



# USAID | AFGHANISTAN

FROM THE AMERICAN PEOPLE

ISSUANCE DATE: April 27, 2009

CLOSING DATE: May 26, 2009

SUBJECT: Solicitation No. 306-09-73/ODG for U.S. Personnel Service Contractor (USPSC) **Senior Rule of Law and Human Rights Advisor**

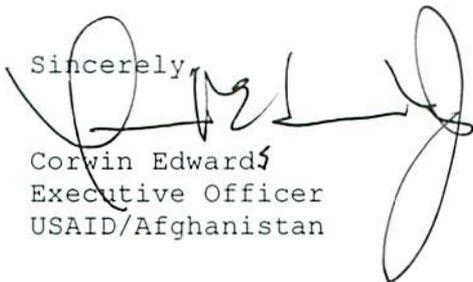
Ladies/Gentlemen:

The United States Government, represented by the U.S Agency for International Development (USAID), is seeking applications from qualified individuals interested in providing the PSC services as described in the attached solicitation. For further information please visit <http://afghanistan.usaid.gov>

Submission shall be in accordance with the attached information and applications should be submitted electronically to [dg0973@usaid.gov](mailto:dg0973@usaid.gov) (attention to Seetha Chayapathi, Human Resources Specialist, Kabul/Afghanistan). This solicitation will remain open until May 26, 2009, 16:30hrs local time.

Any questions on this solicitation may be directed to Seetha Chayapathi, Human Resources Specialist, Phone (in Afghanistan) (202) 216-6288, Ext.4440 or e-mail at [schayapathi@usaid.gov](mailto:schayapathi@usaid.gov) or James Berscheit, Deputy Executive Officer, Phone (in Afghanistan) (202) 216-6288, Ext. 4837 or e-mail at [jberscheit@usaid.gov](mailto:jberscheit@usaid.gov) Applications should only be sent to [dg0973@usaid.gov](mailto:dg0973@usaid.gov) and not to any individuals.

Sincerely,



Corvin Edwards  
Executive Officer  
USAID/Afghanistan

U.S. Agency for International Development  
Great Masoud Road  
Kabul, Afghanistan

Tel: 202-216-6288 / 0700-108-001  
Email: [kabulusaidinformation@usaid.gov](mailto:kabulusaidinformation@usaid.gov)  
<http://afghanistan.usaid.gov>

SOLICITATION NO. 306-09-73/ODG

1. SOLICITATION NUMBER: 306-09-73/ODG
2. ISSUING DATE: April 27, 2009
3. CLOSING DATE: May 26, 2009 16:30hrs local time
4. POSITION TITLE: Senior Rule of Law and Human Rights Advisor
5. Number of Positions: One
6. MARKETING VALUE: GS-14 (\$83,445 - \$108,483)
7. ORGANIZATIONAL LOCATION OF POSITION: USAID/AFGHANISTAN
8. DIRECT SUPERVISOR: USAID/Afghanistan, Director of Office of Democracy & Governance
9. SUPERVISORY CONTROL: None.
10. PERIOD OF PERFORMANCE: The personnel service contract will be for (12 months) with an option for renewal.
11. SECURITY ACCESS: Secret Security Level
12. AREA OF CONSIDERATION: U.S. CITIZENS ONLY

**POSITION DESCRIPTION: USPSC SENIOR RULE OF LAW AND HUMAN RIGHTS ADVISOR**

**A. BASIC FUNCTION OF THE POSITION:**

The incumbent will have the following duties and responsibilities:

Under the direct supervision of the Democracy and Governance Office Director, the Senior Rule of Law and Human Rights Advisor will assist the USAID Mission on all issues and programs pertaining to reforming and strengthening the rule of law in Afghanistan. The Advisor is responsible for managing technical assistance valued at over \$12 million per year in contracts and grants to support the strengthening of the justice sector and the promotion of human rights in Afghanistan. The Advisor is the Mission's principle expert on the development of the justice sector and as such will be responsible for maintaining a broad array of contacts and will brief Mission Management regularly in developments in the sector. The Advisor will be responsible for: facilitating the coordination and integration of all USAID rule of law reform and human rights activities within the Mission portfolio; ensuring that all Mission rule and law and human rights activities are fully coordinated with, complementary to, and supportive of the democracy assistance activities of other U.S. Government agencies, and for ensuring that the design and implementation of all USAID rule of law and human rights activities are fully coordinated with international organizations and donors active in these areas. The Advisor will provide leadership to guide and coordinate work on rule of law and human rights promotion while also serving as the Mission's technical resource and point of contact on matters relating to programming in these areas. The Advisor will liaise with other USG agencies, NATO and U.S. military, international organizations and donors that provide assistance for democracy development.

**B. Duties and Responsibilities**

The Advisor will handle all assigned work either independently or, as required, as the leader or member of teams according to established Mission policies, practices and programmatic guidance, and in accordance with all applicable USAID regulations and guidance. As a highly qualified professional, substantial reliance is placed on the Advisor to independently plan and carry out the specific activities entailed in fulfilling major duties and responsibilities. The Advisor will provide solutions to problems that arise by determining the approaches to be taken and the methodologies to be used; developing, coordinating, and clearing proposed solutions with all necessary parties; and then taking appropriate actions necessary to resolve the problem.

**1. Program Management**

The Advisor will provide leadership and have wide latitude for the exercise of independent judgment in the planning, development and

SOLICITATION NO. 306-09-73/ODG

management of program and activity initiatives in the rule of law and human rights areas including: development of policy recommendations; determination of work priorities; making decisions on activity implementation matters; identifying and resolving program issues; assuring that all activities are carried out in a technically-sound and cost-effective manner; and assuring activities are carried out in accordance with all applicable Mission and Agency directives and requirements.

The rule of law and human rights sectors in Afghanistan are very broad and highly complex requiring analysis and decision making of outstanding difficulty. The Advisor will design, report on, and oversee the implementation of a multifaceted portfolio of activities responsive to local needs including, but not limited to the following areas: judicial reform (court administration, courthouse construction/rehabilitation, judicial training, judicial administration); increasing public awareness and demand for rule of law; reform and development of legal education in both the law and Sharia faculties; continuing education for lawyers, judges and prosecutors; legislative process, codification and dissemination of laws; the role of the informal/customary law sector in Afghanistan and how it interacts with formal justice sector; promotion of human rights including in particular women's rights; and support to human rights NGOs and the Afghanistan Independent Human Rights Commission.

Planning, implementing, participating in, commenting upon, or preparing Mission views on evaluations, assessments or audits of Mission rule of law and human rights activities will be key job functions, as will providing technical and policy advice and recommendations to USAID, Department of State and implementing partners regarding the design and implementation of rule of law and human rights activities planned or carried out in Afghanistan.

## **2. Strategy Development**

The Advisor will provide analysis, advice and recommendations to senior Mission management and staff regarding the formulation of strategy for assistance for rule of law development and human rights promotion and on the management and implementation of activities in these areas.

Active participation in the development of Mission operational plan, strategic plans, annual reports and other strategic planning and reporting documentation will also be expected.

S/he will also determine what additional analyses, assessments, or reviews are required to develop Mission strategy or activities in the area of rule of law development, designing and overseeing the implementation of such analyses or assessments, and follow up as necessary.

### **3. Coordination, Technical Advice, Policy Dialogue and Management**

Given the increasingly complex and uncertain nature of the rule of law and human rights sectors in Afghanistan, the Advisor will continuously gather information about and keep current on developments in the sectors to report, assess and recommend required to Mission management and staff. Contacts will include high level officials of the GIROA as well as within the International community.

The Advisor will direct, participate in, coordinate, and manage USAID inputs into rule of law and human rights sector assessments conducted in conjunction with other USG agencies, international organizations, or other donors.

The Advisor will be a senior member of the Democracy and Governance Office (DG) and shall supervise the work of at least one FSN as well as serve as back up CTO on various other DG sector programs on an as needed basis.

Coordinate with other USG agencies, particularly State Department, CSTC-A, the Department of Justice, and ISAF, especially regional-command East to implement rule of law and human rights programs that take into account various USG priorities and initiatives.

As Civil-Military/PRT Liaison for the Democracy and Governance Office, the Advisor will serve as the as principal point of contact with NATO and U.S. Military forces throughout Afghanistan on rule of law and human rights issues. This will include: input and coordination on the Focused District Development program with CSTC-A, coordination of rule of law activities with CJTF-82 and its successors, support for NATO/ISAF member nation forces engagement on rule of law and human rights. The Advisor will be an active participant in conferences, presentations and meetings involving issues of considerable consequence to relations between USAID and military counterparts. These contacts will include briefings to US and NATO General Officer level personnel and in all cases require a high degree of diplomacy and the ability to mediate, negotiate and settle controversial issues among various parties.

The Advisor will coordinate with the PRTs (Provincial Reconstruction Team) to:

- Provide senior level guidance to both USAID and PRT representatives such that rule of law & human rights programming in the provinces is responsive to local needs
- Direct coordination activities of DG partners with relevant PRTs
- Obtain PRT assistance to support and monitor rule of law & human rights programs, where feasible

SOLICITATION NO. 306-09-73/ODG

- Keep other USG agencies, their implementers, NATO forces and other international donors informed about the status of justice sector developments occurring in connection with PRTs

**D. EVALUATION CRITERIA/SELECTION CRITERIA:**

Candidates will be evaluated and ranked based on the following selection criteria:

- 1. Education (20 points):** A Masters in Law (LLM), political science, government, international affairs, international development, area studies, or a related field is required. A Juris Doctorate (J.D.) is preferred.
- 2. Experience (25 Points):** A minimum of five years of progressively responsible experience in the following areas is required: law, administration of justice, human rights, rule of law assistance, or a related field. Two or more years of overseas experience are required. Experience working as a trial lawyer, public defender, or prosecutor in a court setting is preferred. Demonstrated experience in managing complicated, politically sensitive international development assistance projects is preferred. Ability to be flexible and work in a tense and time sensitive environment is required. Specific experience in U.S. government agencies or international donors managing democracy and governance portfolios in transition countries is highly desirable, as is direct experience in working within the complex Afghan political situation. Demonstrated ability to work in teams (i.e., team player skills) and commitment to the team mode of operation, with proven organizational and administrative skills is a must.
- 3. Language Proficiency (15 Points):** Must have excellent English communication skills. Candidates must have the ability to present analysis and recommendations in clear written and oral formats.
- 4. Knowledge: (20 Points):** A comprehensive knowledge of rule of law development and relevant best practices in the area or rule of law strengthening is required. An understanding of US Government project planning and implementation procedures and of US government organization and operations is desirable. Knowledge of U.S. Government policies and procedures for technical program monitoring and management is helpful.
- 5. Skills and Abilities (20 Points):** Candidate must possess sound and independent judgment with the skills to strategize, develop and effectively implement activities in a heavy workload/high stress environment. Effective program/project management skills are a must. The ability to effectively perform as a member of a team and to maintain cordial and professional relationships with USAID, Host Government, other donors, NGO and contractor personnel is essential. Excellent interpersonal skills and a genuine interest in assisting the Mission staff with expedient program implementation are necessary. A high degree of professionalism, discretion,

SOLICITATION NO. 306-09-73/ODG

and sound judgment in representing the USG are essential elements of the position. Demonstrated ability to prepare required reports in proper format and language is a must.

**Maximum Points Available: 100.**

**E. Term of Performance**

The term of the contract will be for twelve months from on/about August 10, 2009 to on/about August 09, 2010. Within 4 weeks after written notice from the Contracting Officer that all clearances have been received or, unless another date is specified by the Contracting Officer in writing, the incumbent shall proceed to Kabul to perform the above services which may be extended upon mutual agreement and subject to satisfactory performance and availability of funds. This position has been classified at a U.S. Government GS 14. The actual salary of the successful candidate will be negotiated depending on qualifications and previous salary history.

In addition, the Mission has a 35% Post Differential allowance and 35% Danger Pay. FICA and federal income tax will be withheld by USAID. During this one year period you will be entitled to two Rest and Recuperation trips (R&R) and two Regional Rest Breaks. While you will have to use your Annual Leave or Compensatory time for R&R, you will be entitled to 5 days Administrative Leave plus two days of travel time for each Regional Rest Break. There are 4 destinations for Regional Rest Break - they are: Dubai, New Delhi, Istanbul or Baku.

Physical Demands and Work Environment: Work in the office is mostly sedentary but travel to program activity implementation sites outside of Kabul requires U.S. Government Regional Security Officer (RSO) approval, travel in fully armored vehicles and close coordination with the U.S. Embassy and U.S. Consulate security officers, DoD, and ISAF as relevant. PRT sites are in remote areas of Afghanistan in rugged terrain that requires good physical condition to conduct site assessments.

**F. General information regarding living and working conditions in Afghanistan**

Life in Kabul, the capital of Afghanistan has somewhat improved since the establishment of the government, and great strides have been made to regularize the availability of services, utilities, and supplies of common consumer items. Living conditions, however, are still difficult but this is an historical opportunity to work closely with a dedicated team to assist the Afghans to bring about peace and stability to their war-torn country. Afghanistan is an unaccompanied post. All staff will be housed on the heavily guarded and fortified Embassy compound, at a military compound, or at a PRT.

SOLICITATION NO. 306-09-73/ODG

**G. Medical and Security Clearance**

The selected applicant must be able to obtain a USG secret level security clearance and a Department of State Class I medical clearance.

**H. Benefits:**

As a matter of policy, and as appropriate, a PSC is normally authorized the benefits and allowances listed in this section. [NOTE: A contractor meeting the definition of a U.S. Resident Hire PSC, shall be subject to U.S. Federal Income Tax, but shall not be eligible for any fringe benefits (except contributions for FICA, health insurance, and life insurance), including differentials and allowances.]

**A. BENEFITS:**

- o FICA Contribution
- o Contribution toward Health & life insurance
- o Pay Comparability Adjustment
- o Eligibility for Worker's Compensation
- o Annual & Sick Leave
- o Access to Embassy medical facilities, commissary and pouch mail service as per post policy

**B. ALLOWANCES (If Applicable):**

- (1) Temporary Lodging Allowance (Section 120)
- (2) Living Quarters Allowance (Section 130)
- (3) Post Allowance (Section 220)
- (4) Supplemental Post Allowance (Section 230)
- (5) Post Differential (Chapter 500)
- (6) Payments during Evacuation/Authorized Departure (Section 600) and
- (7) Danger Pay (Section 650)
- (8) Education Allowance (Section 270)
- (9) Separate Maintenance Allowance (Section 260)
- (10) Education Travel (Section 280)

\* Standardized Regulations (Government Civilians Foreign Areas).

**C. FEDERAL TAXES:** PSCs are not exempt from payment of Federal Income taxes under the foreign earned income exclusion.

**I. CONTRACT INFORMATION BULLETINS (CIBs/AAPDs) PERTAINING TO PSCs**

- AAPD 06-11 Home Leave and Revised General Provision 5, Leave and Holidays
- AAPD 06-10 PSC Medical expense payment responsibility
- AAPD 06-07 AIDAR, Appendix D: Contract budget, salary determination and salary increase
- AAPD 06-01 Medical evacuation insurance
- CIB 01-10 Revision of medical clearance process - PSC with U.S. Citizens
- CIB 01-07 Clarification of the extension/renewal policy regarding PSCs
- CIB 01-05 Clarification of the Rest and Recuperation (R&R) policy regarding Third Country Nationals (TCNs)

SOLICITATION NO. 306-09-73/ODG

- CIB 00-08 Revision of Competitive Process - PSCs with U.S. Citizens
- CIB 00-03 FICA & Medicare Tax Rates for Personal Services Contracts
- CIB 99-22 PSC Policy
- CIB 98-23 Guidance regarding Classified Contract Security and Contractor Personnel Security Requirements
- CIB 98-16 Annual Salary Increase for USPSCs
- CIB 98-14 Change in Required Application Form for USPSCs
- CIB 98-11 Determining a Market Value for Personal Services Contractors Hired under Appendix D.
- CIB 97-17 PSC's with U.S. Citizens or U.S. resident aliens
- CIB 97-16 Class Justification for use of Other Than Full and Open Competition for Personal Services Contracts with U.S. Citizens Contracted with Locally, with CCNs and TCNs Subject to the Local Compensation Plan, and for Overseas Contracts of \$250,000 or less
- CIB 96-23 Unauthorized Provision in Personal Services Contracts
- CIB 94-09 Sunday Pay for U.S. Personal Services Contractors
- CIB 93-17 Financial Disclosure requirements under a Personal Services Contract
- CIB 89-29 Use of Government Bill of Lading for Transportation of Personal Service Contractor (PSC) Household Effects, Unaccompanied Baggage and Privately Owned Vehicles

Various Contract Information Bulletins (CIBs) and Acquisition and Assistance Policy Directives (AAPDs) pertain to Personal Services Contracts can be found at:

[http://www.usaid.gov/procurement\\_bus\\_opp/procurement/cib/subject.html#psc](http://www.usaid.gov/procurement_bus_opp/procurement/cib/subject.html#psc)

Additionally, AIDAR Appendixes D or J also applies to PSCs can be found at: <http://www.usaid.gov/policy/ads/300/aidar.pdf>

**J. LIST OF REQUIRED DOCUMENTS & FORM FOR CONSIDERATION:**

For initial consideration please send the following to the e-mail address provided:

1. Cover Letter
2. Curriculum Vita
3. OF-612

**K. APPLYING**

Qualified individuals are required to submit a U.S government OF-612 which is available at the USAID website

<http://www.usajobs.opm.gov/forms.asp>, or at Federal Offices. Applicant's CVs may also be included as an attachment. Applications without the completed OF612 form will not be entertained.

All applications should be submitted electronically to mail box:

SOLICITATION NO. 306-09-73/ODG

[dg0973@usaid.gov](mailto:dg0973@usaid.gov)

Attention: Seetha Chayapathi  
Human Resources Specialist  
USAID/Afghanistan

To Ensure consideration of applications for the intended position, please reference the solicitation number on your application and as the subject line of cover letter. The highest ranking applications may be selected for an interview. Applicants may submit an application against this solicitation at any time but prior to **May 26, 2009**, 16:30hrs Kabul time unless revised. Please note that only short listed candidates will be notified.

List of Required PSC forms outlined below can be found at:

[http://www.usaid.gov/procurement\\_bus\\_opp/procurement/psc\\_solicit/forms.html](http://www.usaid.gov/procurement_bus_opp/procurement/psc_solicit/forms.html).

1. OF-612
2. Medical History and Examination for Foreign Service (DS - 1843)
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). Standardized regulations (government civilians foreign areas)

Forms 2 through 5 shall be completed only upon the advice of the Contracting Officer that an applicant is the successful candidate for the job. Note: The selected individual must be able to obtain a security and medical clearance.

**Point of Contact**

Seetha Chayapathi, Human Resources Specialist, Phone (in Afghanistan) - (202) 216-6288 Ext. 4440; Email: [schayapathi@usaid.gov](mailto:schayapathi@usaid.gov).

**Place of Performance**

Address: USAID/Afghanistan  
U.S. Embassy  
Great Masoud Road  
Kabul, Afghanistan