan, Democratic Republic of Congo, and many other countries. As a member of OCR's team of crisis responders, you would be available at short notice to bring to USAID missions your specialized skills in support of a mission's response to a crisis.

USAID is striving to become an even more nimble and agile organization when responding to crises. Countries experiencing a significant political transition in the midst of a crisis or emerging from civil conflict have unique needs that cannot always be fully addressed by a traditional USAID mission staffing yet timely and effective assistance to promote and consolidate peaceful, democratic advances can make the difference between a successful or a failed state. OCR plays a unique role in USAID by ensuring the USAID mission has sufficient staff with the right skills during those critical golden hours.

To respond quickly and effectively and meet USAID mission needs, OCR retains a group of high level professionals and experts under (USPSCs) as part of a "Firehouse". These knowledgeable and skilled professionals are rapidly available to missions to expand their capacity, augment their existing capability, fill in gaps, replace evacuated staff, or in some cases project USAID presence to field sites or non-presence countries. OCR staff provide specialized skills in a range of areas from contracting to communications, program design, election monitoring, project management, development outreach, reporting, and strategic planning, and others. As a member of the

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“Firehouse” you would play a crucial role in supporting USAID programs at a time when their success is most critical.

USPSCs are considered employees of USAID for all purposes except programs administered by the Office of Personnel Management (OPM) – such as federally sponsored health insurance, life insurance, and retirement benefits. However, there are several other similar benefits that USPSCs may participate in, such as partial reimbursement for health and life insurance costs, as well as full coverage of workers’ compensation, among other benefits. For more complete information on USPSC benefits, please see page 12 of this solicitation.

9. CORE FUNCTIONAL AREAS OF RESPONSIBILITY

INTRODUCTION

This position calls for an experienced elections expert with the presence, knowledge and the leadership skills to serve for the Office of Civilian Response at select USAID Missions abroad. The incumbent will be responsible to liaise with senior management officials at the State Department, the US Regional Missions, USAID/ Washington and with the U.S. Ambassador or his/her Representative, other agencies of the US Government, international organizations, and the non-government community abroad as well as senior local government officials. The incumbent must be skillful in determining the appropriate approach in negotiating and persuading others, and in establishing rapport in order to gain and relay information to key decision makers. The incumbent may be responsible to visit program sites, outside the primary office setting and to act according to USG protocol and regulations.

The applicant should be a specialist in elections with experience in developing countries and post-conflict situations, related to the design documentation, management, negotiation, and coordination of elections and political processes, in areas including but not limited to election administration, electoral integrity, electoral and legal process reform, national dialogue and consensus building, civic and voter education, political finance, political competition, political violence, and political party development.

DUTIES AND RESPONSIBILITIES

While each deployment is different, the elections expert is responsible for the following types of activities and/or programs: designs, documents, implements, and evaluates Mission-specific democratic development, elections, and political processes programs or projects; researches and prepares a variety of written materials, serves as technical expert and authority for the planning, management and coordination of elections support and political processes programs; identifying key issues and constraints in fragile or unstable political environments; working with other interagency partners, international actors, host government institutions and civil society, and implementing partners to ensure USG policy is met.

The incumbent must be comfortable making sound, independent judgments with little supervision once given the general framework within which to work. Judgment and ingenuity is required to interpret policy and program guidelines. Incumbent will have formal decision making authority within a broad program area. He/she will have wide latitude to independently plan,

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develop and carry out activities or changes to activities. The applicant must be able to adapt quickly to different Missions and to be able to provide authoritative expert advice. The work typically requires formal responsibilities for leading teams, guiding and coordinating the work of other professional or technical staff.

The Democracy Officer- Elections will be responsible for:

- Participating in review of elections and political processes projects and program; providing leadership in the design and development of new programs.
- Reviewing and approving completed feasibility studies.
- Advising on assessments, strategy development and prioritization, program design, budget planning, technical inputs for procurements, implementation, monitoring, reporting and evaluation of political processes programs by USAID and as part of donor basket funds.
- Overseeing, coordinating, and evaluating selected program operations for the Mission.
- Undertaking the planning, design, development, negotiation and implementation of projects as needed and possibly serving as COR for select contracts and grants.
- Assisting with the management and oversight of grants, contracts, and purchase orders for which USAID is responsible.
- Managing or participating in conflict assessments, and supporting any whole-of-government planning.
- Preparing correspondence, memoranda, press releases, or other documents relevant to program activities and prepares speeches, briefing/background papers, and statements/talking points as needed.
- Working collaboratively with culturally and demographically diverse populations; working with Mission and Embassy leadership, other donors, and program or technical offices with a team focus.
- Advising on the development of a legal framework of elections, voter registration processes and procedures, election procedures and balloting design and equipment.
- Developing voter and civic education campaigns.
- Advising on voter access, particularly for voters with special election related needs or constraints such as IDPs, women and minority ethnic groups.

SUPERVISORY RELATIONSHIP:

The Democracy Officer- Elections will take direction from and will report to the Deputy Director of OCR or his/her designee, and while on assignment, to a mission-based supervisor designated by the OCR Deputy Director.

SUPERVISORY CONTROLS:

During deployment, the mission supervisor will set overall objectives and provide technical direction and day-to-day supervision. The employee and the supervisor together will develop deadlines, projects, and work to be accomplished subject to mission approval and consistent with mission objectives, policies, and protocols. The incumbent is expected to take initiative, act independently, and manage his/her tasks with minimal supervision while remaining in line with agreed upon work plans and overall mission objectives. For the purpose of contract, personnel, training or general administrative matters, the OCR Deputy Director or his/her designee will provide direction and oversight.

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10. PHYSICAL DEMANDS

Firehouse members must obtain a Class 1 State Department medical clearance. OCR Firehouse members may be in positions overseas that lead to unusual mental stress, and may require arduous physical exertion, by prolonged standing, by riding in and getting out of vehicles, and by operating manual or stick-shift motor vehicles. The duties may require: entering and maneuvering in facilities accessible only by stairs, long flight times, and carrying heavy baggage and items (over 30 pounds). The incumbent must be able to operate in an environment that requires endurance and ability to evaluate surroundings. Applicants must be physically and mentally capable of performing these functions efficiently and safely.

11. WORK ENVIRONMENT

Work is primarily performed in an office setting, though the contractor is likely to be assigned to areas where site visits and extraordinary travel time is involved and that may entail working out of temporary duty residences or hotel rooms. The contractor will travel as a U.S. government employee and is subject to Chief of Mission authority. As such, the contractor will be expected to conform to all embassy and/or USAID mission policies and procedures at his or her assignment location regarding housing, work hours, diplomatic protocols, and security. The contractor may be required to staff field offices or other locations off-site of the USAID mission or embassy. Many of the overseas environments in which the contractor may be required to work present a health risk such as: extreme air pollution, lack of potable water, or presence of waterborne and other communicable diseases. Special safety and/or security precautions, wearing of protective equipment, exposure to severe weather conditions, working in non-permissive environments, restrictions on movement and/or evacuations of a USAID mission or embassy may occur.

12. START DATE: Immediately, once necessary clearances are obtained.

13. POINT OF CONTACT: See Cover Letter.

REQUIREMENTS FOR THE POSITION

- U.S. Citizen;
- English Fluency;
- Ability to obtain a SECRET level security clearance provided by USAID and a TOP SECRET clearance as designated and provided by USAID. A Top Secret clearance may be required for certain activations based on programmatic needs;
- Ability to obtain a Department of State Class 1 worldwide medical clearance;

AND

- Bachelors Degree with 9 years of progressively responsible work experience

OR

- Masters Degree with 7 years of progressively responsible work experience

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Other Requirements

- Complete resume submitted. See cover page for resume requirements. Experience that cannot be quantified will not be counted towards meeting the solicitation requirements;
- A one page narrative submitted. See cover page for narrative requirements;
- Satisfactory verification of academic credentials.

14. PREFERRED EDUCATION/EXPERIENCE FOR THIS POSITION

This position requires knowledge of development project design, programming and management based on internationally recognized best practices. Applicant must have knowledge of principles, research, and policy in the area(s) of elections and political processes, including but not limited to election administration, electoral integrity, electoral and political processes legal reform, national dialogue and consensus building process and political party development.

Examples of qualified applicants include the following:

A Bachelor's degree with a minimum of **nine (9) years** of proven political processes experience. Should have **six (6) years** previous work experience with an international development organization preferably overseas, and be able to demonstrate ability to analyze the political/cultural/economic environment and use information to design, manage, implement, monitor and evaluate elections or political processes. Proven experience with writing and communications, and ability to brief and negotiate with leadership and supervisors. Should be able to demonstrate serving as an advisor to an international development agency/organization or election management body in a crisis or crisis prone environment. Preferably a minimum of **two (2) years** of overseas field experience in conflict prone countries. Language fluency in addition to English is preferred (French, Arabic, or Spanish).

OR

A Master's degree, law degree, or equivalent, preferably in the field of political processes, with **seven (7) years** proven political process experience. Should have **six (6) years** previous work experience with an international development organization preferably overseas. Should be able to demonstrate having served as an expert advisor to an international development agency/organization or election management body in a crisis or post-conflict environment. Preferably a minimum of **two (2) years** of overseas field experience in conflict prone countries. Language fluency in addition to English is preferred (French, Arabic, or Spanish).

15. SELECTION CRITERIA (100 Total)

(Used to determine the competitive ranking of qualified applicants.)

Criteria 1: Demonstrated knowledge of the technical, administrative and operational aspects of election processes. Knowledge of best practices in the legislative, executive and political party functions in electoral process. Experience in the security aspect of elections as well as techniques of conflict management and mitigation pertaining to elections **(20 points)**

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Criteria 2: Demonstrated knowledge of and experience in design of internationally funded elections support activities and project management. Knowledge of and experience in managing bilateral or multilateral programs in support of elections. Knowledge of and experience with international best practices in contract and grant award processes and management **(20 points)**

Criteria 3: Demonstrated experience interacting and coordinating with various U.S. government, foreign government, international organizations and non-governmental organizations to achieve United States foreign policy objectives; Familiarity/experience with U.S. Government policies and procedures for the programming of development assistance **(10 points)**

Criteria 4: Demonstrated ability to understand the socio-political and economic environment of a foreign country. Ability to source data and information locally in foreign environments. Demonstrated ability to interact effectively with foreign government and non-government officials **(10 points)**

Criteria 5: Familiarity with the politics, economics, history and cultural mores of at least one region of the developing world, not to include one's home region, gained through education and experience. Demonstrated ability to utilize a major foreign language (French, Spanish, Arabic) in the course of conducting business with local partners (FSI 3 equivalent or better) **(10 Points)**

Interview: The most qualified applicant(s) will be required to undergo an interview **(30 Points)**

References (Pass/Fail)

Total Possible Points: 100

BASIS OF RATING: Applicants who meet the Education/Experience requirements and Selection Factors will be further evaluated based on scoring of the Evaluation Factor (EF) responses. Those applicants determined to be competitively ranked will also be evaluated on interview performance and satisfactory professional reference checks.

Applicants are required to address each of the EFs in a separate document describing specifically and accurately what experience, training, education and/or awards they have received that are relevant to each factor. Be sure to include your name and the announcement number at the top of each additional page. Failure to address the selection and/or Evaluation Factors may result in your not receiving credit for all of your pertinent experience, education, training and/or awards.

The applicants determined to be competitively ranked will be interviewed and may be required to provide a writing sample. Face-to-face interviews will be conducted in Washington D.C. OCR will not pay for expenses associated with the interviews but will conduct telephone or videoconference interviews for those not available in Washington D.C. Professional references and academic credentials will be evaluated for applicants being considered for selection.

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APPLYING:

Applications must be **received** by the closing date and time at the address specified in the cover letter.

Qualified individuals are **required** to submit:

1 Complete resume. In order to fully evaluate your application, your resume must include:

(a) All full time paid positions, job title, location(s), and dates held (month/year), for each position. Dates (month/year) and locations for all overseas field experience must also be detailed. **Please specify unpaid or part time work. Unless stated otherwise, part-time hours will be prorated at 20 hours worked per week. Unpaid, part-time and any experience that does not include dates (month/year) and locations will not be counted towards meeting the solicitation requirements.**

(b) Specific duties performed that fully detail the level and complexity of the work.

(c) Names and contact information (phone and email) for all supervisors within the last 10 years.

(d) Education and any other qualifications including job-related training courses, job-related skills, or job-related honors, awards or accomplishments.

(e) Country of Citizenship.

2 A one page narrative demonstrating how you are qualified for the position. The narrative should take into consideration the selection criteria, describing your experience, training, education and/or awards you have received that are relevant to the position. If the narrative exceeds one page the additional pages will NOT be reviewed or evaluated.

Additional documents submitted will not be accepted.

By submitting your application materials, you certify that all of the information on and attached to the application is true, correct, complete, and made in good faith. You agree to allow all information on and attached to the application to be investigated. False or fraudulent information on or attached to your application may result in you being eliminated from consideration for this position, or being terminated after award, and may be punishable by fine or imprisonment.

To ensure consideration of applications for the intended position, please reference the solicitation number on your application, and as the subject line in any email.

DOCUMENT SUBMITTALS

Via mail: GlobalCorps, 529 14th Street, NW, Suite 700, Washington, DC 20045

Via facsimile: (202) 280-1184

Via email: raxton@usaid.gov and dgelections@globalcorps.com

NOTE: If the full security application package is not submitted within 30 days after the Office of Security determines eligibility, the offer may be rescinded. If a Secret security clearance is not obtained within nine months after offer acceptance, the offer may be rescinded. If Top

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Secret clearance is not obtained within nine months after receipt of the Secret security clearance and award, USAID may terminate the contract at the convenience of the government.

NOTE: If the full medical clearance package is not submitted within 30 days after offer acceptance, the offer may be rescinded. If a Class 1 Department of State medical clearance is not obtained within six months after offer acceptance, the offer may be rescinded.

NOTE REGARDING GOVERNMENT OBLIGATIONS FOR THIS SOLICITATION

This solicitation in no way obligates USAID to award a PSC contract, nor does it commit USAID to pay any cost incurred in the preparation and submission of the application.

NOTE REGARDING DATA UNIVERSAL NUMBERING SYSTEM (DUNS) NUMBERS

All individuals contracted as USPSCs are required to have a DUNS Number. In this instance, USAID will provide a generic DUNS Number, and USPSCs are not required to register with CCR.

For general information about DUNS Numbers, please refer to Federal Acquisition Regulation (FAR) Clause 52.204-6, Data Universal Numbering System (DUNS) Number (10/2003)
https://www.acquisition.gov/far/current/html/52_200_206.html

LIST OF REQUIRED FORMS FOR PSCs

Forms outlined below can found at:

<http://www.usaid.gov/forms/> or at <http://www.forms.gov/bgfPortal/main.do>

1. Optional Form 612.
2. Medical History and Examination Form (DS-6561).
3. Questionnaire for Sensitive Positions (for National Security) (SF-86), or
4. Questionnaire for Non-Sensitive Positions (SF-85).
5. Finger Print Card (FD-258).

Forms 1 through 5 shall be completed **ONLY** upon the advice of the Contracting Officer that an applicant is the successful candidate for the job.

CONTRACT INFORMATION BULLETINS (CIBs) and ACQUISITION & ASSISTANCE POLICY DIRECTIVES (AAPDs) PERTAINING TO PSCs

CIBs and AAPDs contain changes to USAID policy and General Provisions in USAID regulations and contracts. Please refer to <http://www.usaid.gov/work-usaid/aapds-cibs#psc> to determine which CIBs and AAPDs apply to this contract.

AAPD 06-10 – PSC MEDICAL PAYMENT RESPONSIBILITY

AAPD No. 06-10 is hereby incorporated as Attachment 1 to the solicitation.

FAR 52.222-50 - COMBATING TRAFFICKING IN PERSONS

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FAR clause 52.222-50 is hereby incorporated as Attachment 2 to the solicitation.

As a matter of policy, and as appropriate, a USPSC is normally authorized the following benefits and allowances:

BENEFITS:

Employer's FICA Contribution
Contribution toward Health & Life Insurance
Pay Comparability Adjustment
Annual Increase (pending a satisfactory performance evaluation)
Eligibility for Worker's Compensation
Annual & Sick Leave

ALLOWANCES (if Applicable).*

(A) Temporary Lodging Allowance (Section 120).
(B) Living Quarters Allowance (Section 130).
(C) Post Allowance (Section 220).
(D) Supplemental Post Allowance (Section 230).
(E) Post Differential (Chapter 500).
(F) Payments during Evacuation/Authorized Departure (Section 600), and
(G) Danger Pay (Section 650).

* Department of State Standardized Regulations (Government Civilians Foreign Areas).

FEDERAL TAXES: USPSCs are required to pay Federal Income Taxes, FICA, and Medicare

ALL QUALIFIED APPLICANTS WILL BE CONSIDERED REGARDLESS OF AGE, RACE, COLOR, SEX, CREED, NATIONAL ORIGIN, LAWFUL POLITICAL AFFILIATION, NON-DISQUALIFYING DISABILITY, MARITAL STATUS, SEXUAL ORIENTATION, AFFILIATION WITH AN EMPLOYEE ORGANIZATION, OR OTHER NON-MERIT FACTOR.

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ATTACHMENT 1

Acquisition & Assistance Policy Directive (AAPD) No. 06-10
PSC Medical Expense Payment Responsibility

General Provision 22, MEDICAL EXPENSE PAYMENT RESPONSIBILITY
(OCTOBER 2006)

(a) Definitions. Terms used in this General Provision are defined in 16
FAM 116 available at <http://www.state.gov/m/a/dir/regs/fam/c23002.htm>.

Note: Personal services contractors are not eligible to participate in the Federal Employees Health Programs.

(b) The regulations in the Foreign Affairs Manual, Volume 16, Chapter 520 (16 FAM 520), Responsibility for Payment of Medical Expenses, apply to this contract, except as stated below. The contractor and each eligible family member are strongly encouraged to obtain health insurance that covers this assignment. Nothing in this provision supersedes or contradicts any other term or provision in this contract that pertains to insurance or medical costs, except that section (e) supplements General Provision 25. "MEDICAL EVACUATION (MEDEVAC) SERVICES."

(c) When the contractor or eligible family member is covered by health insurance, that insurance is the primary payer for medical services provided to that contractor or eligible family member(s) both in the United States and abroad. The primary insurer's liability is determined by the terms, conditions, limitations, and exclusions of the insurance policy. When the contractor or eligible family member is not covered by health insurance, the contractor is the primary payer for the total amount of medical costs incurred and the U.S. Government has no payment obligation (see paragraph (f) of this provision).

(d) USAID serves as a secondary payer for medical expenses of the contractor and eligible family members who are covered by health insurance, where the following conditions are met:

(1) The illness, injury, or medical condition giving rise to the expense is incurred, caused, or materially aggravated while the eligible individual is stationed or assigned abroad;

(2) The illness, injury, or medical condition giving rise to the expense required or requires hospitalization and the expense is directly related to the treatment of such illness, injury, or medical condition, including obstetrical care; and

(3) The Office of Medical Services (M/MED) or a Foreign Service medical provider (FSMP) determines that the treatment is appropriate for, and directly related to, the illness, injury, or medical condition.

(e) The Mission Director may, on the advice of M/MED or an FSMP at post, authorize medical travel for the contractor or an eligible family member in accordance with the General Provision 10, Travel and Transportation Expenses (July 1993), section (i) entitled "Emergency and Irregular Travel and Transportation." In the event of a medical emergency, when time does not permit consultation, the Mission Director may issue a Travel Authorization Form or Medical Services Authorization Form DS-3067, provided that the FSMP or Post Medical Advisor (PMA) is notified as soon as possible following such an issuance. The contractor must promptly file a claim with his or her medevac insurance provider and repay to USAID any amount the medevac insurer pays for medical travel, up to the amount USAID paid under this section. The contractor must repay USAID for medical costs paid by the medevac insurer in accordance with sections (f) and (g) below. In order for medical travel to be an allowable cost under

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General Provision 10, the contractor must provide USAID written evidence that medevac insurance does not cover these medical travel costs.

(f) If the contractor or eligible family member is not covered by primary health insurance, the contractor is the primary payer for the total amount of medical costs incurred. In the event of a medical emergency, the Medical and Health Program may authorize issuance of Form DS-3067, Authorization for Medical Services for Employees and/or Dependents, to secure admission to a hospital located abroad for the uninsured contractor or eligible family member. In that case, the contractor will be required to reimburse USAID in full for funds advanced by USAID pursuant to the issuance of the authorization. The contractor may reimburse USAID directly or USAID may offset the cost from the contractor's invoice payments under this contract, any other contract the individual has with the U.S. Government, or through any other available debt collection mechanism.

(g) When USAID pays medical expenses (e.g., pursuant to Form DS-3067, Authorization for Medical Services for Employees and/or Dependents), repayment must be made to USAID either by insurance payment or directly by the contractor, except for the amount of such expenses USAID is obligated to pay under this provision. The Contracting Officer will determine the repayment amount in accordance with the terms of this provision and the policies and procedures for employees contained in 16 FAM 521. When USAID pays the medical expenses, including medical travel costs (see section (e) above), of an individual (either the contractor or an eligible family member) who is covered by insurance, that individual promptly must claim his or her benefits under any applicable insurance policy or policies. As soon as the individual receives the insurance payment, the contractor must reimburse USAID for the full amount that USAID paid on the individual's behalf or the repayment amount determined by the Contracting Officer in accordance with this paragraph, whichever is less. If an individual is not covered by insurance, the contractor must reimburse USAID for the entire amount of all medical expenses and any travel costs the contractor receives from his/her medevac provider.

(h) In the event that the contractor or eligible family member fails to recover insurance payments or transfer the amount of such payments to USAID within 90 days, USAID will take appropriate action to collect the payments due, unless such failure is for reasons beyond the control of the USPSC/dependent.

(i) Before departing post or terminating the contract, the contractor must settle all medical expense and medical travel costs. If the contractor is insured, he or she must provide proof to the Contracting Officer that those insurance claims have been submitted to the insurance carrier(s) and sign a repayment agreement to repay to USAID any amounts paid by the insurance carrier(s).

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ATTACHMENT 2

FAR 52.222-50 COMBATING TRAFFICKING IN PERSONS (FEB 2009).

(a) *Definitions.* As used in this clause—

“Coercion” means—

- (1) Threats of serious harm to or physical restraint against any person;
- (2) Any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person; or
- (3) The abuse or threatened abuse of the legal process.

“Commercial sex act” means any sex act on account of which anything of value is given to or received by any person.

“Debt bondage” means the status or condition of a debtor arising from a pledge by the debtor of his or her personal services or of those of a person under his or her control as a security for debt, if the value of those services as reasonably assessed is not applied toward the liquidation of the debt or the length and nature of those services are not respectively limited and defined.

“Employee” means an employee of the Contractor directly engaged in the performance of work under the contract who has other than a minimal impact or involvement in contract performance.

“Forced Labor” means knowingly providing or obtaining the labor or services of a person—

- (1) By threats of serious harm to, or physical restraint against, that person or another person;
- (2) By means of any scheme, plan, or pattern intended to cause the person to believe that, if the person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint; or
- (3) By means of the abuse or threatened abuse of law or the legal process.

“Involuntary servitude” includes a condition of servitude induced by means of—

- (1) Any scheme, plan, or pattern intended to cause a person to believe that, if the person did not enter into or continue in such conditions, that person or another person would suffer serious harm or physical restraint; or
- (2) The abuse or threatened abuse of the legal process.

“Severe forms of trafficking in persons” means—

- (1) Sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or
- (2) The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

“Sex trafficking” means the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act.

(b) *Policy.* The United States Government has adopted a zero tolerance policy regarding trafficking in persons. Contractors and contractor employees shall not—

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- (1) Engage in severe forms of trafficking in persons during the period of performance of the contract;
- (2) Procure commercial sex acts during the period of performance of the contract; or
- (3) Use forced labor in the performance of the contract.

(c) *Contractor requirements.* The Contractor shall—

(1) Notify its employees of—

(i) The United States Government's zero tolerance policy described in paragraph (b) of this clause; and

(ii) The actions that will be taken against employees for violations of this policy. Such actions may include, but are not limited to, removal from the contract, reduction in benefits, or termination of employment; and

(2) Take appropriate action, up to and including termination, against employees or subcontractors that violate the policy in paragraph (b) of this clause.

(d) *Notification.* The Contractor shall inform the Contracting Officer immediately of—

(1) Any information it receives from any source (including host country law enforcement) that alleges a Contractor employee, subcontractor, or subcontractor employee has engaged in conduct that violates this policy; and

(2) Any actions taken against Contractor employees, subcontractors, or subcontractor employees pursuant to this clause.

(e) *Remedies.* In addition to other remedies available to the Government, the Contractor's failure to comply with the requirements of paragraphs (c), (d), or (f) of this clause may result in—

(1) Requiring the Contractor to remove a Contractor employee or employees from the performance of the contract;

(2) Requiring the Contractor to terminate a subcontract;

(3) Suspension of contract payments;

(4) Loss of award fee, consistent with the award fee plan, for the performance period in which the Government determined Contractor non-compliance;

(5) Termination of the contract for default or cause, in accordance with the termination clause of this contract; or

(6) Suspension or debarment.

(f) *Subcontracts.* The Contractor shall include the substance of this clause, including this paragraph (f), in all subcontracts.

(g) *Mitigating Factor.* The Contracting Officer may consider whether the Contractor had a Trafficking in Persons awareness program at the time of the violation as a mitigating factor when determining remedies. Additional information about Trafficking in Persons and examples of awareness programs can be found at the website for the Department of State's Office to Monitor and Combat Trafficking in Persons at <http://www.state.gov/g/tip>.