USAID | DEMOCRATIC REPUBLIC OF THE CONGO

SOLICITATION NUMBER: 72066024R10007
ISSUANCE DATE: March 12, 2024
CLOSING DATE/TIME: April 11, 2024, at 17:00 (Kinshasa Time)

SUBJECT: Solicitation for a **Cooperating Country National or Third Country National Personal Service Contractor (CCN/TCN PSC - *Local Compensation Plan)* – Procurement Agent - based in Kinshasa.**

Dear Prospective Offerors:

The United States Government, represented by the U.S. Agency for International Development (USAID), is seeking offers from qualified persons to provide personal services under contract as described in this solicitation.

Offers must be in accordance with **Attachment 1** of this solicitation. Incomplete or unsigned offers will not be considered. Offerors should retain copies of all offer materials for their records.

USAID will evaluate all offerors based on the stated evaluation criteria. USAID encourages all individuals, including those from disadvantaged and under-represented groups, to respond to the 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 offers.

Any questions must be directed in writing to the Point of Contact specified in Attachment 1.

Sincerely,

Michele Maximilien Digitally signed by Michele Maximilien Date: 2024.03.11 09:02:05 -04'00'
Michele Maximilien
Contracting Officer

I. GENERAL INFORMATION

1. **SOLICITATION NO.:** 72066024R10007

2. **ISSUANCE DATE:** March 12, 2024

3. **CLOSING DATE AND TIME FOR RECEIPT OF OFFERS:** April 11, 2024, at 17:00 (Kinshasa Time)

4. **POINT OF CONTACT:** USAID/DRC, Executive Office/Human Resources Unit at usaidhrkinshasa@usaid.gov

5. **POSITION TITLE: Procurement Agent**

6. **MARKET VALUE:** Equivalent to FSN-9 In accordance with AIDAR Appendix J and the Local Compensation Plan of USAID/DRC. Final compensation will be negotiated within the listed market value.

7. **PERIOD OF PERFORMANCE: The period of performance is Five (5) years**, estimated to start o/a July 2024 or earlier if required clearances are obtained. The services provided under this contract are expected to be of a continuing nature that will be executed by USAID through a series of sequential contracts, subject to the satisfactory performance, the continued need, and the availability of funds.

8. **PLACE OF PERFORMANCE:** Kinshasa, Democratic Republic of Congo with possible travel as stated in the Statement of Duties.

9. **ELIGIBLE OFFERORS:**

   - **Cooperating Country Nationals as defined in AIDAR Appendix J:** "Cooperating country national ("CCN") means an individual who is a cooperating country citizen, or a non-cooperating country citizen lawfully admitted for permanent residence in the cooperating country."
   - **Third Country Nationals as defined in AIDAR Appendix J:** "Third country national (TCN) means an individual who is neither a cooperating country national nor a U.S. national but is a citizen or lawful permanent resident (or equivalent immigration status) of any country other than the countries which are prohibited sources"(See **22 CFR 228.15**).

10. **SECURITY LEVEL REQUIRED:** Security Certification issued by the U.S. Embassy Regional Security Office.

11. STATEMENT OF DUTIES

1. General Statement of Purpose of the Contract

The incumbent serves as the Procurement Agent in the Executive Office of USAID/Democratic Republic of the Congo (DRC) and works under the supervision of the Supervisory Executive Officer or a Deputy Executive Officer. The incumbent serves as the chief negotiator providing technical and procurement support services to the Mission with simplified acquisition, procurement, and contracting procedures and is responsible for procurement of commodities and services by contract or purchase order mechanism. The incumbent is responsible for ordering from local vendors, U.S. and other international sources according to requisition specifications, general schedules from USG required sources, GSA and other supply sources that can provide the goods and services specified by requestors. The incumbent also performs critical functions including purchase of expendable (EXP) and non-expendable (NXP) property, annual procurement planning, conducting cost/price analysis, negotiation of contracts, accountability, shipping/insurance/delivery of purchased goods, end-user verifications, claims for loss or shortage, procurement of maintenance functions to support USAID/DRC Mission, contract reporting and close out. Serves as the main point of contact with ICASS Procurement Office on all USAID procurements performed through ICASS.

2. Statement of Duties to be Performed

Simplified Acquisition and Procurement – Pre and Post Award Duties: 70%
The incumbent is responsible for procurement of commodities and services, including purchasing all NXP and EXP property, at the USAD/DRC Mission. Items procured include, but are not limited to vehicles, automobile parts, electronic equipment, specialized tools and hardware, office furniture, equipment and supplies, building and equipment maintenance, repair and clearance services, as well as technical items such as office equipment, spare parts, and IT equipment and software. The incumbent receives the request for procurement of property and is expected and required to select the appropriate type of procurement instrument for any given situation and accurately apply U.S. Government procurement laws, regulations, policies and procedures that govern each type of instrument. Although the incumbent must be familiar with the procedures applicable to acquisition of goods, since support to programs will require such acquisitions, the incumbent is also responsible for acquisitions involving various types of services. The incumbent works with technical offices to assist in preparing annual procurement plans, drafting clear and concise statements of work, and supporting documentation.

The incumbent must be able to provide authoritative technical guidance to the technical offices pertaining to procurement- related matters. The incumbent obtains standard or previously prepared technical specifications covering commodity to be purchased; if necessary, prepares or revises requisite specification. Ascertains probable sources of supply from stock catalogues and supply lists, from calls to local or third country suppliers, or by independent research. Requests bids by telephone, correspondence, or solicitations. The incumbent is responsible for uploading the mandatory procurement documents in ASIST for each acquisition action and proper upkeep and maintenance of purchase order files in ASIST database, in accordance with USAID contract records procedures. Maintains requisite computer data bases, stock manuals,

specifications, and other procurement resource documents on a current basis. Compiles and maintains current market data on supplies, including latest prices, type of items, quality of product, etc. Maintains a library of procurement reference materials, including examples of contracts and purchase orders, as well as Federal Acquisition Institute Training Application System (FAITAS) training materials. In cases when procurement is to be performed through the ICASS Procurement Office, initiates ILMS/ARIBA procurement requests and serves as single point of contact between USAID Executive Office and ICASS Procurement Office.

Using GLAAS, the incumbent drafts solicitation documents such as request for proposals, requests for quotations, and solicitations for bids, reviews and analyzes bids and price quotations, vendors' bids, reviews and analyzes proposed offers, vendors' billing documents, and prepares contracts and simplified acquisition orders, maintains correspondence and reports in regard to these procurement activities prior to submitting them to the Executive Officer or the Contracting Officer for their approval and signatures. S/he drafts detailed Memoranda of Negotiation for the Contracting Officer's approval for each procurement action completed. S/he is responsible for monitoring and administering contractual activities and performs contact closeout action for each completed contracting activity. The incumbent serves as the Negotiator for all EXO acquisition actions. S/he is expected to take an active role in supporting the various support teams in meeting their procurement needs and must be aware of changing market conditions including price and availability of important commodities and services. The incumbent must maintain contacts with officials of local vendors to facilitate resolving procurement problems. S/he must know, understand and track a full range of GSA and U.S. Federal Acquisition standards and guidelines as well as the Federal Acquisition Regulations (FAR) and AIDAR, precedents for contracts and purchase orders.

The incumbent reviews quotes, invoices and other procurement documents to verify appropriateness of costs and charges, checks purchase orders and accompanying file to ensure that proper procedures were followed. Analyzes performance under contracts, including costs, quality, adherence to delivery schedules, and other pertinent issues. Reviews all payment documents to determine if commodities and services were received per contract specifications. Carries out quarterly, six monthly and annual reviews on status of procurement expenditure in consultation with the Office of Financial Management (OFM); advises Executive Officer on legality of procurement transactions, DRC regulations pertaining to local contracting/purchases; coordinates with OFM for funds availability for all procurements. Informs the Executive Officer of issues that may arise during contract performance, including changes, work stoppages, disputes, implementation problems, default, cost overruns, unacceptable performance and payment problems. Ensures payment vouchers (Form SF1034) are prepared to process payments. Obtains Sales Tax Exemptions from MFA where required. Carries out accruals in consultation with OFM and conducts 1130 reviews as required. Conducts closeout of contracts after completion. This includes ensuring that contract audits and other procurement instruments are conducted in a timely manner, preparing performance documentation and resolving outstanding issues noted in audits.

Procurement Support and General Administrative Management 30%

The incumbent develops and makes use of data-based management tools to assist in analyzing and coordinating procurement support services for the Mission teams. This

responsibility will apply particularly to the personal property replacement schedules, procurement plans and budgets for non-expendable property (NXP). The incumbent advises and assists the EXO and the Deputy EXO in preparing Mission procurement support services to client teams.

The incumbent is responsible for the formulation, preparation and monitoring of the Mission's Operating Expense (OE) and Program-funded procurement plans. The procurement plans are established at the beginning of each fiscal year and include all known and planned procurement actions for the next fiscal year. At least quarterly, the Procurement Agent is responsible for preparing a comprehensive review of the procurement plan and a written report on status of accounts plan versus actual expenditures according to the OE budget plan.

The incumbent will process petty cash requests for daily operating expenses, cash purchase of office supplies, provide complete administrative assistance and event management support for indoor and outdoor events in all respect to projects, and when required, performs emergency "off-the-shelf" local purchasing. Serves as a liaison with the Embassy Shipping Unit to coordinate the receipt of incoming and arrange for outgoing shipments to/from Post for USAID personnel.

The contractor is eligible for temporary duty (TDY) travel to the United States, or to other Missions abroad, to participate in the "Foreign Service National" Fellowship Program, in accordance with USAID policy.

"If a third country national (TCN) is selected for award, during the period of this contract, the TCN personal services contractor must provide at least 10 hours/week of training to a cooperating country national (CCN) designated by USAID. The PSC Supervisor will establish a training plan with benchmarks to measure the TCNPSC's progress toward achieving this training deliverable."

2. Supervisory Relationship

The Procurement Agent works under the general guidance of the Supervisory Executive Officer or the Deputy Executive Officer who makes assignments in terms of the range of procurement actions the incumbent is expected to perform independently.

3. Supervisory Controls

The incumbent independently initiates necessary coordination with requesting technical and program/project teams, providing policy and strategic guidance on how to best fulfill their requirements, and with OFM, and other offices. Keeps superiors updated through periodic status reports and through verbal briefings. Completed work is reviewed from the overall standpoint of providing a viable procurement approach for results achieved, in meeting delivery schedules, and in the selection of appropriate contract methods.

12. PHYSICAL DEMANDS

The work requested does not involve undue physical demands.

II. MINIMUM QUALIFICATIONS REQUIRED FOR THIS POSITION

a. **Education:**

At least two years of full-time post-secondary study (or the equivalent hours spread across a part-time study period) at college or university.in Business Administration Commerce, Economics, or related field is required.

b. **Prior Work Experience:** At least three years of experience in procurement or contracting for an international or governmental organization is required.

c. **Language Proficiency**: Fluent (Level IV) English language proficiency is required. Fluent French Level IV is required.

III. EVALUATION AND SELECTION FACTORS

The Government may award a contract without discussions with offerors in accordance with FAR 52.215-1. The CO reserves the right at any point in the evaluation process to establish a competitive range of offerors with whom negotiations will be conducted pursuant to FAR 15.306(c). In accordance with FAR 52.215-1, if the CO determines that the number of offers that would otherwise be in the competitive range exceeds the number at which an efficient competition can be conducted, the CO may limit the number of offerors in the competitive range to the greatest number that will permit an efficient competition among the most highly rated offers. The FAR provisions referenced above are available at https://www.acquisition.gov/browse/index/far.

The technical evaluation committee may conduct reference checks, including references from individuals who have not been specifically identified by the offeror, and may do so before or after a candidate is interviewed.

The Evaluation Factors listed below will be the basis for evaluating and ranking applicants for the position. Applicants will be scored based on the documentation submitted within the application.

Quality Ranking Factors (QRFs):

Job Knowledge (60 points)

- Knowledge of US Federal and USAID Acquisition Regulations, knowledge and understanding of how to execute and administer a complex procurement portfolio, particularly as it relates to acquisition through methods of negotiation, sealed bidding, small purchase procedures, and that result in standard and established contract types. Must have a good knowledge of local market practices and supplies as well as local pricing practices.
- A good knowledge of local markets pertaining to program and project requirements for services and commodities, and a good knowledge and understanding of US market and pricing methods, is required.

- Knowledge of US and DRC regulations concerning imports and exports of goods, A good knowledge of USAID procurement regulations, instructions and procedures is required, knowledge of FAR, AIDAR, ADS, FAM, USAID property control procedures and regulations, including reporting requirements to USAID/Washington and Mission Management.
- A thorough working knowledge of USAID regulations governing property management, inventory control and shipping as well as ordering procedures. Knowledge related to moving and storing procedures to safeguard property is required.

Skills and Abilities (40 points)

- Must have outstanding negotiating skills and be able to tactfully obtain information formally and informally.
- Ability to plan and administer large acquisition activities and provide adequate acquisition assistance and support for agency programs and projects in a timely manner.
- Ability to apply governing contracting regulations, procedures, and policies to individual acquisition programs.
- An ability to deal effectively with high-level representatives of the US and local business community, and with colleagues in USAID/DRC and the host government, as required. Outstanding supervision and management ability is also required.
- Must be able to draft and prepare correspondence, procurement, and contract documents.
- Ability to learn the use of software and database programs, including, but not limited to the procurement management and inventory control system.
- Must be tactful, yet effective in dealing with Mission personnel, ability to deal with a wide variety of suppliers and with various post officials.
- Skill in preparing cogent, precise specifications is also required. Proficiency in Word processing, data programs, and spreadsheet software, MS Word, MS Excel, must be proficient in the use of GLAAS and ASIST, and ability to learn ILMS/ARIBA procurement tracking system required.

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

Total Possible Points: 100 points

SELECTION PROCESS

After the closing date for receipt of applications, EXO/HR Unit will review all applications and will short-list the candidates who meet and/or exceed the minimum qualifications for the position. A committee will then convene to review applications that meet and/or exceed the minimum requirements and evaluate them in accordance with the evaluation criteria. Applications from candidates who do not meet the minimum requirements will not be evaluated and scored. Only shortlisted applicants will be contacted. No response will be sent to unsuccessful applicants.

As part of the evaluation process, the most qualified candidates may be requested to complete a written test and be interviewed either in person or by telephone at USAID's discretion. USAID will not pay for any expenses associated with the interviews.

Professional references checks will be made only for applicants considered for employment. The applicant's references must be able to provide substantive information about his/her past performance and abilities. Note: Please be advised that references may be obtained independently from other sources in addition to the ones provided by an offeror. Any offeror not receiving satisfactory reference checks will no longer be considered for the position.

The security clearance and medical clearance are required for the top-ranking candidate, after conducting and receiving the positive reference checks at the conclusion of evaluations.
"USAID policy specifies that a cooperating country national (CCN) is preferred over a third country national (TCN.) Therefore, CCN and TCN offers will not be evaluated together. USAID will evaluate CCN offers first and if the CO determines that there are no qualified CCNs, only then will USAID evaluate TCN offers."

IV. SUBMITTING AN OFFER

1. Eligible Offerors are required to complete, sign and submit the **offer form- DS-174** application for U.S. Federal Employment with a **cover letter**, **CV**, and a **supplemental document** of up to two pages that demonstrates how prior experience and/or training directly address the Quality Ranking Factors stated above (Job Knowledge and Skills and Abilities). All four documents must be in English. The DS-174 Application form can be found in the US embassy website https://cd.usembassy.gov/embassy/jobs/usaid-jobs/ and in the USAID website https://www.usaid.gov/democratic-republic-congo/work-with-us/careers.

2. Offerors must provide a list of minimum three (3) professional references who are not family members or relatives, with complete name, title, organization where he/she works, description of relationship, with working/accurate telephone and e-mail numbers. The applicant's references must be able to provide substantive information about his/her past performance and abilities.

3. Offers must be received by **April 11, 2024, at 17:00 (Kinshasa Time)** submitted to the Point of Contact in **Section I.**

4. Offeror submissions must clearly reference the Solicitation number on all offeror submitted documents.

5. Offers must be submitted ONLY by e-mail attachment to usaidhrkinshasa@usaid.gov and the e-mail subject must say: **72066024R10007 Procurement Agent**

6. Please submit the Offer only once; and

7. Late and incomplete Offers will not be considered.

V. LIST OF REQUIRED FORMS PRIOR TO AWARD

The Contracting Officer (CO) will provide instructions about how to complete and submit the following forms after an offeror is selected for the contract award:

- Authorization for release of information form
- Overseas Vetting Questionnaire
- Diplomatic Security Identity Assurance System (DSIAS) enrollment form

VI. BENEFITS AND ALLOWANCES

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

1. BENEFITS (as applicable): 13th month bonus; 14th month bonus; Anniversary Bonus; Severance Pay; Defined Contribution Plan (DCP); Medical Benefits; Funeral/Death Plan, Annual and Sick Leave; Casual Leave; Family Leave Benefit; Maternity Leave (for female employees); Paternity Leave.

2. ALLOWANCES (as applicable): Housing Allowance; Miscellaneous Benefits Allowance; Family Allowance.

VII. TAXES

The employees are responsible for calculating and paying local income taxes. The USAID/DRC does not withhold or make local income tax payments.

VIII. USAID REGULATIONS, POLICIES AND CONTRACT CLAUSES PERTAINING TO PSCs

USAID regulations and policies governing **CCN and TCN PSC** awards are available at these sources:

1. **USAID Acquisition Regulation (AIDAR), Appendix J**, "Direct USAID Contracts With a Cooperating Country National and with a Third Country National for Personal Services Abroad," including **contract clause "General Provisions,"** available at https://www.usaid.gov/sites/default/files/documents/1868/aidar_0.pdf

2. **Contract Cover Page** form **AID 309-1** available at https://www.usaid.gov/forms. Pricing by line item is to be determined upon contract award as described below:

LINE ITEMS

ITEM NO (A)	SUPPLIES/SERVICES (DESCRIPTION) (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)

0001	**Compensation, Fringe Benefits and Other Direct Costs (ODCs)** - Award Type: Cost - Product Service Code: *R497* - Accounting Info: *TBC*	1	LOT	$ _TBD__	$_TBD at Award after negotiations with Contractor_

3. Acquisition & Assistance Policy Directives/Contract Information Bulletins (**AAPDs/CIBs**) for Personal Services Contracts with Individuals available at http://www.usaid.gov/work-usaid/aapds-cibs

4. **Ethical Conduct.** By the acceptance of a USAID personal services contract as an individual, the contractor will be acknowledging receipt of the "**Standards of Ethical Conduct for Employees of the Executive Branch,**" available from the U.S. Office of Government Ethics, in accordance with **General Provision 2** and **5 CFR 2635**. See https://www.oge.gov/web/oge.nsf/OGE%20Regulations.

5. **PSC Ombudsman**

The PSC Ombudsman serves as a resource for any Personal Services Contractor who has entered into a contract with the United States Agency for International Development and is available to provide clarity on their specific contract with the agency. Please visit our page for additional information: https://www.usaid.gov/work-usaid/personal-service-contracts-ombudsman.

The PSC Ombudsman may be contacted via: PSCOmbudsman@usaid.gov.

6. **FAR Provisions Incorporated by Reference**

52.204-27 PROHIBITION ON A BYTEDANCE COVERED APPLICATION JUN 2023

END OF SOLICITATION