



Department of Public Safety and Correctional Services

Office of the Secretary

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QUESTIONS AND RESPONSES # 1 SOLICITATION NO. Q0015020 DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES SEXUAL OFFENDER TREATMENT SERVICES FEBRUARY 29, 2016

Ladies and Gentlemen:

This List of Questions and Responses, questions #1 through #33, is issued to clarify certain information contained in the above named IFB.

In most instances the submitted questions and the Department's responses merely serve to clarify the existing requirements of the IFB. Sometimes, however, in submitting questions potential Offerors may make statements or express interpretations of contract requirements that may be inconsistent with the Department's intent. To the extent that the Department recognizes such an incorrect interpretation, the provided answer will note that the interpretation is erroneous and either state that the question is moot once the correct interpretation is explained or provide the answer based upon the correct interpretation.

No provided answer to a question may in and of itself change any requirement of the IFB. If, based upon a submitted question, it is determined that any portion of the IFB should be changed, the actual change may only be implemented via a formal amendment to the IFB. In this situation, the answer provided will reference the amendment which contains the IFB change.

The statements and interpretations of contract requirements which are stated in the following questions of potential Offerors are not binding on the State, unless the State expressly amends the IFB. Nothing in the State's responses to these questions is to be construed as agreement to or acceptance by the State of any statement or interpretation on the part of the vendor asking the question as to what the contract does or does not require.

1. When are bids due?

RESPONSE: Bids are due Tuesday, April 12, 2016 at 11 AM Local Time (see Amendment #1 to the Key Information Summary Sheet and IFB Section 1.11).

2. *Will late bids be accepted?*

RESPONSE: Bids received after the due date and time will not be accepted (see response to question #1 above and amended IFB Section 1.11).

3. *Who should submit a bid? What if multiple persons at one firm intend to submit a bid?*

RESPONSE: Bids must be submitted by a party legally authorized to bind the bidding entity. Furthermore, the Bid Form is to be signed and dated, where requested, by an individual who is authorized to bind the Bidder to the prices entered on the Bid Form. Multiple or alternate bids will not be accepted. However, bidding on more than one Jurisdiction is not considered to be multiple bids.

4. *Will I need to travel to the inmates' location?*

RESPONSE: No, Contractor(s) will not need to travel to an inmate's location the Contractor must establish a treatment site. However, within 10 Business Days of Notification of Recommendation for Contract Award (see Amendment #1) the Contractor(s) must provide a plan acceptable to the Department which details how the Contractor's program will be operated at each of the treatment sites so as to prevent contact between Sexual Offenders traveling to and participating in treatment and children within a one-half mile radius of the treatment site (see IFB Section 3.3).

5. *Will I be required to provide these services inside a law enforcement facility?*

RESPONSE: No, Contractor(s) will not be required to provide these services inside a law enforcement facility (see IFB Section 3.3).

6. *What should I submit?*

RESPONSE: Bidders must submit one original and one electronic version of their entire Bids on electronic storage (CD or flash drive). Bidders must submit with their Bid all Minimum Qualification documentation required (see Section 2), and all Required Bid Submissions (see Section 4.4) in a single sealed package/envelope.

7. *What is Errors and Omissions Insurance?*

RESPONSE: Errors and Omissions Insurance is professional liability insurance that helps protect professional advice and service-providing individuals and companies from bearing the full cost of defending against a negligence claim made by a client and any resulting damages that might be awarded in a civil lawsuit.

8. *Why doesn't Attachment F – Bid Form show a price range?*

RESPONSE: Bidders must enter unit prices into the Bid Form at which they are willing to perform the services described in the IFB. The Contract(s) shall be awarded to the

responsible Bidder(s) submitting a responsive bid with the most favorable Total Evaluated Bid Price in each Jurisdiction for providing the goods and services for each Jurisdiction as specified in the IFB. The most favorable Total Evaluated Bid Price will be the lowest price total in each Jurisdiction on Attachment F – Bid Form (see Section 1.15).

9. I have been getting better results with individual therapy rather than group therapy. Why are you using group therapy?

RESPONSE: Current research indicates that group therapy tends to be the most efficient and effective treatment modality for most Sexual Offenders. Nevertheless, individual treatment is not prohibited (see Amendment #1 and revised IFB Section 3.5.2), but its use must be approved, on a case-by-case basis, by the Contract Monitor.

10. What is the rationale for prohibition to review the clinical file with the client if deemed clinically appropriate?

RESPONSE: The material submitted with the initial Referral for Specialized Treatment packets may contain victim information, notes from collateral contacts, prior mental health assessments and treatment records, and agency management plans and supervision records. There can be risk related to the sharing of some of this material and some of it may be counterproductive to the treatment process. Therefore, Section 3.8.1 has been revised to require that this initial referral material "must be maintained separately from the general treatment file and must not be shown to offenders." However, "Subsequent information recorded by the Contractor(s) during the treatment process may be shared with the offender in accordance with the applicable standards of the Health Insurance Portability and Accountability Act." (See Amendment #1 and revised IFB Section 3.8.1.)

11. Staff with only a bachelor's degree require direct supervision. All three boards prohibit using staff with only a bachelor's degree without direct supervision for this type of service. Is there a way to get around this requirement when providing assessments under this Contract?

RESPONSE: See Amendment #1 removing Section 2.1.2 and adding Section 3.2.16.

12. What would a plan look like for the purposes of Section 3.3.3?

RESPONSE: The requirement for the submission of a safety plan under Section 3.3.3 applies only to any treatment locations "within a one-half mile radius of areas routinely accessible to children." In the interests of public safety, if a reasonable plan to keep Sexual Offenders reporting to such a facility from having contact with minors cannot be developed, the Contractor will not meet the criteria for Contract award.

13. Does each offender get an assessment before they enter treatment?

RESPONSE: Section 3.4 (Assessment) of the IFB refers to Sexual Offender Specific Assessments requested by the Contract Monitor in response to the circumstances of a

particular referral or a specific special condition established by the sentencing court. Such Assessments are not requested in the majority of cases referred for treatment. However, Contractor(s) are still required to comply with the “accepted professional standards and best practices governing the delivery of services under the contract,” which may include the completion of certain assessments and other procedures prior to the commencement of treatment and at certain intervals during the treatment process. (See Amendment #1 for added Section 3.5.2.1 allowing Contractor(s) to bill for one hour of Individual Therapy to create a risk assessment and treatment plan.)

14. Regarding Section 3.4.2 - my licensure board requires a risk/needs assessment before I can include an offender in group therapy. Thus if an offender does not get an assessment before treatment, then should I include an individual evaluation of an offender's risks/needs in my bid for the hourly rate for Group Therapy Sessions?

RESPONSE: No. See response to question #13.

15. What has been the average number of people in Group Therapy Sessions over the last couple of years?

RESPONSE: The Department does not have this information. The average number of participants in group therapy sessions varies based on such factors as the number of Sexual Offenders referred to a particular treatment provider by DPSCS and the number of non-DPSCS participants. Section 3.5.1 establishes twelve participants as the maximum size for a Sexual Offender therapy group under the contract. The Department will not guarantee a minimum or maximum number of assessments, referrals or treatment hours. (See Section 3.2.2.)

16. Do the records referred to in Section 3.8 refer to the forms provided in the IFB Attachments and is there an electronic reporting system that I will need to interface with?

RESPONSE: The reference to participation in the Department's data collection process in Section 3.8.5 will primarily involve the preparation and submission of the forms provided in the attachments to the IFB. At the direction of the Department, however, it may be necessary from time-to-time for the Contract Monitor to request certain statistical and outcome information from the Contractor(s). There are presently no electronic reporting systems with which Contractor(s) will be required to interface.

17. Is there individual treatment under the current contract?

RESPONSE: Section 3.5.2 allows for individual treatment in certain appropriate cases if “pre-approved by the Contract Monitor.”

18. What is the pricing under the current contract?

RESPONSE: Unit pricing is confidential and proprietary financial information which cannot be disclosed by the State.

19. HIPAA requires that treatment providers disclose anything to the client that a Therapist generates as long as it does not endanger the client. Does this conflict with the prohibition on showing information contained in files to offenders? See IFB Section 3.8.1.

RESPONSE: See Amendment #1 for revised Section 3.8.1.

20. Are the estimates for the number of offenders receiving services decreasing in the last two years of the Contract (as reflected on the Bid Form)?

RESPONSE: No. The difference in the “Estimated Total Units” numbers on the Bid Forms reflects the number of sessions estimated during the initial three-year period, and the subsequent two-year period – thus the 3-to-2 ratio reflected on the forms. The Estimated Total Units reflect conducting one-hour weekly group therapy sessions (50 weeks) each year. (See Amendment #1 to Attachment F updating the Estimated Total Units.)

21. Is the Group Therapy Session an hourly rate per individual or per group?

RESPONSE: The Group Therapy Session rate (as well as the Individual Therapy Session rate) is the rate charged for each individual who is present for a therapy session. Monthly invoices should indicate the date of each session (whether group or individual) attended by each individual in treatment during that month. (See Amendment #1 to Attachment F updating the type of therapy session to include “per individual.”)

22. When is the Go-Live Date expected to be?

RESPONSE: Anticipating all appropriate approvals are received, the Go-live Date is expected to be June 1, 2016.

23. I believe the Static-99 Form (see Section 3.2.10) is not current. Does DPSCS require that Therapists use that form?

RESPONSE: As noted in Section 3.2.10, Contractors must use the Static-99R form to evaluate Sexual Offenders, but are not prohibited from also using other assessment instruments of their choice. It should be noted that the Static-99R is an updated version of the Static-99.

24. The 12 month period of time for mental health treatment services including the timeframe for gradually reducing the intensity of treatment (see Section 3.6.5) before treatment ends seems too short. I would likely ask for extensions for most offenders. Does DPSCS require that Therapists adhere to the 12 month timeframe?

RESPONSE: The Department requires Contractor(s) to conduct specialized Sexual Offender treatment as specified in Sections 3.5.1 and 3.6.5 of the IFB. This includes

general adherence to the twelve-month maximum time frame. As stated in Section 3.6.5, “Pre-approval must be obtained from the Contract Monitor for treatment programming beyond 12 months in duration, or for any other adjustments to the established treatment schedule as stated in the amended Section 3.5.1.” (See Amendment #1 with revised Section 3.6.5.)

25. Will you extend the Bid Due Date?

RESPONSE: Yes. See Amendment #1 and the response to question #1 above.

26. Are offenders currently receiving [Sexual Offender] treatment inside DPSCS facilities?

RESPONSE: No.

29. Can we obtain the breakdown of prices of the current vendor for each jurisdiction?

RESPONSE: No. See response to question #18.

27. Can we obtain a listing of the current vendor for each jurisdiction?

RESPONSE: The current contractors for the existing contracts are:

Contract A: Eastern Shore Psychological Services provides services in “Region 1B”, which includes Caroline, Dorchester, Somerset, Talbot, Wicomico and Worcester Counties;

Contract B: Huber and Associates provides services in “Region 2”, which includes Baltimore City and Baltimore County; and

Contract C: Community Based Treatment Services provides services in “Region 4A”, which includes Carroll, Frederick and Howard Counties.

28. Are there any opportunities for licensed professionals in graduate training and/or fully licensed professionals and/or post graduate residency who do not meet the experience and training requirements? For example, that they may be considered for eligibility to execute the terms of this Contract through ongoing supervision with a professional meeting the qualifications required?

RESPONSE: Yes. See response to question #11.

29. Can the contractor negotiate the time of the COMET meeting or is it dictated. Can the contractor provide a spectrum of possible appointment times to other COMET members?

RESPONSE: The Division of Parole and Probation (DPP) COMET staff make the final determination as to the scheduling of COMET meetings but do take into account the schedules of the other members of the team in doing so.

30. Is the Good Lives Model an approved model?

RESPONSE: The Department does not mandate a particular theoretical orientation so long as all of the requirements specified in Section 3.5 (Domains of Treatment) are met.

31. Is the determination of the appropriate level of treatment for a Sexual Offender driven by an assessment and made by a clinician?

RESPONSE: The Department, through the COMET program, employs a collaborative containment approach to the management of Sexual Offenders under supervision. The input and recommendations of the appropriate team members are considered by the team, but final decisions on such matters as level and length of treatment are made by the DPP component of the team. (See Amendment #1 with revised Section 3.2.7.)

32. Is the training required under Section 3.9.3 limited to eight hours per year?

RESPONSE: Yes. The DPSCS departmental orientation training requirement noted in Section 3.9.3 is limited to eight hours per year. It is expected that “other training” may eventually be offered which will enable Contractor(s) to meet the ongoing requirements of this IFB and their respective licensing boards for continuing education credit.

33. Even though there is no MBE requirement is it possible to be fined for not turning in a form?

RESPONSE: No. There is no MBE or VSBE goal on this procurement thus no MBE or VSBE forms are required. (See Amendment #1 and revised IFB Section 1.33.)

Remember bids are due on April 12, 2016, no later than 11 AM. If there are any questions concerning this solicitation, please contact me via email at Rachel.Cruse@maryland.gov or call me at (410) 260-7430 as soon as possible.

Date Issued: 2/29/2016

By:

<signed>
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