



Request for Personal Service Contractor

USAID Office of Transition Initiatives

Position Title: Senior Transition Advisor – Worldwide (Intermittent, Multiple Positions)
Solicitation Number: SOL-OTI-14-000031
Salary Level: GS-15 Equivalent: \$100,624 - \$130,810
Issuance Date: July 18, 2014
Closing Date: August 1, 2014
Closing Time: 5:00 P.M. EDT

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 as a Senior Transition Advisor under a personal services contract, as described in the attached solicitation.

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) Paid and non-paid experience, job title, location(s), dates held (month/year), and hours worked per week for each position. Dates (month/year) and locations for all overseas field experience must also be detailed. **Any experience that does not include dates (month/year), locations, and hours per week 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) of your current and/or previous supervisor(s).
- (d) Education and any other qualifications including job-related training courses, job-related skills, or job-related honors, awards or accomplishments.
- (e) U.S. Citizenship.

Your resume should contain sufficient information to make a valid determination that you fully meet the experience requirements as stated in this solicitation. This information should be clearly identified in your resume. Failure to provide information sufficient to determine your qualifications for the position will result in loss of full consideration.

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2. Supplemental document specifically addressing:

Each of the four (4) Evaluation Factors shown in the solicitation. Responses must be limited to 500 words per factor. Any additional words above the limit will neither be read nor scored.

NOTE: The Evaluation Factors are worth 70 out of 100 points. Applicants are required to address each of the Evaluation Factors in a separate document describing specifically and accurately what experience, training, education and/or awards they have received that are relevant to each factor.

Additional documents submitted will not be accepted. Incomplete or late applications will not be considered. Your complete resume and the supplemental document addressing the EFs must be mailed, delivered, faxed, or emailed to:

GlobalCorps
529 14th Street, NW, Suite 807
Washington, DC 20045
E-Mail Address: srtrans@globalcorps.com
Facsimile: (202) 403-3911

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:

Ian Reese or Anna Cowell
Telephone Number: (202) 706-6109 or (202) 706-6114
E-Mail Address: srtrans@globalcorps.com
Website: www.globalcorps.com
Facsimile: (202) 403-3911

Sincerely,

Cristina Sylvia
Contracting Officer

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Solicitation for U.S. Personal Service Contractor (PSC) Senior Transition Advisor – Worldwide (Intermittent, Multiple Positions)

- 1. SOLICITATION NO.:** SOL-OTI-14-000031
- 2. ISSUANCE DATE:** July 18, 2014
- 3. CLOSING DATE/TIME FOR RECEIPT OF APPLICATIONS:** August 1, 5:00 pm EDT
- 4. POSITION TITLE:** Senior Transition Advisor (Intermittent, Multiple Positions)
- 5. MARKET VALUE:** This position has been designated at the GS-15 equivalent level, non-locality pay (\$100,624 - \$130,810 per annum). 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 pay range will not be entertained or negotiated.** As this is a Worldwide, non-locality position, incumbents who do not live in the DC metropolitan area will be provided with travel and/or per diem if they are required to work in Washington, DC. (Incumbents will be provided with travel and/or per diem for all other USAID/OTI travel assignments as well).
- 6. PERIOD OF PERFORMANCE:** One year, with four one-year option periods.

The Personal Services Contractor 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 contract employee and his/her OTI supervisor according to the programmatic needs of OTI. There is no obligation by OTI to provide assignments for a minimum number of days, and the contractor is free to provide "blackout" dates during which he or she will not be available to accept assignments.

- 7. PLACE OF PERFORMANCE:** Worldwide

8. STATEMENT OF WORK

POSITION DESCRIPTION

BACKGROUND

USAID's Office of Transition Initiatives (OTI) is seeking highly motivated, highly qualified individuals who want the opportunity to help support rapid international transition programs for priority conflict-prone countries. Created in 1994 as a distinct operating unit within USAID, OTI helps local partners advance peace and democracy in conflict-prone countries. Seizing critical windows of opportunity, OTI works on the ground to provide fast, flexible, short-term assistance targeted at key transition needs.

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Countries experiencing a significant political transition in the midst of a disaster or emerging from civil conflict have unique needs that cannot be fully addressed by traditional disaster relief. Timely and effective assistance to promote and consolidate peaceful, democratic advances can make the difference between a successful or a failed transition. OTI assists in securing peace by aiding indigenous, mostly non-governmental, civil society and media organizations. OTI uses such mechanisms as support for re-integration of ex-combatants into civilian society; development of initiatives to promote national reconciliation; identification of quick-impact community self-help projects to meet urgent economic needs; and aid to independent media outlets and community-based organizations to help promote informed debate and broaden public participation.

To respond quickly and effectively and meet its program objectives and mandate OTI retains a group of high level professionals and experts under U.S. Personal Services Contracts (USPSCs). These knowledgeable and skilled professionals make up the vast majority of the OTI work force and are at its forefront implementing and achieving the office's programmatic goals and objectives. Some of these USPSCs serve on intermittent contracts and are referred to in OTI as "bullpenners," providing support in a surge capacity. Those serving in the bullpen must be prepared to work both in Washington and the field, often with little time for preparations. 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 13 of this solicitation.

For more information about OTI and its country programs please see:
<http://www.usaid.gov/political-transition-initiatives>

INTRODUCTION

The Senior Transition Advisor is a member of the Democracy, Conflict, and Humanitarian Assistance (DCHA)/OTI Field Programs Division (FPD). This is an intermittent and senior-level position that utilizes the experience and skills gained from working with political transition programs and operations oversight and management in the field to provide ad hoc support for assessments, new country start-ups, and program implementation support, as well as training and mentoring of staff both in the field and in Washington. The Senior Transition Advisor will also be involved in strategic design of various OTI country programs and the development of management products for OTI based on lessons learned. The Senior Transition Advisor will, as necessary, consult and advise senior officials from other international organizations, bilateral donors, and non-governmental organizations and individuals. The Senior Transition Advisor is considered an expert in the field of political transition programming overseas.

This position was developed to allow OTI to take advantage of the accumulated experience of field staff following closure of the country program(s) which they managed. As OTI is evolving to carry out more assessments, provide more experientially based technical advice and analysis, and facilitate earlier consideration of countries that face possible political crises, having access to

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individuals with hands-on experience in transition programming will enhance our ability to deepen understanding, identify opportunities and constraints, and be more prepared to execute programming when necessary.

OBJECTIVE

To hire qualified personnel to provide expertise in transition programming.

9. CORE FUNCTIONAL AREAS OF RESPONSIBILITY

DUTIES AND RESPONSIBILITIES

The work of the Senior Transition Advisor requires teamwork, the exercise of discretion, judgment, and personal responsibility. As a member of a highly operational office, the incumbent is willing and able to perform a wide range of administrative functions to help ensure programmatic success. The incumbent has a high level of integrity and attention to detail to ensure the use of OTI systems and procedures to maintain effective and efficient management of funds, programming, and monitoring and evaluation. The incumbent is highly flexible and willing to work under conditions of ongoing change, and remains professional and respectful of colleagues and authority in a diverse workforce. She or he places a premium on building positive relationships with his or her respective team, and with key stakeholders both in and outside of OTI. The incumbent is highly responsible, service-oriented, organized, pays close attention to detail, and is able to receive and respond to constructive criticism in a professional manner. The Senior Transition Advisor is a strategic thinker, articulates innovative ideas, presents solutions, and is a positive role model for colleagues both in and outside of OTI.

Under the direction and supervision of the Chief, Field Programs Division (FPD), the Senior Transition Advisor will:

- Provide support to new OTI country program start-ups, country program management and close-outs, providing on-call technical advisory assistance, and providing supervisory support for program-funded staff within the OTI Field Programs Division. In collaboration with the relevant OTI Regional Team, conduct or assist with assessments for possible new country programs to determine the feasibility of the country as a potential candidate for an OTI program; and design and present a country program and strategy to OTI Senior Management, project managers, and grantees;
- Provide training and mentoring on OTI program implementation for OTI staff and implementing partners both in Washington and in the field, and develop and update training materials as required. This includes training and/or advising implementing partners on internal OTI business procedures (such as for the OTI Activity Database and the Grants Under Contract (GUC) process). Provide technical assistance for OTI program staff and implementing partner staff on a variety of issues (e.g. budget, OTI activity database reporting and use, activity cycles, general implementation systems setup, etc.) to enable them to manage OTI programs for the life of the program;

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- Coordinate OTI programs broadly within the framework of USG policy in order to both problem solve and develop new ideas, theories, or techniques to optimize the impact and effectiveness of transition programs;
- When required within the guidelines provided by OTI Regional Teams, discuss and assist in determining program and project agreements with governmental and non-governmental counterparts. This also may include assessing the adequacy of potential local partners in collaboration with OTI staff and/or OTI implementing partner organizations;
- Ensure that plans and activities of OTI Implementing Partners are well coordinated with USAID Mission, the U.S. Embassy, and other international organizations and that roles and objectives are clearly defined;
- When required, lead, manage, and implement an assigned country program, including assessing project sites and selecting a contractor/and or grantees to execute OTI's country program;
- Conduct field visits to areas where OTI has projects and advise and guide OTI Country Representatives on political transition and strategy issues. Analyze and propose specific improvements/actions at both the program and project levels and report on all coordination activities and command structures, detailing the effectiveness of each site's operations as well as identifying problems/issues and making recommendations;
- Lead or participate on Technical Evaluation Committees (TECs) for the selection of OTI implementing partners and U.S. Personal Service Contractors;
- Identify issues and potential problems with appropriate recommendations that affect program implementation and policy direction and present them to USAID, U.S. Embassy officials, and the OTI grantee;
- As requested by Embassies or USAID Missions, provide support for the design and execution of programs that follow OTI's quick impact programming model. Support to Embassies and USAID Missions may also include attendance and/or facilitation of program management processes for follow-on programming including but not limited to rolling assessments, strategy review sessions, program performance reviews and management reviews;
- As OTI's liaison official with other DCHA offices, other USAID divisions and State Department officials, articulate OTI's position on program and policy direction;
- Identify NGOs, international donors, USG agencies and other appropriate organizations interested in OTI programs and activities and establish, develop, and maintain sound professional relationships with them;
- On occasion, when required by the supervisor, the OTI Director or Deputy Director, serve

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as a primary point of contact and liaison with U.S. Ambassadors or his/her Representatives (e.g. in the absence of a USAID Mission), other agencies of the U.S. Government, international organizations, host country government officials, and the non-government community both in the U.S. and abroad who may be highly important to OTI's programs and objectives, with the goal of maintaining or developing common understandings among diverse groups regarding the strategic purpose of OTI programs within the context of USG policy;

- Actively participate in conferences, meetings, or presentations involving issues of strategic relevance to political transition programming, including watch list countries in cooperation with OTI regional teams, in order to provide sustained knowledge to the OTI Senior Leadership Team on current events and programs;
- Monitor and evaluate the country program, individual projects, and contractor and grantee performance;
- Mentor OTI Team Leaders, and mentor and train Country Representatives and Program Managers as required. Provide orientation, training, and mentoring for staff; explain how duties are to be performed to meet expectations; recognize good performance; communicate where performance needs to be improved;
- When required, act as OTI Director, Deputy Director, Team Leader, or Program Manager;
- Perform all other duties required as determined by supervisor.

SUPERVISORY RELATIONSHIP:

The Senior Transition Advisor will be supervised by the OTI Chief, Field Programs Division or designee, and will also work under the general guidance and direction of the OTI Country Representative in the field.

SUPERVISORY CONTROLS:

The Supervisor will set overall objectives. The employee and the supervisor together will develop deadlines, projects, and work to be accomplished. Work plans, timesheets, regional travel, and funding associated with support costs will be approved through OTI Washington. The employee is expected to take initiative, act independently, and manage his/her tasks with minimal supervision.

10. PHYSICAL DEMANDS

The work is generally sedentary and does not pose undue physical demands. During deployment on assessment teams, country start-ups, and during site visits, there may be some additional physical exertion including long periods of standing, walking over rough terrain, or carrying of moderately heavy items (less than 50 pounds).

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11. WORK ENVIRONMENT

While in Washington, the work is generally performed in an office environment. However, the position also requires international travel, which may additionally involve special safety and/or security precautions, wearing of protective equipment, and exposure to severe weather conditions.

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

13. POINT OF CONTACT: See Cover Letter.

EDUCATION/EXPERIENCE REQUIRED FOR THIS POSITION

(Determines basic eligibility for the position. Applicants who do not meet all of the education and experience factors are considered NOT qualified for the position. **See detailed instructions for demonstrating Education/Experience under "Applying"**)

This senior level position calls for an experienced professional with the presence, knowledge, and the leadership skills necessary to perform the assigned duties. The incumbent must possess the program, project management and budgetary skills to help ensure successful start-ups, management, and close-outs of OTI country programs. The complex demands of the position require that the incumbent be able to travel overseas with short notice, and be able to immediately respond to the challenging demands often faced by OTI programs. The proper execution of OTI programs requires a Senior Transition Advisor with a high level of managerial and operational skills. The Senior Transition Advisor must be prepared to work or collaborate with senior officials from other international organizations, bilateral donors, and non-governmental organizations who may be important to OTI's programs and objectives, and must have an in-depth knowledge of international relations.

At a **minimum**, to be considered at the GS-15 level, the applicant must have:

(1) A Master's degree with **thirteen (13) years** of work experience;

OR

A Bachelor's degree with **fifteen (15) years** of work experience;

OR

A minimum of **twenty (20) years** of work experience;

AND

(2) A minimum of **nine (9) years** of project management experience working with high level U.S. and foreign government officials, heads of international organizations, leaders of non-governmental groups, commercial and private organizations, and local communities in community development, organizational development, economic development,

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mediation/arbitration, conflict resolution, democracy and governance, international law, and/or human rights activities;

- (3) A minimum of **seven (7) years** of overseas field experience working in a developing country, of which **five (5) years** must consist of field experience in one or more countries undergoing a political transition;
- (4) A minimum of **seven (7) years** of supervisory experience in a management capacity (defined as supervising at least one other supervisor within an office, division, or team);
- (5) Experience in starting up international development programs, including assembling teams/staff, drafting budgets, and designing programs.

Applicants who meet the minimum education/experience requirements will be further evaluated based on scoring of the evaluation factors described below. Those applicants determined to be competitively ranked may also be evaluated on interview performance and satisfactory professional reference checks.

SELECTION FACTORS

(Determines basic eligibility for the position. Applicants who do not meet all of the selection factors are considered NOT qualified for the position.)

- Applicant is a U.S. Citizen;
- Complete resume submitted. See cover page for resume requirements. Experience that cannot be quantified will not be counted towards meeting the solicitation requirements;
- Supplemental document specifically addressing how the candidate meets each of the Evaluation Factors submitted;
- Ability to obtain a SECRET level security clearance (**NOTE: Dual citizens may be asked to renounce second-country citizenship**);
- Ability to obtain a Department of State medical clearance;
- Satisfactory verification of academic credentials.

A USAID Secret level security clearance is required prior to issuance of the contract for this position.

NOTE: If a full security investigation package is not submitted by the selected within 30 days after it is requested, the offer may be rescinded. If a security clearance is not able to be obtained within four months after the selected submits the initial security clearance documentation, the offer may be rescinded.

NOTE: The incumbent must obtain Department of State medical clearance within six months after the contract is issued. If a medical clearance is not obtained within this period, USAID may terminate the contract at the convenience of the government.

Due to anticipated program needs, individuals should be able to travel to post within 60 days after a contract is awarded.

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EVALUATION FACTORS

(Used to determine the competitive ranking of qualified applicants in comparison to other applicants. The factors are listed in priority order from highest to least.)

Applicants should cite specific, illustrative examples for each factor. Responses must be limited to 500 words per factor. Any additional words above the limit will neither be read nor scored.

- Factor #1 Demonstrated experience interacting with and representing an organization to U.S. Government agencies, donor and international organizations, and local counterparts including beneficiaries;
- Factor #2 Demonstrated experience operating independently in complex political or emergency situations in countries undergoing political transitions;
- Factor #3 Demonstrated experience designing, implementing, monitoring and evaluating development/political transition activities, especially small grant activities; and
- Factor #4 Active or recent U.S. Government security clearance.

BASIS OF RATING: Applicants who clearly meet the Education/Experience Requirements and Selection Factors will be further evaluated based on scoring of the Evaluation Factor responses. Those applicants determined to be competitively ranked may also be evaluated on interview performance and satisfactory professional reference checks. In the event that a candidate has fully demonstrated his/her qualifications and there are no other competitive applicants, OTI reserves the right to forego the interview process.

Applicants are required to address each of the Evaluation Factors 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 specifically 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 Applicant Rating System is as Follows:

Evaluation Factors have been assigned the following points:

- Factor #1 – 20
- Factor #2 – 20
- Factor #3 – 20
- Factor #4 – 10
- Total Possible – 70 Points

Interview Performance – 30 points

Satisfactory Professional Reference Checks – Pass/Fail (no points assigned)

Total Possible Points: 100

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The Evaluation Factors are worth 70 out of 100 points. Be sure to fully respond to each of the Evaluation Factors and include all relevant experience, training, and/or education in your responses. Sample Evaluation Factors are provided on the GlobalCorps website at www.globalcorps.com.

The most qualified candidates may be interviewed and required to provide a writing sample. OTI will not pay for any expenses associated with the interviews. In addition, applications (written materials and interviews) will be evaluated based on content as well as on the applicant's writing, presentation, and communication skills. In the event that a candidate has fully demonstrated his/her qualifications and there are no other competitive applicants, OTI reserves the right to forego the interview process. Professional references and academic credentials will be evaluated for applicants being considered for selection.

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) Paid and non-paid experience, job title, location(s), dates held (month/year), and hours worked per week for each position. Dates (month/year) and locations for all overseas field experience must also be detailed. **Any experience that does not include dates (month/year), locations, and hours per week 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) of your current and/or previous supervisor(s).
 - (d) Education and any other qualifications including job-related training courses, job-related skills, or job-related honors, awards or accomplishments.
 - (e) U.S. Citizenship.

Your resume should contain sufficient information to make a valid determination that you fully meet the experience requirements as stated in this solicitation. This information should be clearly identified in your resume. Failure to provide information sufficient to determine your qualifications for the position will result in loss of full consideration.

2. Supplemental document specifically addressing:
Each of the four (4) Evaluation Factors shown in the solicitation. Responses must be limited to 500 words per factor. Any additional words above the limit will neither be read nor scored.

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NOTE: The Evaluation Factors are worth 70 out of 100 points. Applicants are required to address each of the Evaluation Factors in a separate document describing specifically and accurately what experience, training, education and/or awards they have received that are relevant to each factor.

Additional documents submitted will not be accepted.

By submitting your application materials, 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 807, Washington, D.C. 20045

Via facsimile: (202) 403-3911

Via email: xxxxx@globalcorps.com

Please note in your document submittal where you heard about this position.

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 US PSCs are required to have a DUNS Number. USAID will provide a generic DUNS Number and PSCs 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://acquisition.gov/far/current/html/52_200_206.html

LIST OF REQUIRED FORMS FOR PSCs

Forms outlined below can found at: <http://www.usa.gov/Topics/Reference-Shelf/forms.shtml> or at <http://www.usaid.gov/forms/>

1. Federal Employment Application (OF-612).
2. Declaration for Federal Employment (OF-306).
3. Medical History and Examination Form (DS-6561).

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4. Questionnaire for Sensitive Positions (for National Security) (SF-86), or
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

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

BENEFITS/ALLOWANCES:

As a matter of policy, and as appropriate, a PSC 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) Separate Maintenance Allowance (Section 260).
- (F) Education Allowance (Section 270).
- (G) Education Travel (Section 280).
- (H) Post Differential (Chapter 500).

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(I) Payments during Evacuation/Authorized Departure (Section 600), and
(J) Danger Pay (Section 650).

* 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/16fam/index.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

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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 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>.