



Request for Personal Service Contractor

USAID Office of U.S. Foreign Disaster Assistance

Position Title: Senior Program Operations Specialist
Solicitation Number: SOL-OFDA-14-000022
Salary Level: GS-13 Equivalent: \$89,924 - \$116,901
Issuance Date: March 20, 2014
Closing Date: April 18, 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 Program Operations Specialist 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. **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). Current and/or previous supervisors may be contacted for a reference.
- (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 the Quality Ranking Factors (QRFs) shown in the solicitation.

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

OFDA Recruiting
529 14th Street, NW, Suite 700
Washington, DC 20045
E-Mail Address: recruiter@ofda.gov

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:

recruiter@ofda.gov
Telephone Number: (202) 661-9334
E-Mail Address: recruiter@ofda.gov
Website: www.OFDAjobs.net

Sincerely,

Michael Clark
Contracting Officer

**Solicitation for a USPSC Senior Program Operations Specialist
SOL-OFDA-14-000022**

Solicitation for U.S. Personal Service Contractor (PSC) Senior Program Operations Specialist

- 1. SOLICITATION NO.:** SOL-OFDA-14-000022
- 2. ISSUANCE DATE:** March 20, 2014
- 3. CLOSING DATE/TIME FOR RECEIPT OF APPLICATIONS:** April 18, 2014, 5:00 pm EDT
- 4. POSITION TITLE:** Senior Program Operations Specialist
- 5. MARKET VALUE:** GS-13 equivalent (\$89,924 - \$116,901 - includes 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.** Candidates who live outside the Washington, D.C. area will be considered for employment but no relocation expenses will be reimbursed.
- 6. PERIOD OF PERFORMANCE:** Two (2) years, with three (3) option years
- 7. PLACE OF PERFORMANCE:** Washington, D.C.

8. STATEMENT OF WORK

POSITION DESCRIPTION

BACKGROUND

The Office of U.S. Foreign Disaster Assistance (OFDA) is the office within USAID that is responsible for providing emergency non-food humanitarian assistance in response to international crises and disasters. OFDA is part of the Bureau for Democracy, Conflict, and Humanitarian Assistance (DCHA) and is organized into three divisions. The Disaster Response and Mitigation Division (DRM) is responsible for the provision of emergency humanitarian assistance through a grants mechanism to non-governmental organizations (NGOs), international organizations (IOs) including the United Nations (UN) agencies, and to other partners to ensure the implementation and delivery of this assistance. This division also oversees OFDA's non-response efforts in disaster risk reduction and resilience. DRM also coordinates with other organizations for the provision of relief supplies and assistance. DRM devises, coordinates, and implements program strategies for a variety of natural and human-caused disaster situations. It encompasses a group of technical sector specialists who provide expert capability in assessing the quality of disaster response and disaster risk reduction activities. The Program Support Division (PS) provides programmatic and administrative support including budget/financial services, procurement planning and guidance, contracts and grants administration, and communication support for OFDA's Washington and field offices. The Operations Division (OPS) develops and manages logistical and operational support for disaster responses and administrative support to all offices and operations. OPS maintains readiness to respond to

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emergencies through several mechanisms, including managing Search and Rescue Teams (SAR), coordinating and supporting Disaster Assistance Response Teams (DARTs), and the Washington-based Response Management Teams (RMTs) as needed.

INTRODUCTION

The Program Support Division (PS) provides innovative and timely solutions in the areas of finance, communications, administration, and information and telecommunications technology (ICT) to facilitate the delivery of humanitarian assistance. Specifically, PS teams assist in staffing and recruitment and provide access to specialized resources through the award of contracts and grants; perform office-wide financial management and coordinate budget planning; provide specialized staff training; develop program related information products; and provide end-to-end ICT support including for all OFDA staff in headquarters and the field.

The Management and Administration (M&A) Team is part of PS of the Office of U.S. Foreign Disaster Assistance. The core functions of this team include financial management (external and internal budgeting, management of OFDA's operating year budget, processing of financial transactions, and financial analysis and reporting); ICT program management; administration (liaising with other offices, coordinating responses to Agency initiatives and Federal requirements); and information management. The Senior Program Operations Specialist, in close coordination with the Management and Administration Team Leader, will help carry out these functions.

OBJECTIVE

The Program Support Division's Management and Administration Team requires a Senior Program Operations Specialist to strengthen its capability to provide prompt, effective services in the areas of administration, financial management, ICT program management, and information management in support of OFDA's mandate and the delivery of humanitarian assistance around the world.

9. CORE FUNCTIONAL AREAS OF RESPONSIBILITY

DUTIES AND RESPONSIBILITIES

The Senior Program Operations Specialist will assist in carrying out the financial management functions of the M&A Team in support of OFDA's worldwide humanitarian assistance operations and mandate.

The duties and responsibilities include:

External Budgeting

- Support the formulation of annual and supplemental program budget requests, narratives, and supporting materials for international disaster assistance (IDA) contingency funding, based on historical trends, projected humanitarian needs, and knowledge of organizational and USG budgetary priorities;

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- Assist in justifying IDA budget requests, including responding to ad hoc inquiries and requests from OFDA's financial stakeholders, such as the Office of Management and Budget (OMB), the State Department's Office of U.S. Foreign Assistance Resources (F), DCHA's Office of Program, Policy, and Management (PPM), and Congress;
- Work closely with OFDA's disaster response and technical staff to understand OFDA's humanitarian assistance programming priorities and advocate for OFDA's budget with external financial stakeholders based on these priorities;
- Help track the appropriations process and the outcome, including any special language or restrictions pertaining to OFDA's funding and which could impact its humanitarian assistance programs;

Internal Budgeting

- Support the planning, formulation, and execution of a complex office budget, that consists of reserves for unforeseeable disasters and emergencies, programs to address ongoing emergencies, as well as program support and operational expenses;
- Advise OFDA Senior Management during the annual internal budgeting process, and facilitate the allocation of budgets to divisions and teams once budgets are approved;
- Develop guidelines for use of funds provided to OFDA for specific countries, emergencies, or types of disaster assistance and set up systems to track them;
- Track the status of OFDA's disaster assistance resources, provide regular budget status updates to OFDA senior management and team leaders, and advise on budget reallocations as result of new disasters, shifting humanitarian needs and priorities, or budgetary developments;

Processing of financial transactions and maintenance of financial data in systems

- Develop proficiency in all Agency corporate financial and procurement management systems used to manage and program OFDA's disaster assistance funding;
- Process financial transactions using OFDA's program management and reporting system and Agency's financial and procurement systems, and reconcile data between the systems to ensure accuracy;
- Maintain budget and finance related records for OFDA's disaster assistance program funds;
- Assist with the processing of payment vouchers for OFDA's humanitarian assistance grants and cooperative agreements;
- Provide technical support for the development and maintenance of the information and reporting system which is used to manage OFDA's portfolio of humanitarian assistance programs. Help update and maintain data financial look-up tables; recommend modifications to meet continuing OFDA financial management needs and to refine reporting capabilities of the system; design standardized and ad hoc reports as needed; and participate in the ongoing database redesign, management, and evolution;
- Provide technical support to OFDA staff on the use of OFDA's program management and reporting system and Agency financial and procurement systems; develop written procedures and guidelines for users; train users to operate and retrieve financial information from the systems according to individual needs;

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Financial Analysis and Reporting

- Meet regular financial and disaster reporting requirements to OFDA's financial stakeholders including OMB, F, PPM, and Congress;
- Prepare reports in response to ad hoc inquiries from OFDA staff and OFDA's financial stakeholders;
- Manipulate and query the systems to produce standard reports and ad hoc reports, utilizing Microsoft Excel software as necessary;

Other Financial Management Duties

- Monitor use of OFDA program funds by overseas USAID offices to ensure that resources are fully accounted for and utilized in accordance with the OFDA disaster assistance mandate and consistent with the accounts/appropriations provided to OFDA;
- Coordinate and monitor the accruals process on a quarterly basis and provide information and guidance as necessary to OFDA staff;
- Coordinate the annual review of unliquidated balances, including researching and initiating de-obligations of unliquidated funds as appropriate;
- Support OFDA's internal control processes, especially as they relate to financial management of OFDA's disaster assistance program funds, and support the preparation of OFDA's submission for the annual Federal Managers Financial Integrity Act (FMFIA) exercise;
- Train Finance Unit staff as needed on financial systems and processes, including developing and maintaining Standard Operating Procedures for the unit;
- Represent the Program Support Division as needed on the Awards Change Control Group (ACCG), an internal OFDA working group designed to develop and vet OFDA policy guidance on humanitarian assistance grant making and supporting processes. This includes attending weekly meetings, reviewing documents, drafting guidance as needed, and coordinating Program Support input into the ACCG process;

Other OFDA Duties

- Serve, as needed, as Program Support representative on technical evaluation panels for OFDA solicitations including Personal Services Contractors (PSCs), Cooperative Agreements (CAs), Grants, and Contracts;
- As needed, serve on Disaster Assistance Response Teams (DARTs) which may require immediate (within 24 hours) deployment overseas for an extended period of time;
- As needed, serve as a member of the Washington-based Response Management Teams (RMTs), which provides services and support to DARTs deployed in response to disasters. The duties on RMTs will be varied; and
- Serve as the OFDA after-hours duty officer on a rotational basis, for approximately one week every six months.

SUPERVISORY RELATIONSHIP:

The Senior Program Operations Specialist works under the supervision of and reports directly to the Management and Administration Team Leader or her/his designee.

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SUPERVISORY CONTROLS:

The Supervisor sets overall objectives and resources available. The incumbent is expected to consult with his/her supervisor to develop deadlines, projects and work to be done. The incumbent is responsible for planning and carrying out assignments as well as for planning the approach or methodology to be used in carrying out assignments.

10. PHYSICAL DEMANDS

The work is generally sedentary and does not pose undue physical demands. During deployment on Disaster Assistance Response Teams (DARTs) (if required), 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).

11. WORK ENVIRONMENT

Work is primarily performed in an office setting. During deployment on Disaster Assistance Response Teams (DARTs) (if required), and during site visits, the work 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.

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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.)

Bachelor's degree and at least seven (7) years of relevant work experience in a combination of management and administration, finance, accounting, IT program and contract management, knowledge management, international relations, humanitarian assistance and/or a related field (preferably a portion of which was with the Federal Government), plus knowledge of U.S. Government financial and information management systems, or systems of a similar nature. Experience with MS Excel preferred.

OR

Master's degree and at least five (5) years of relevant work experience in a combination of management and administration, finance, accounting, IT program and contract management, knowledge management, international relations, humanitarian assistance and/or a related field (preferably a portion of which was with the Federal Government), plus knowledge of U.S. Government financial and information management systems, or systems of a similar nature. Experience with MS Excel preferred.

OR

At least nine (9) years of work experience in a position culminating in the set of duties and responsibilities similar to those of this position, plus knowledge of U.S. Government financial and information management systems, or systems of a similar nature. Experience with MS Excel preferred.

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 the Quality Ranking Factors (QRFs) submitted;
- Ability to obtain and maintain a SECRET up to a TOP SECRET level security clearance as provided by USAID;
- Satisfactory verification of academic credentials.

QUALITY RANKING FACTORS (QRFs)

(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.)

QRF #1 Describe your experience with the federal appropriations process. Please highlight any experience specific to humanitarian assistance or contingency funding accounts.

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- QRF #2 Describe your experience supporting the planning and execution of a complex office budget that must be flexible enough to accommodate continually shifting program needs and priorities, as well as ongoing program support and operational expenses.
- QRF #3 Describe your experience providing guidance and technical support to organizational staff on the use of financial management, procurement, and/or reporting systems.
- QRF #4 Describe your experience using complex financial accounting systems, software, databases, and Microsoft Excel to process transactions, manage and analyze data, and produce reports.
- QRF #5 Describe your experience in successfully working as a part of a team in a fast-paced, dynamic environment in which you are required to maintain flexibility, multi-task, manage competing priorities, meet aggressive deadlines, and complete tasks that require attention to detail.

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

Applicants are required to address each of the QRFs 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 Quality Ranking 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:

QRFs have been assigned the following points:

- QRF #1 – 10 points
- QRF #2 – 10 points
- QRF #3 – 10 points
- QRF #4 – 5 points
- QRF #5 – 5 points

Interview Performance – 40 points

Satisfactory Professional Reference Checks – 20 points

Total Possible Points: 100

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The most qualified candidates may be interviewed and required to provide a writing sample. OFDA will not pay for any expenses associated with the interviews. Professional references and academic credentials will be evaluated for applicants being considered for selection. Note: Please be advised that references may be obtained independently from other sources in addition to the ones provided by an applicant. OFDA reserves the right to select additional candidates if vacancies become available during future phases of the selection process.

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. **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). Current and/or previous supervisors may be contacted for a reference.
- (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 the Quality Ranking Factors (QRFs) shown in the solicitation.

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.

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DOCUMENT SUBMITTALS

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

Via email: recruiter@ofda.gov

NOTE: If the full security application package is not submitted within 30 days after it is requested, the offer may be rescinded. If a Secret security clearance is not obtained within nine 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 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://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.usa.gov/Topics/Reference-Shelf/forms.shtml>

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.

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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).
- (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 DS-3067, provided that the FSMP or Post Medical Advisor (PMA) is notified as soon as possible

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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—

- (1) Engage in severe forms of trafficking in persons during the period of performance of the contract;

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- (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>.