

SECTION A SOLICITATION/OFFER/ACCEPTANCE

1. Solicitation No. 0864-08-220
2. Date Issued 07/20/2007
3. Award No.
4. Issued By: Kevin D. Lowry, Chief U.S. Probation Officer
5. Address Offer To (if other than item 4): Douglas S. Stevens, Senior U.S. Probation Officer, Mental Health Specialist

SOLICITATION

6. Offers in original and 2 copies for furnishing the required services listed in Section B will be received at the place specified in Item 5, or if handcarried, in the depository located:
U.S. Probation Attn: Doug Stevens or Lora Swanson 300 S. 4th Street, Suite 406 Minneapolis, MN 55415
until 5:00 PM local time 08/20/2007

7. For information call:
a. Name Lora L. Swanson - Budget Analyst
b. Telephone no. 612-664-5358

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Table with 4 columns: (check), SEC., DESCRIPTION, PAGE(S). Rows include PART I - THE SCHEDULE (A-H) and PART II - AGREEMENT CLAUSES (I-M).

OFFER

8. In compliance with the above, the undersigned agrees, if this offer is accepted within calendar days (365 calendar days unless a different period is inserted by the offeror) from the date for receipt of offers specified above, to furnish any or all items upon which prices are offered at the price set opposite each item, delivered at the designated point(s), within the time specified in the schedule.

9. DISCOUNT FOR PROMPT PAYMENT table with columns for 10, 20, 30 calendar days.
10. ACKNOWLEDGEMENT OF AMENDMENTS table with columns for AMENDMENT NO. and DATE.

11. NAME AND ADDRESS OF OFFEROR
12. Telephone No.
13. NAME AND TITLE OF PERSON AUTHORIZED TO SIGN OFFER
14. AWARD section with text: Your offer on Solicitation Number... including the additions or changes made by you...
14A. NAME OF CONTRACTING OFFICER
14B. UNITED STATES OF AMERICA
14C. DATE SIGNED
13A. Signature
13B. Offer date

SECTION B - SUPPLIES OR SERVICES AND OFFEROR'S PRICES

The United States District Court for the District of Minnesota is soliciting a vendor to provide substance abuse and/or mental health treatment services.

The following pages of Section B contain only those Required Services being solicited by the U.S. Probation/Pretrial Services Office for this solicitation. Vendors must provide pricing for all Required Services.

An asterisk * indicates a requirement line item which has been modified under "Local Services."

<u>PROJECT CODE</u>	<u>REQUIRED SERVICES</u>	<u>ESTIMATED MONTHLY QUANTITY</u>	<u>UNIT PRICE</u>
Psychological/Psychiatric Work-up, Evaluation, and Report			
5010	Psychological Evaluation and Report	2008 : 1 Unit: per report (total price)	_____
5011	Mental Health Intake Assessment and Report	2008 : 1 Unit: per report	_____
5012	Sex Offense Specific Evaluation and Report	2008 : 1 Unit: per report	_____
5020	Psychological Testing and Report	2008 : 1 Unit: NTE per report	_____
Mental Health Counseling			
6010	Individual Counseling	2008 : 1 Unit: per 30 minute session	_____
Sex Offense-Specific Counseling			
6012	Individual Counseling	2008 : 1 Unit: per 30 minute session	_____
6022	Group Counseling	2008 : 1 Unit: per 30 minute session	_____
6090	Treatment Readiness Group	2008 : 1 Unit: per 30 minute session	_____

<u>PROJECT CODE</u>	<u>REQUIRED SERVICES</u>	<u>ESTIMATED MONTHLY QUANTITY</u>	<u>UNIT PRICE</u>
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Physiological Measurements

5022	Clinical Polygraph Examination and Report	2008 : 1	_____
		Unit: per examination	

Client Reimbursement/Copayment

1501	Administrative Fee (up to 5% of copays collected)	2008 : Unknown	Actual
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SECTION C. DESCRIPTION/STATEMENT OF WORK

PROVISION OF SERVICES

The United States Probation and Pretrial Services Office (hereafter USPO/USPSO) or Federal Bureau of Prisons shall provide a Program Plan (Probation Form 45 or Transitional Services Program Plan BP-S530.074) for each defendant/offender that authorizes the provision of services. The vendor shall provide services strictly in accordance with the Program Plan for each defendant/offender. The Government shall not be liable for any services provided by the vendor that have not been authorized for that defendant/offender in the Program Plan. The United States Probation Officer, United States Pretrial Services Officer, and the Bureau of Prisons staff may provide amended Treatment Program Plans during the course of treatment. The United States Probation/Pretrial Services Office, and/or the Bureau of Prisons will notify the vendor verbally and in writing via Probation 45 when services are to be terminated and shall not be liable for any services provided by the vendor subsequent to the verbal or written notification.

INTRODUCTION

- a. Pursuant to the authority contained in 18 U.S.C. §§ 3154, 3672, contracts or Blanket Purchase Agreements may be awarded to provide services for defendants/offenders who are drug-dependant, alcohol-dependant, and/or suffering from a psychiatric disorder. Such services may be provided to federal defendants/offenders supervised by the USPO; pretrial clients supervised by the USPSO, under the terms of this agreement. The vendor shall submit separate invoices for services provided to the referring agency (USPO, USPSO, or Bureau of Prisons).
- b. The services to be performed are indicated in Section B. The minimum performance standards are contained in Section C, E, F, and G of this agreement. The vendor shall perform all services indicated in Section B of this agreement.
- c. The government will refer clients on an "as needed basis" and makes no representation or warranty that it will refer a specific number of clients to the vendor for services.

DEFINITIONS

- A. "**Offer**" means "**proposals**" in negotiation.
- B. "**Solicitation**" means a request for proposals (RFP) or a request for quotations (RFQ) in negotiation.
- C. "**Government**" means United States Government.
- D. "**Director**" means the Director of the Administrative Office of the United States Courts (unless in the context of a particular section, the use of "Director" manifestly shows that the terms was intended to refer to some other office for purposes of that section), and the term "his duly authorized representative" means any person or persons or board (other than the Contracting Officer) authorized in writing to act for the Director.
- E. "**Authorized representative**" means any person, persons, or board (other than the contracting officer and Chief Probation Officer) authorized to act for the head

of the agency.

- F. "**Contracting Officer**" means the person designated by the Director or his duly authorized representative to execute this Agreement on behalf of the Government, and any other successor Contracting Officer who has responsibility for this Agreement; and the term includes, except as otherwise provided in this Agreement, the authorized representative of a Contracting Officer acting within the limits of his written authority.
- G. "**Client**" means any drug dependent pretrial releasee, probationer, parolee, mandatory releasee, mandatory parolee, or supervised releasee receiving drug treatment while under the supervision of the Federal Probation System.
- H. "**Probation Officer**" (i.e., USPO) means an individual appointed by a United States District Court to provide pretrial, presentence and supervision (pre and post sentence) services for the court. "Probation Officer" refers to the individual responsible for the direct supervision of a client receiving drug treatment services.
- I. "**Chief Probation Officer**" (i.e., CUSPO) means the individual appointed by the United States District Court to supervise the work of the court's probation staff. For the purpose of this contract, the "Chief Probation Officer" acts as the contract administrator on behalf of the Director of the Administrative Office of the United States Courts.
- J. "**Pretrial Services Officer**" (i.e., PSO) means the individual appointed by a United States District Court to provide pretrial release investigations, recommendations and supervision services for that court. "Pretrial Services Officer" refers to the individual responsible for the direct supervision of a client receiving drug testing and/or treatment services.
- K. "**Chief Pretrial Services Officer**" (i.e., CPSO) means the individual appointed by the court to supervise the work of the court's pretrial services staff.
- L. "**Designee**" means the person selected by the Chief Probation Officer or the Chief Pretrial Services Officer to act in his/her behalf in drug, alcohol, and mental health treatment matters.
- M. "**Federal Bureau of Prisons**" The federal agency responsible for housing inmates in federal prisons, penitentiaries, correctional institutions and half-way houses who have been sentenced by the federal courts.
- N. "**Clarifications**" are limited exchanges, between the Government and offerors, that may occur when award without discussions is contemplated. If award will be made without conducting discussions, offerors may be given the opportunity to clarify certain aspects of proposals or to resolve minor or clerical errors.
- O. "AOUSC" - Administrative Office of the U.S. Courts
- P. "USPO/USPSO" - Probation Officer/U.S. Pretrial Services Officer
- Q. "Probation Form 17" - U.S. Probation Travel Log
- R. "Probation Form 45" - Treatment Services Program Plan

- S. “Probation Form 46” - Monthly Treatment Record
- T. “NIDT” - Non-Instrumented Drug Testing device
- U. “COTR” - Contracting Officer Technical Representative
- V. “Case Staffing Conference” - A meeting between the Officer and the provider to discuss the needs and progress of the defendant/offender. The defendant/offender may or may not be present at the conference.
- W. “DSM” - Diagnostic and Statistical Manual of Mental Disorders
- X. “OPPS” - Office of Probation and Pretrial Services, Administrative Office of the US Courts.

1. Psychological/Psychiatric Evaluation Testing and Report

The vendor shall provide:

- a. **Psychological Evaluation and Report (5010)** - a psychological evaluation and report is an evaluation conducted by a licensed/certified psychologist (Ph.D or Psy.D, or other advanced doctoral degree) which includes all available information from defendant/offender self-reports, criminal justice records, available mental health or psycho-social reports. This evaluation and report shall serve the purpose of providing and/or clarifying diagnostic impression, assisting in differential diagnosis, and/or assisting in treatment planning. Additionally, as part of the evaluation, the evaluator renders an opinion based on results of available psychological testing as required;
- b. **Psychological Testing and Report (5020)** - a psychological evaluation that includes a diagnostic interview and a battery of neuropsychological and/or personality tests (i.e., objective personality tests, projective personality tests, trauma symptoms personality tests, etc) to assess personality and/or thought or neurological disorders and to assist with a diagnostic impression and treatment recommendations; Since the number of tests administered may vary, the price of the complete report including the battery of tests will be expressed as a not-to-exceed (NTE) amount, while any combination of individual tests shall be billed at a lesser amount.
- c. **Psychiatric Evaluation and Report (5030)** - a psychiatric evaluation and report is a medical evaluation conducted by a licensed medical doctor, preferably a Psychiatrist, who specializes in disorders of the mind. The purpose for this type of evaluation is to establish a psychiatric diagnosis, to determine the need for psychotropic medications and/or to develop an initial treatment plan with particular consideration of any immediate interventions that may be needed to ensure the defendant's/offender's safety.

NOTE: Physical examinations and laboratory tests associated with a psychiatric evaluation and report shall be provided under project codes 4010 and 4020, respectively.

d. A typed report to the USPO/USPSO within 10 business days after completion of any of the listed mental health services (**5010, 5020, and 5030**). At a minimum, the report shall include the following:

(1) **For Psychological Evaluation and Report (5010) and/or Psychological Testing and Report (5020)**

- (a) Vendor's/Evaluator's contact information, reason for referral, sources of information for the report (to include current) Tj T* (counselors) and/or evaluation;
- (b) The dates of each test administered, the date of the diagnostic interview and the date the report was prepared;
- (c) A list and brief description (i.e., type/purpose of evaluation tool) of all tests (5020) administered (i.e., MMPI, Rorschach, WAIS-R, DIS, SCI, etc)
- (d) Background information (i.e., prior psychological assessments, prior treatment efforts, defendant's/offender's conceptualization of his/her problem, family history of mental illness, history of substance abuse, medication use, social history, etc). NOTE: The background information shall not be a synopsis and/or overview of presentence or pretrial services reports or any other institutional progress reports provided by the USPO/USPSO to the vendor for background information, but shall include information from those reports;
- (e) History of present illness (Complaint)
- (f) Behavioral observations;
- (g) Cognitive functioning (i.e., range of intellectual functioning), if necessary;
- (h) Social-Emotional functioning (i.e., implications of the defendant's/offender's cognitive strengths/weaknesses, ability to appreciate judgment and empathic ability);
- (i) Mental status examination (including appearance, general behavior, expression of mood and affect, speech and language, suicidal/homicidal thoughts (including current level of dangerousness to self/others);
- (j) Social history (i.e., psychosocial/developmental history, occupational and family history. NOTE: The social history shall not be a synopsis and/or overview of presentence and/or pretrial services reports, or other institutional progress report provided by the USPO/USPSO to the vendor for background information, but shall include information from those reports);
- (k) Diagnostic impression according to the most current edition of the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (i.e., DSM). If a defendant/offender does not meet a DSM criteria that shall be noted in the evaluation. (NOTE: All five axes are required.) For Axis V, indicate current global assessment of functioning (GAF) score (include current and highest in past year);
- (l) Recommendations (should include whether further psychological or psychiatric treatment is required; if so, what specific issues require treatment, required modality of treatment, frequency, intensity, and treatment goals).

(2) **For Psychiatric Evaluations and Report (5030):**

- (a) Reason for the evaluation (i.e., main complaint, general psychiatric evaluation, emergency evaluation, or clinical consultation), and sources of information for the report (to include current counselors);
 - (b) History of present illness (i.e., history of current symptoms, available details on previous treatments, etc);
 - (c) Past psychiatric history (i.e., history of all past episodes of mental illness and treatment, previous established diagnoses, medication usage and duration, etc);
 - (d) General medical history;
 - (e) History of substance abuse (i.e., if available, include information on the quantity, frequency, route of administration, pattern of licit and illicit psychoactive substances);
 - (f) Social history (i.e., psychosocial/developmental history, occupational and family history). NOTE: The social history shall not be a synopsis and/or overview of presentence and/or pretrial services reports or other institutional progress reports provided by the USPO/USPSO to the vendor for background information, but shall include information from those reports);
 - (g) Physical examination (if required);
 - (h) Mental status examination (including appearance, general behavior, expression of mood and affect, speech and language, suicidal/homicidal thoughts (including current level of dangerousness to self/others);
 - (i) Functional assessment;
 - (j) Description and evaluation of all testing components;
 - (k) Diagnostic impression according to the most current edition of the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (i.e., DSM). If defendant/offender does not meet a DSM criteria that shall be noted in the evaluation. (NOTE: All five axes are required.) For Axis V, indicate current global assessment of functioning (GAF) score (include current and highest in past year);
 - (l) Recommendations (shall include whether further psychological/psychiatric treatment is required; whether or not medications are required, if so, type, dosage, and route of administration). If treatment is not indicated, this should be clearly stated. If treatment is indicated, all interventions recommended shall be detailed (i.e., individual, group, etc).
- e. The vendor shall contact the USPO/USPSO **within 24 hours** if the defendant/offender fails to report for the evaluation and shall follow up with a written notification.

2. Mental Health Intake Assessment and Report

The vendor shall provide:

- a. **Mental Health Intake Assessment and Report (5011) - This is a mental health** assessment and report which shall be performed by a masters-level, and/or doctoral-level licensed/certified clinician who meets the standards of practice established by his/her professional regulatory board, for the purposes of making a psycho-social assessment which clearly identifies the need for treatment, need for additional assessments or testing (including assessment to determine need for psychotropic medications). The assessment could also be conducted by a non-licensed masters level clinician under the direct supervision of a licensed professional.

The vendor shall provide:

- (1) At least one comprehensive clinical/diagnostic interview utilizing a structured interview tool, such as, Structured Clinical Interview for DSM, and
- (2) A typed report shall be provided to the USPO/USPSO within 10 business days after the vendor's first personal contact and must include more than simply a synopsis or overview of presentence and/or pretrial services reports or institutional progress reports provided by the USPO/USPSO to the vendor for background information. The written report shall, at a minimum, include the following:
 - (a) Basic identifying information and sources of information for the report (to include current counselors);
 - (b) A mental status examination including physical appearance, orientation, mood/affect, intellectual functioning, suicidal or homicidal ideation, social judgment and insight, psychiatric symptoms, current level of dangerousness to self/others, etc., and possible indicators supporting the need for further testing and/or treatment;
 - (c) Summary of the defendant's/offender's mental health as it relates to supervision;
 - (d) Any identifying background information, outpatient/inpatient mental health history, family/medical history, substance abuse history, current social situation (i.e., source of income, employment, environment, etc.), five axial DSM-IV diagnosis (if applicable) and treatment recommendations (if applicable);
- (3) The vendor shall contact the USPO/USPSO **within 24 hours** if the defendant/offender fails to report for the evaluation and follow up with a written report.

3. Mental Health Counseling

Counseling is a clinical interaction between an defendant/offender and a psychiatrist, psychologist, or masters-level practitioner who is licensed or certified by their state's professional regulatory board. The interactions shall be deliberate and based on clinical modalities, which have demonstrated evidence to stabilize mental health symptoms.

The vendor shall provide:

- a. All of the following services, which may be ordered on the Form 45 individually or in any combination:
- (1) **Individual Counseling (6010)** to one (1) defendant/offender, or
 - (2) **Group Counseling (6020)** to two (2) or more defendants/offenders but no more than twelve (12) or
 - (3) **Education Group (6021)** to two (2) or more individuals. A mental health education group is topic-specific and may be delivered to the defendant/offender and or their family. The purpose of this group is to: (1) offer insight into the defendant's/offender's illness and to teach them coping strategies to deal with the realities of their disorders; (2) assist with treatment compliance (3) assist defendants/offenders and/or family members on how to access community support services.
 - (4) **Cognitive-Behavioral Group (6028)** - Cognitive-behavioral group is designed for two (2) or more defendants/offenders (no more than twelve (12)). The goal of this intervention is to change the way offenders think, hence changing the way they behave. More specifically, CBT restructures an offender/defendant's thought patterns while simultaneously teaching prosocial skills. This type of intervention is effective in addressing criminogenic needs such as anti-social values, poor impulse control and substance abuse.
 - (5) **Family Counseling (6030)** to a defendant/offender and one or more family members. The vendor may meet with family members without the defendant/offender present with USPO/USPSO written approval.

The vendor shall ensure that:

- (6) **Mental Health Counseling i.e. 6010 6020 6021 6028 and 6030** is provided by a licensed/certified psychiatrist, psychologist, or masters-level practitioner who meets the standards of practice to perform psychotherapy/counseling services as established by his/her state's professional regulatory board;
- (7) Practitioners conducting **Cognitive-Behavioral group (6028)** utilize theoretical models such as behaviorism, social learning, or cognitive-behavioral theories of change.
- (8) Practitioners prepare treatment plans that include: (1) short and long-term measurable goals and objectives the defendant(s)/offender(s) will be attempting to achieve;(2) type and frequency of services to be received; (3) specific criteria for treatment completion and the anticipated time-frame; (4) no less frequently than every 90 days documentation of treatment plan review (including defendant's/offender's input) documenting continued need for treatment. The plan shall include information on family and significant other involvement (i.e., community support programs, etc.). NOTE: treatment plan shall be attached to the monthly treatment report provided to the USPO/USPSO after every revision but at least every 90 days.

- (9) Emergency services (e.g., after hour phone numbers, local hotlines) shall be available for defendants/offenders when counselors are unavailable. Emergency telephone calls shall be included in the basic unit prices;
- (10) Only face-to-face contacts between practitioner and defendant/offender (or family) are invoiced.
- (11) A typed discharge summary is submitted to the USPO/USPSO **within 15 calendar days after** treatment is terminated. The summary shall outline the reason for concluding formal services, (i.e., whether the offender responded to treatment and treatment is no longer needed, or whether the offender failed to respond to treatment). Additionally, the discharge summary shall include recommendations for community-based aftercare that the offender can readily access. In all cases, the discharge status (i.e., successful discharge, unsuccessful discharge, interruption of treatment, etc.) shall be clearly stated.
- (12) Counselors shall contact the USPO/USPSO within 24 hours if the defendant/offender fails to report for treatment, violation conduct occurs, or third party risk issues are identified. If the assigned USPO/USPSO is not available, counselor shall speak to a supervisor. In supervisor's absence, counselor shall speak to the duty officer-of-the-day.

4. Sex Offense-Specific Evaluation and Report (5012)

A sex offense-specific evaluation (also commonly known as a "psychosexual evaluation") is a comprehensive evaluation of an alleged or convicted sex offender to determine the risk of recidivism, dangerousness, and necessary treatment (CSOM, 1999). This type of evaluation may include one and/or all of the following services: **penile plethysmograph (5021), clinical polygraph (5022), psychological testing (5020), and/or Abel Assessment for Sexual Interest (AASI (5025), and any other assessment deemed appropriate by the clinician and approved in advanced by the USPO/USPSO.**

The vendor shall provide:

- a. A **sex offense-specific evaluation and report (5012)** for the purposes of assessing risk factors and formulating a treatment program plan (Probation Form 45);
- b. A typed report to the USPO/USPSO within 10 business days after completion of evaluation. Report shall include the following:
 - (1) Vendor's/Evaluator's contact information, reason for referral, and/or procedures/tests administered during evaluation, and sources of information for the report;
 - (2) Dates of all tests administered and date report was prepared;
 - (3) Description of all tests administered.

NOTE: If a **penile plethysmograph (5021), clinical polygraph (5022), psychological testing (5020), and /or Abel Assessment for Sexual Interest (AASI) (5025)** are administered as part of the evaluation, the price of each test shall be invoiced individually by project code. If tests in addition to the ones

mentioned above are administered, they shall be approved in advance by the USPO/USPSO and the price of the complete report including the battery of tests shall be expressed as a not-to-exceed (NTE) amount; while any combination of individual tests may be billed at a lesser amount.

- (4) Evaluation of the defendant's/offender's reliability in self-report, level of deviancy, level of violence and coercion, factors impacting dangerousness/likelihood of future sexual offenses, escalation of high-risk behaviors, and motivation/amenability for treatment;

Note regarding pretrial services defendants: The vendor shall not ask questions pertaining to the instant offense, or ask questions or administer tests that compel the defendant to make incriminating statements or to provide information that could be used in the issue of guilt or innocence. If such information is divulged as part of the evaluation, it shall not be included on the written report.

- (5) Specific diagnostic impressions and recommendations for treatment. If treatment is not indicated, this should be clearly stated. If treatment is indicated, all interventions recommended should be detailed (i.e., group therapy, aversion therapy, medications, etc), and;
- (6) Specific recommendations for community management. This must include the level of environmental restriction recommended if results allow for such determination.

The vendor shall ensure:

- a. A **sex offense-specific evaluation and report (5012)** is completed by a licensed/certified psychiatrist, psychologist, or masters-level practitioner who meets the standards of practice established by his/her state's professional regulatory board and adheres to the established ethics, standards and practices of their state's professional regulatory sex offender management board (where applicable) and/or the Association for the Treatment of Sexual Abusers (ATSA) regarding the assessment of sexual abusers. (Also see ATSA's 2005 or Latest Version of "ATSA's Standards and Guidelines").
- b. The clinician utilizes at least one actuarial risk assessment, which has been researched and demonstrated to be statistically significant in the prediction of reoffense or dangerousness (CSOM, 1999). Examples of actuarial assessments include: VRAG, SORAG, HARE PCL-R, RRASOR, STATIC 99, MNSOST-R, etc).
- c. The evaluator contacts the USPO/USPSO **within 24 hours** if the defendant/offender fails to report for evaluation and then follow up with a written report.

5. Sex Offense-Specific Counseling

- a. As ordered on the Probation Form 45 the vendor shall provide:
 - (1) **Individual Counseling/Sex Offender (6012)** to one (1)

defendant/offender, or

- (2) **Group Counseling/ Sex Offender (6022)** to two (2) or more defendants/offenders but no more than ten (10), or
- (3) **Family Counseling/ Sex Offender (6032)** to a defendant/offender and one or more family members. The counselor may meet with family members without the defendant/offender present with USPO/USPSO written approval. This project code is also appropriate for family members who have suffered victimization by the defendant/offender and/or to prepare family members for possible reunification; or
- (4) **Treatment Readiness Group/Sex Offender (6090)** to two (2) or more defendants/offenders but no more than twelve (12). Treatment readiness Group shall include defendants/offenders with little or no understanding of the cycle of sexual offenses. The attendance of one family member per defendant/offender is included in the unit price in Section B price.

The vendor shall ensure that:

- a. **Sex offense-specific counseling (6012, 6022, 6032, and 6090)** is provided by a licensed/certified psychiatrist, psychologist, or masters-level practitioner who meets the standards of practice established by his/her state's professional regulatory board and adheres to the established ethics, standards and practices of their state's professional regulatory sex offender management board (where applicable) and/or the Association for the Treatment of Sexual Abusers (ATSA) regarding the assessment and treatment of sexual abusers (See: Latest Version "ATSA's Standards and Guidelines");
- b. Counselors use sex offense-specific treatment. Sex offense-specific treatment is defined as treatment interventions used to help sex offenders accept responsibility, have an increased level of recognition and focus on details of the actual sexual behavior, arousal, fantasies, planning and rationalizations of their sexually deviant thoughts and behavior;
- c. Practitioner shall contact the USPO/USPSO **within 24 hours** if the defendant/offender fails to report for treatment, violation conduct occurs or third party risk issues are identified. If the assigned USPO/USPSO is not available, the counselor shall speak to a supervisor. In supervisor's absence, the counselor shall speak to the duty officer-of-the-day. Any factors which increase general risk of further sex offenses shall be communicated to the USPO/USPSO assigned to the case;
- d. Emergency services (after hour phone numbers, and local hotlines) are available for defendants/offenders when counselors are not available. Emergency telephone calls are included in the basic unit prices.
- e. Only face-to-face contacts with the defendant/offender (or family) shall be invoiced and;

Sex offense-specific counseling shall include but not be limited to:

- a. Treatment plans include: (1) short and long-term measurable goals and objectives

the defendant/offender will be attempting to achieve; (2) type and frequency of services to be received; (3) specific criteria for treatment completion and the anticipated time-frame; (4) documentation of treatment plan review (including defendant's/offender's input) documenting continued need for treatment **no less frequent than every 90 days**. The plan shall include information on family and significant other involvement (i.e., community support programs, etc). The Treatment Program Plan shall be attached to the monthly treatment report provided to the USPO/USPSO after every revision, but at least every 90 days;

- b. A typed discharge summary shall be submitted to the USPO/USPSO **within 15 calendar days** of the date treatment is terminated. This summary shall include reason for discharge and any recommendations for future care. In all cases, the discharge status (i.e., successful discharge, unsuccessful discharge, interruption of treatment, etc.) shall be clearly stated.

6. Physiological Measurements

For identification, treatment, and management of sexual abusers, the vendor shall provide the following services:

- a. **Penile Plethysmograph (5021)** - The penile plethysmograph is a phallometric assessment and report of sexual arousal. It is a method of objectively assessing a defendant's/offender's response to a wide range of sexual stimuli. It may also identify a defendant's/offender's sexual preference.
- b. **ABEL Assessment for Sexual Interest (AASI) (5025)** - The Abel Assessment for Sexual Interest (AASI) is an objective method for evaluating deviant sexual interest and is designed to determine the treatment needs and risk level.

For the above services, the vendor shall ensure that:

- (1) Examiners performing the plethysmograph or AASI adhere to the established ethics, standards and practices of the Association for the Treatment of Sexual Abusers. (See the most current version of: "ATSA's Standards and Guidelines");
- (2) Penile Plethysmograph or AASI tests shall be conducted only by specifically trained clinicians and examiners. Examiners shall maintain membership in appropriate professional organizations and participate in regular relevant continuing educational training programs.
- (3) Consent forms specific to the penile plethysmograph/AASI procedure shall be read, signed and dated by the defendant/offender. If the defendant/offender refuses to sign, the examiner shall contact the USPO/USPSO immediately.
- (4) Examiners shall provide a typed report **within 10 business days** to the USPO/USPSO outlining findings
- (5) If necessary, examiners shall explain findings in any hearing or case evaluation conference.

- c. **Clinical Polygraph Examination and Report (5022)** The clinical polygraph is a diagnostic instrument and procedure which includes a report designed to assist in the treatment and supervision of defendants/offenders by detecting deception or verifying the truth of statements by persons under supervision or treatment. The two types of polygraph examinations that shall be administered to defendants/offenders under this code are:
- (1) **Sexual History Disclosure Test:** This test examines a defendant's/offender's lifetime sexual history and it is usually included as a part of the sex offense-specific evaluation.
 - (2) **Instant Offense/Specific-Issue Disclosure Test:** This test examines a specific behavior, allegation or event. It is usually conducted at the beginning of or during treatment.
- d. **Maintenance/Monitoring Test (5023):** This is a periodic polygraph examination (usually conducted every four to six months) to monitor a defendant's/offender's compliance with treatment and/or conditions of supervision imposed by the court. The polygraph examination shall be used to encourage disclosure of prior sexual history and shall be used in conjunction with other monitoring methods (e.g. Penile Plethysmograph).

Note regarding pretrial services defendants: The vendor shall not ask questions pertaining to the instant offense, or ask questions or administer tests that compel the defendant to make incriminating statements or to provide information that relates to the issue of guilt or innocence. If such information is divulged as part of the evaluation, it shall not be included in the written report.

The vendor shall ensure that polygraph examiners meet the following minimum standards (**5022 and 5023**) and that polygraph examinations are conducted in accordance with the following:

- (1) **Education.** Polygraph examiners shall be graduates of American Polygraph Association (APA) accredited programs and shall have a baccalaureate degree from a four year college or university or five years experience as a private investigator or law enforcement officer. A minimum of 40 hours of post conviction specialized instruction, beyond the basic polygraph examiner training course requirements, shall be required of those who practice sex offender polygraph testing. Examiners who have passed a final examination approved by the APA are preferred.
- (2) **Certification.** Polygraph examiners shall be members of a professional organization that provides regular training on research and case management of sex offenders.
- (3) **Experience.** Polygraph examiners shall have a minimum of two years of polygraph experience in criminal cases. Examiners are required to have specialized training or experience in the examination of sex offenders.
- (4) **Reporting and Availability.** All polygraph examination written

reports shall include the following:

- (a) date and time of examination;
- (b) name of person requesting examination;
- (c) name of offender;
- (d) location of examination;
- (e) date of last examination;
- (f) pre-test interview, examination questions, results, and post-test interview.

Polygraph examiners shall provide a written report **within 15 calendar days** to the USPO/USPSO outlining findings and if necessary explain findings in any hearing or case evaluation conference.

- (5) **Quality Control.** All polygraph examinations of defendants/offenders submitted for quality control shall be recorded in their entirety. Though video recording is the preferred medium, audio recording is sufficient to meet this standard.
- (6) **Ethics and Standards.** Polygraph examiners shall adhere to the established ethics, standards and practices of the American Polygraph Association (APA). In addition, the examiner shall demonstrate competency according to professional standards and conduct all polygraph examinations in a manner that is consistent with the accepted standards of practice in the clinical polygraph examination community.
- (7) **File Maintenance.** Polygraph examinations shall be kept for three years after the final payment date. Every file shall include at a minimum, the following information: name, date, location of examination, copy of consent forms, pre-test worksheet, copy of test questions, all case briefing materials, copy of charts or disk which contains charts, an examiner hand score sheet, and the examiner's decision.

7. Defendant/Offender Reimbursement and Co-Payment

The vendor shall:

- a. Collect any co-payment authorized on the Program Plan (Probation Form 45) and deduct any collected co-payment from the next invoice to be submitted to the government;
- b. Provide bills and receipts for co-payments to defendants/offenders. The vendor shall keep an individualized record of co-payment collection, make it available for USPO/USPSO review, and have systems in place to both follow-up on collection of outstanding amounts and to resolve any discrepancies in amount owed;

- c. Document within the Monthly Treatment Report any co-payment received or whether the expected co-payment was not provided, as well as the amount of any outstanding balance;
- d. Inform the USPO/USPSO within 3 business days of a defendant's/offender's failure to make a total of 3 consecutive scheduled co-payments;
- e. Reimburse the Government as directed in Section G.

Note: The vendor may charge an **Administrative Fee (1501)** which is a reasonable monthly fee, to administer the collection of fees from defendants/offenders, not exceeding five (5) percent of the monthly funds collected.

8. Deliverables

a. **Defendant/Offender Records and Conferences**

(1) File Maintenance

The vendor shall:

- (a) Maintain a secure filing system of information on all defendants/offenders to whom the vendor provides services under this contract/agreement. The use of electronic files is not approved under this contract/agreement.
- (b) Segregate defendant/offender files from other vendor records. This will facilitate monitoring and promote defendant/offender confidentiality.
- (c) Keep a separate file for each defendant/offender.
- (d) Create a separate file when a defendant on pretrial services supervision is sentenced to probation supervision, but continued in treatment with the vendor. The vendor may copy any information relevant from the pretrial services file and transfer it into the probation file, except for information covered under the Pretrial Services Confidentiality Regulations.
- (e) Identify any records that disclose the identity of a defendant/offender as **CONFIDENTIAL**.
- (f) Keep all defendant/offender records for three years after the final payment is received for Government inspection and review, **except for the following:**
 - (1) Appeals under subsection 4. Disputes, in Section I, or
 - (2) Litigation or settlement of claims arising out of the performance of this agreement, until final disposition of such appeals, litigation, or claims.

- (g) At the expiration of the performance period of this agreement, the vendor shall provide the USPO/USPSO or designee a copy of all defendant/offender records that have not been previously furnished, including copies of chronological notes.

b. Disclosure

The vendor shall:

- (1) Protect **CONFIDENTIAL** records from disclosure except in accordance with item number b. (2), (3), (4) and (5) below.
- (2) Obtain defendant's/offender's authorization to disclose confidential health information to the USPO/USPSO. If the vendor is unable to obtain this disclosure, the vendor shall notify the USPO/USPSO immediately.
- (3) Disclose defendant/offender records upon request of the USPO/USPSO or designee to the USPO/USPSO or designee.
- (4) Make its staff available to the USPO/USPSO to discuss treatment of a defendant/offender.
- (5) Disclose defendant/offender records only in accordance with 42 C.F.R. Part 2, and 45 C.F.R. § 160.201 to 205, Part 164 (even if the vendor is not otherwise subject to 45 C.F.R. § 160.201 to 205, and Part 164). The vendor shall disclose records only after advising the USPO/USPSO of the request and any exceptions to the disclosure of, or an individual's right of access to, treatment or protected health information that might apply.
- (6) Disclose information on pretrial services clients only in consultation with the USPO and in a manner that gives consideration to the Pretrial Services Confidentiality Regulations.
- (7) Ensure that all persons having access to or custody of defendant/offender records follow the disclosure and confidentiality requirements of this agreement and federal law.
- (8) Notify USPO/USPSO immediately upon receipt of legal process requiring disclosure of defendant/offender records.

Note: The Government agrees to provide any necessary consent forms that federal, state or local law requires.

c. File Content

The vendor's file on each defendant/offender shall contain the following records:

- (1) **Chronological Notes that:**
 - (a) Record all contacts (e.g., face-to-face, telephone) with the defendant/offender including collateral contacts with family members, employers, USPO/USPSO and others. Records shall

- document all notifications of absences and any violation behavior.
 - (b) Are current and available for review by the USPO/USPSO or designee and by the Office of Probation and Pretrial Services (OPPS) at the Administrative Office.
 - (c) Chronological notes shall be legible.
- (2) **Program Plan** (Probation Form 45) that:
 - (a) Identifies vendor services to be provided to the defendant/offender and billed to the Government under the terms of the agreement, and any co-payments due by the defendant. Plan may contain amendments.
 - (b) USPO/USPSO prepares during or immediately after the case staffing conference. The program plan authorizes the vendor to provide services (e.g., **Intake Assessment and Report (2011)**) to the defendant/offender.
 - (c) USPO/USPSO shall amend the Program Plan (Probation Form 45) when changing the services the vendor shall perform, their frequency, or other administrative changes (e.g. co-payment amounts) and upon termination of services.
- (3) **Amended Program Plan (Probation Form 45)** (if applicable) that USPO/USPSO prepares:
 - (a) During or immediately following the case staffing conference, or any other changed circumstance if service delivery changes from existing Program Plan (Probation Form 45).
 - (b) To obtain additional services for a defendant/offender during the agreement or to change a defendant/offender's urine collection phases.
 - (c) To document any other changes in co-payments, frequency of treatment, etc.
 - (d) To terminate services.
- (4) **Monthly Treatment Report (Probation Form 46)** that:
 - (a) Is submitted along with the monthly invoice and the Daily log for the month for which the vendor is invoicing, except for clients who are receiving urinalysis services only (PC 1010, 1011).
 - (b) Summarizes defendant/offender's activities during the month, lists attendance dates, and accompanies the monthly invoice.
 - (c) Documents defendant/offender progress (e.g., adjustment, responsiveness, significant problems, employment).
 - (d) Reflects changes in the Program Plan (Probation Form 45).

- (e) Records urine collection and test results, if applicable.
 - (f) Shall be typed if requested by the USPO/USPSO.
- (5) **Authorization to Release Confidential Information** (Probation Forms 11B or 11E and/or 11 PSA Form 6B and/or 6D) that:
- (a) The defendant/offender and USPO/USPSO sign prior to the defendant's first appointment with the treatment provider.
 - (b) The vendor shall obtain the defendant's/offender's signature before releasing any information regarding the defendant/offender or the defendant's/offender's treatment and progress to the USPO/ USPO.
- (6) **Daily Travel Log** (Probation Form 17) (if applicable) that:
- (a) Vendor shall submit Probation Form 17 with the monthly invoice for **Vendor's Local Travel** by vendor or staff.
 - (1) By **Vehicle (1401)** (at the rate in the Judiciary Travel Regulations), or
 - (2) By **Common Carrier (1402)** (reimbursed at actual price).
- (7) **Sign-In, Sign-Out Daily Log** (if applicable) that:
- (a) Along with the monthly invoice, is submitted for the month for which the vendor is invoicing.
 - (b) USPO/USPSO or designee uses to certify the monthly invoice.
 - (c) USPO/USPSO shall review for approval any vendor Daily Log form that differs from the USPO/USPSO sample form.
 - (d) Defendant/offender shall sign-in upon arrival and sign-out when leaving/exiting the vendor's facility, and
 - (e) Vendor shall ensure that a defendant/offender signing or initialing an entry in the Daily Log cannot see the names or signatures of other defendants/offenders.

NOTE: Allowing anyone undergoing treatment to see the names or signatures of other defendants/offenders violates federal confidentiality regulations regarding treatment records.

- (8) **Urinalysis Log** (If applicable) (Sample form attached) that:
- (a) Along with the monthly invoice, is submitted for the month for which the vendor is invoicing.
 - (b) The Urinalysis Log shall record all collected urinalysis specimens and indicate:

- (1) Defendant's/offender's name or identifying number
 - (2) Collection date
 - (3) Drugs or medication taken
 - (4) Collector's initials
 - (5) Special test requested, and
 - (6) Test results
- (c) The Urinalysis Log shall record any unusual occurrences in the collection process, and in the specific gravity and temperature readings.
 - (d) The vendor shall submit for USPO/USPSO approval any vendor Daily Urinalysis Log form that differs from the sample form provided in attachment J.9.
 - (e) The vendor shall ensure that a defendant/offender signing or initialing an entry in the Urinalysis Log cannot see the names or signatures of other defendants/offenders.

NOTE: Allowing anyone undergoing treatment to see the names or signatures of other defendants/offenders violates federal confidentiality regulations regarding treatment records.

d. Case Staffing Conference

Upon USPO/USPSO referral of a defendant/offender to the vendor, the vendor shall:

- (1) Meet with the USPO/USPSO for an initial case staffing conference to develop the Program Plan (Probation Form 45).
- (2) Meet at least quarterly face-to-face or via telephone conference with the USPO/USPSO to discuss the defendant's/offender's progress in treatment.
- (3) Consult and meet as requested by m the USPO/USPSO.

NOTE: The price of case staffing conferences and consultations are included in the prices in Section B.

e. Vendor Reports (Substance Abuse and Mental Health Reports)

The vendor shall:

- (1) Provide a report on the defendant's/offender's treatment progress upon USPO/USPSO's request. Reports shall include specific/measurable goals and objectives with target completion dates that are periodically reviewed.

- (2) Provide a written recommendation in the report as to whether or not a defendant's/offender's treatment shall be continued or terminated.
- (3) If the vendor recommends treatment termination, the vendor shall provide a reason for this recommendation in the written report (i.e., whether the defendant/offender responded to treatment and no longer needs aftercare, or whether the defendant/offender failed to respond to treatment).
- (4) Provide a written quarterly profile on all (one report on all or one report on each) defendants/offenders discharged from the program each quarter (see Attachment No.9).

f. **Vendor Testimony**

The vendor shall:

- (1) Appear or testify in legal proceedings convened by the federal court or Parole Commission only
 - (a) Upon request of the federal court, United States Probation and Pretrial Services Offices, United States Attorney's Offices, or United States Parole Commission, or
 - (b) In response to a subpoena.
- (2) Provide testimony including but not limited to a defendant's/ offender's: attendance record; drug test results; general adjustment to program rules; type and dosage of medication; response to treatment; test results; and treatment programs.
- (3) Receive reimbursement for subpoenaed testimony through the Department of Justice based on its witness fee and expense schedule.
- (4) Receive necessary consent/release forms required under federal, state or local law from the Government.
- (5) Not create, prepare, offer, or provide any opinions or reports, whether written or verbal that are not required by this statement of work and the treatment program unless such action is approved in writing by the Chief US Probation Officer or Chief US Pretrial Services Officer.

g. **Emergency Contact Procedures**

The vendor shall establish emergency (24 hours/ 7 days a week) contact procedures (i.e. crisis intervention, schedule changes, local hotlines, and/or situations requiring immediate attention), for times when counselors are not available.

9. **Notifying USPO/USPSO of Defendant/Offender Behavior**

The vendor shall:

- a. Notify the USPO/USPSO within 24 hours of defendant/offender behavior

including but not limited to:

- (1) Positive drug or alcohol test results.
- (2) Attempts to adulterate a urine specimen and/or compromise any drug detection methodology to determine illicit drug usage.
- (3) Failure to produce a urine specimen for testing (i.e., stall: withholding a specimen or failure to produce a specimen of sufficient quantity for testing).
- (4) Failure to appear as directed for urine collection, evaluation, counseling session or alcohol test (i.e., no-show).
- (5) Failure to follow vendor staff direction.
- (6) Apparent failure to comply with release conditions

NOTE: Vendor shall report any information from any source regarding a defendant's/offender's apparent failure to comply with release conditions.

10. Staff Requirements and Restrictions

- a. The vendor shall ensure that persons currently under pretrial services, probation, parole, mandatory release, or supervised release (federal, state or local) shall not perform services under this contract/agreement nor have access to defendant/offender files.
- b. The vendor shall ensure that persons charged with or under investigation for a criminal offense shall not perform services under this agreement nor have access to defendant/offender files unless approved in writing by the Contracting Officer after consultation with OPPS and PMD.
- c. The vendor and its employees shall:
 - (1) Avoid compromising relationships with defendants/offenders and the probation or pretrial services staff, and
 - (2) Not employ, contract with, or pay any defendant/offender or defendant's/offender's firm or business to do any work for the vendor either at the vendor's facilities or personally for any of the vendor's employees during the period of this agreement.
 - (3) Report any such improprieties or the appearance thereof immediately to the USPO/USPSO or designee.
 - (4) Report to the USPO/USPSO or designee any investigations, pending charges, arrests and/or convictions related to a criminal offense by staff performing services under this agreement within 48 hours obtaining knowledge.
- d. The vendor shall notify the USPO/USPSO in writing of any staff changes and

provide documentation of any required licensing, certification, experience, and education requirements.

- e. Failure to comply with the above terms and conditions could result in termination of this agreement.

11. Facility Requirements:

The vendor shall ensure that its facility(ies) has adequate access for defendants/offenders with physical disabilities.

SECTION D - INSPECTION AND ACCEPTANCE

D.1 Vendors Performance (Mandatory Requirement)

The vendor and/or team vendor shall:

- (a) Maintain a physical facility that meets all applicable federal, state and local regulations (e.g., building codes).
- (b) Not endanger the health and safety of employees, clients and the community.
- (c) Provide physical facilities that preserve both the integrity of the confidential relationship and the personal dignity of the client.

D.2 Clause B-5 Clauses Incorporated by Reference (OCT 2006)

This procurement incorporates one or more clauses by reference, with the same force and effect as if they were given in full text. Upon request, the contracting officer will make their full text available. Also, the full text of a clauses may be accessed electronically at this/these address(es): <http://www.uscourts.gov/>

The JP3 clauses listed below are applicable to Agreements and Contracts at any value.

JP3 Clause 1-15	Disclosure of Contractor Information to the Public	(AUG 2004)
JP3 Clause 2-5A	Inspection of Products	(JAN 2003)
JP3 Clause 2-5B	Inspection of Services	(AUG 2004)
JP3 Clause 3-3	Provisions, Clauses, Terms and and Conditions - Small Purchases	(OCT 2006)

SECTION E - AGREEMENT ADMINISTRATION DATA

E.1 Contact Point for Assistance

- a. Contact the person listed in block 7 on the form Solicitation/Offer/Acceptance, in Section A, p. 1 of the Request For Proposals (RFP).

E.2 Fiscal Records (Mandatory Requirement)

The vendor shall:

- a. Maintain its fiscal records according to generally accepted accounting principles.
- b. Keep and identify all financial records, that disclose the identity of any client as CONFIDENTIAL.
- c. Keep all client records associated with the agreement for three (3) years after the final payment date under the agreement, for Government inspection and review, except that the vendor shall keep client records relating to:
 - (1) Appeals under subsection 2. Disputes, in Section I.
 - (2) Litigation or settlement of claims arising out of the performance of this agreement, until final disposition of such appeals, litigation, or claims.

E.3 Invoices (Mandatory Requirement)

The vendor shall:

- a. Submit an original and three (3) copies of the invoices with the Monthly Treatment Report, Daily Log, Urinalysis Log and Daily Travel Log (if applicable) to the address listed in block 7 of the Solicitation/Offer/Acceptance in SECTION A, p.1 of the RFP.
- b. Submit invoices monthly to arrive no later than the tenth (10th) day of the month for services provided during the preceding month.
- c. Use the two-part Administrative Office invoice, or a probation office local invoice form, approved by the Administrative Office, indicating:
 - (1) Individual client names and identifying numbers, and
 - (2) Charges for each service, identified by its project code, as described in SECTION C -STATEMENT OF WORK, of this document.

NOTE: The Administrative Office encourages computer generated billing and will accept a vendor's invoice form that contains the same information as the Administrative Office invoice.

d. Submit with the invoice a certification by an authorized official of the vendor that the invoice:

- (1) Is correct and accurate to the best of his/her knowledge, and
- (2) Includes only charges for services actually provided to clients.

e. The vendor shall submit separate invoices for services provided to pretrial services defendants and Bureau of Prisons inmates to the appropriate pretrial services or Bureau of Prisons office.

f. The vendor may include the "No-Show" factor in the unit price charged for the following services: The vendor shall not include a charge for a "No-Show" as a separate item.

- | | | |
|--------------|--------------|-----------|
| (1) PC 1010 | (11) PC 5011 | (21) 6020 |
| (2) PC 2010 | (12) PC 5012 | (22) 6021 |
| (3) PC 2011 | (13) PC 5020 | (23) 6022 |
| (4) PC 2020 | (14) PC 5021 | (24) 6028 |
| (5) PC 2030 | (15) PC 5022 | (25) 6030 |
| (6) PC 2040 | (16) PC 5023 | (26) 6032 |
| (7) PC 2080 | (17) PC 5025 | (27) 6090 |
| (8) PC 2090 | (18) PC 5030 | (28) 6091 |
| (9) PC 4010 | (19) PC 6010 | |
| (10) PC 5010 | (20) PC 6012 | |

NOTE: A "No-Show" occurs when a client does not show (and does not cancel with at least 24 hours advance notice) for a prescheduled individual service provided customarily by a physician or other professional staff member.

g. The vendor shall charge for a session longer or shorter than the prescribed unit time (when the unit price is based on a prescribed unit of time) by adjusting the charge up or down in fifteen minute increments.

h. The vendor shall include on the monthly invoice the item number and the fractional part of the session for which the vendor is billing the Government.

i. **Example:**

Assume that the rate of service is \$10.00 per half hour.

<u>Time Spent (in minutes)</u>	<u>Charge</u>
0 - 15	\$ 5.00
16 - 30	\$10.00
31 - 45	\$15.00
46 - 60	\$20.00

j. The vendor shall include the cost of written reports and conferences with the USPO/PSO in the prices for client services unless the Program Plan authorizes them as part of a specific service (e.g., Intake Assessment and Report (2011), Psychological Evaluation and Report (5010)).

k. The vendor shall include the cost of telephone contacts with clients in the unit price for the services and shall not bill separately for these calls.

E.4 Reimbursements or Copayments (Mandatory Requirement)

a. The vendor shall not submit invoices to the Government for services under this agreement where the vendor already has submitted invoices, or received payment for the same services from other sources.

b. If the vendor has received any payments from insurance programs or other sources (e.g., state or local public assistance programs) for services for which the vendor has received payment from the Government under this agreement, the vendor shall reimburse the Government for these services.

(1) The USPO/PSO may order reimbursement in the form of deductions from subsequent invoices according to USPO/PSO instruction and the terms and conditions of this solicitation document.

(2) According to The Sentencing Act of 1987 (Public Law 100-182) 18 USC 3672, the vendor may be required to reimburse the Director of the Administrative Office of the U. S. Courts in lieu of deducting payments from subsequent invoices.

- c. The vendor shall not request or accept payment either directly or indirectly from the client for services under this agreement unless the USPO/PSO authorizes in writing partial or total payment by the client for prescheduled individual services customarily provided by a physician or professional staff member.
 - (1) The USPO/PSO shall evaluate the client's financial status (e.g., employment) before authorizing client payments to the vendor and shall notify the client and vendor of the client payments in the program plan.

E.5 Government Furnished Property - (JAN 2003)

No material, labor, or facilities will be furnished by the Government unless otherwise provided for in this solicitation.

The Chief Probation Officer or Chief Pretrial Services Officer may furnish Government-owned telephone answering equipment, fax machines, and/or onsite drug-detection devices called non-instrumented drug tests to a contractor if such equipment will improve the frequency of urine collection in the district. The Equipment shall be used only for a random urine collection program.

E.6 JP3 Provision 3-5, Taxpayer Identification - (Jan 2003)

Definitions

“Common parent,” as used in this provision, means that corporate entity that owns or controls an affiliated group of corporations that files its federal income tax returns on a consolidated basis, and of which the offeror is a member.

“Taxpayer Identification (TIN),” as used in this provision, means the number required by the Internal Revenue Service (IRS) to be used by the offeror in reporting income tax and other returns. The TIN may be either a social security number or an employer identification number.

All offerors shall submit the information required in paragraphs (d) through (f) of this provision to comply with debt collection requirements of 31 U.S.C. 7701(c) and 3325(d), reporting requirements of 26 U.S.C. 6041, 6041A and 6050M, and implementing regulations issued by the IRS. If the resulting contract is subject to the payment reporting requirements, the failure or refusal by the offeror to furnish the information may result in a 31 percent reduction of payments otherwise due under the contract.

The TIN may be used by the government to collect and report on any delinquent amounts arising out of the offeror’s relationship with the government (31 U.S.C. 7701(c)(3)). If the resulting contract is subject to payment recording requirements, the TIN provided hereunder may be matched with IRS records to verify the accuracy of the offeror’s TIN.

(d) *Taxpayer Identification Number (TIN):*

- TIN has been applied for.
 TIN is not required, because: _____

- Offeror is a nonresident alien, foreign corporation or foreign partnership that does not have income effectively connected with the conduct of a trade or business in the United States and does not have an office or place of business or a fiscal paying agent in the United States;
 Offeror is an agency or instrumentality of a foreign government;
 Offeror is an agency or instrumentality of the federal government.

(e) *Type of organization:*

- sole proprietorship;
 partnership;
 corporate entity (not tax-exempt);
 corporate entity (tax-exempt);
 government entity (federal, state or local);
 foreign government;
 international organization per-26 CFR 1.6049-4;
 other _____

(f) *Common parent*

- Offeror is not owned or controlled by a common parent as defined in paragraph (a) of this provision.
Name and TIN of common parent
Name _____
TIN _____

SECTION F - DELIVERIES OR PERFORMANCE

F.1 Provision of Services to Federal Offenders and Defendants (Mandatory Requirement)

- a. In an effort to protect the community by providing outpatient treatment, the vendor shall have the capability to immediately place Federal clients in outpatient or urine surveillance without regard to any placement backlog or waiting lists.
- b. Recognizing the problems of limited bed space, vendors shall place referrals for residential placements in the first available bed space.
- c. The vendor shall not unilaterally refuse services to any defendant or offender referred by the Government, except where the defendant or offender poses an apparent danger to the vendor's staff or other clients. The vendor shall not refuse service without approval of the Government.
- d. Termination of clients from treatment, based upon a violation of the vendor's program rules and regulations shall not be made without the approval of the Government. When necessary, the vendor may take appropriate and immediate action to protect staff and clients.

F.2 Minimum Standards

- a. The vendor shall maintain the mandatory standards set forth in Sections C, D, E and F of this Purchase Order Agreement.
- b. A vendor's noncompliance with the mandatory standards shall be the basis for termination of the Agreement.