

BPA Questions and Answers

The following are questions received in past solicitation cycles. Thereafter, questions will post with a specific date as received from the offerors and responded to by the U.S. Probation Office. Offerors should consult this list of questions/answers prior to submitting their proposals. All questions must be received by 12:00 p.m., Thursday, July 14, 2022, and all questions will be posted/answered by Friday, July 15, 2022 at 5:00 p.m., with final proposals due by 12:00 p.m. on Wednesday, July 20, 2022.

Q: Where can I find the Request for Proposals (RFP's) that are open for bid?

A: All available RFP's are posted to www.moep.uscourts.gov under Probation, Treatment Services. The RFPs are listed by service types and catchment areas. Specific project codes are listed within each RFP.

Q: This is my first time submitting an RFP. Where do I start?

A: It is important to start by reading the entire solicitation document. Section B indicates the specific project codes for each agreement. Note, the vendor must be capable of providing or subcontracting all required services. Section C is the actual Statement of Work that provides specifics for each of the project codes, as well as other information regarding the deliverable, non-compliance, staff requirements/restrictions, etc. Section C also include any local services which provide further descriptors/requirements to specified project codes (there are indicated by an * in Section B next to the project code). The offeror must be able to comply with the local service requirements.

Most importantly, SECTION L provides the offeror instructions for the proposals, and the offeror should pay careful attention to the instructions and requirements for proposal submission. Note, the offeror is not required to submit solicitation sections C, D, E, F, G, H, I, and J attachments as part of its proposal. Section M includes the Evaluation Factors for Award.

Q: I am unable to provide all the project code services listed. Am I disqualified to submit a proposal?

A: A vendor must be capable of providing all services identified in Section "B," including local services identified at the end of Section C, and within the geographic area identified in Section "B." However, in accordance with Section I, a vendor can team with another agency in an effort to ensure the ability to provide all services requested in the Statement of Work. Note: subcontracting often occurs with psychiatric services and medication monitoring. In accordance with Section I, "services that the vendor proposes to refer to other service providers shall be considered subcontracting." Please also reference the Section L requirements for subcontractors, noting specifics for Attachments A, B, and C, as well as Section M evaluation criteria. With regard to the Evaluation Factors for Award, proposed subcontractor personnel qualifications and facilities will be evaluated and considered in the determination of the offeror's technical acceptability. Note the prime contractor is responsible for the overall performance of the services required under the agreement.

NOTE: In Section L, Submission of Prices, "The offeror must provide a response to every requested service item," and Section L A (3)(c) requires the vendor to insert the letter "S" following the price inserted in Section B for all subcontracted services.

Q: Is there a different format to complete RFPs other than PDF? We cannot enter information on the current format.

A: We are unable to provide a version of the RFP that is read/write; however, in the PDF version, you can use the typewriter feature under tools to complete Sections A and B.

Q: I am interested in providing services under multiple BPAs. Do I need to submit a separate proposal, or can I indicate the BPAs of interest in a cover letter?

A: The vendor must submit a completed RFP for each BPA in which the vendor is interested. Each RFP references a specific catchment area. If the vendor has a site in more than one catchment area, the vendor must respond and submit a completed RFP packet for each appropriate corresponding BPA number in which that vendor is interested in providing services. Additionally, monitoring reports, staff qualifications, etc., may be different for the various BPAs the vendor is interested in. Submission of proposals should be specific to the particular BPA.

- Q: Am I supposed to write how I will provide each service I am submitting a price for as a statement of work along with the pricing?
- A: Under Section L "Prices," the price you submit for a project code must take into consideration the requirements of the Statement of Work (as set forth in Section C) for each project code requested, as well as all terms and conditions of the contract, including local services, that relate to each service item. In accordance with Section L, subsection B, acceptable prices will include the unit price, no charge, subcontracting, and factor in no shows. The judiciary will award the agreement based on an evaluation of those offerors who represent the best value after evaluation in accordance with the factors and subfactors in the solicitation. The offeror's initial offer shall contain the offeror's best terms from a price or price and technical standpoint. For additional information on the contract award, consult Section L of the solicitation document. Additionally refer to Section L for the instructions and required attachments for submitting a complete proposal, which includes a Certification of Compliance Statement (Attachment A), Background Statement (Attachment B), and Staff Qualification Form (Attachment C).
- Q: Since I am uncertain as to whether I will be awarded the agreement, do I need to have operational space at the time I submit the proposal, or can I enter a lease post award?
- A: Yes. According to Section M - Evaluation Factors for Award, on-sites will be conducted for those offeror's whose proposals are determined technically acceptable based on the criteria and meet the lowest price requirement. Therefore, the offeror must have a site within the catchment area at the time of proposal submission. Section M specifically sets forth the items required regarding the site. Section E specifies vendor and/or subcontractor requirements regarding the facilities.
- Q: Some of the catchment areas list multiple counties or multiple zip codes. Is the offeror required to have a site in each listed area?
- A: No, the offeror is not required to have a site within every county or zip code located within the identified catchment area (e.g. if the catchment area includes counties A, B, and C, and the offeror only has a site in county C, that would meet the requirements; the same is true if the catchment area includes multiples zip codes, the offeror must have a site within one of the zip codes listed in order to meet the requirements). However, the offeror must have a least one site located within the catchment area (see Section L). If the offeror has multiple sites available within the catchment area, in accordance with Section L, the offeror should include each site the offeror intends to utilize under that specific BPA/catchment area.
- Q: Who do I have to include on the Staff Qualification Statement?
- A: The offeror shall include all staff performing services under any agreement. Please refer to Section L for specifics regarding completion of the Staff Qualification Statement, as this is a requirement for technical evaluation of the proposal. *Take note that the offeror shall include the duties each staff will perform by numeric project code.* If the offeror is utilizing a subcontractor, please note the specific requirements in Section L.
- Q: When submitting an RFP, do I send you copies of the whole BPA that has been posted along with the completed attachments, or do I just send the attachments?
- A: Submit proposals in accordance with the instructions set forth in Section L. *Please note, the offeror is not required to submit sections C, D, E, F, G, H, I, or J attachments as part of its proposal.* For all proposals, an original and one (1) copy must be received in the U.S. Probation Office, 111 S. 10th Street, Ste. 2.325, St. Louis, Missouri 63102, no later than **12:00 p.m. on Wednesday, July 20, 2022.** Additionally, the offeror should not submit the proposal in a binder or with any form of binding. The offeror can separate the original from the copies by clipping the documents with a paper fastener, separating the documents by a tab/separate envelope/etc. All copies must be originally signed. A copy of the Blanket Purchase Agreement, Clauses and Terms of Agreement, should be retained by the vendor for their files as we will not be returning a copy to you. If the vendor prefers to submit the proposal electronically, that is due by the noted deadline and can be submitted to Nicole.Vernier-Gelven@moep.uscourts.gov.
- Q: What do I have to include in the Background Statement?
- A: This information is specified in Section L. Please note, the offeror shall identify all required documents included in the submitted proposal *through the use of labeled tabs.* If the offeror is using a proposed subcontractor, this same information (paragraphs 2 a – d) are required of the subcontractor. With regard to the submission of monitoring reports, please note in Section L that monitoring reports are *for the locations solicited.*

- Q: What is involved with urinalysis collection (project code 1010)?
A: The vendor must have male and female staff available for direct observation on the date and specific hours of each scheduled urine collection. The vendor can only perform same gender observed collection. Unobserved collection should occur only in rare circumstances, and the designated U.S. Probation Office contact should be notified in those instances. Only those collectors trained by the U.S. Probation Office are permitted to collect specimens under the agreement. A day prior to each collection day, the U.S. Probation Office will e-mail the vendor a pdf document containing the Chain of Custody forms for each defendant/person under supervision required to submit a urine specimen on that date, as well as a listing of those scheduled for testing. The vendor is responsible for printing the Chain of Custody forms on the special COC paper provided by the U.S. Probation Office and following the training procedures for the proper completion of the Chain of Custody form and observed urine collection. The U.S. Probation Office will provide the vendor with the necessary urinalysis collection materials (i.e. blank Chain of Custody forms, vials, specimen bags, mailing boxes, and mailing labels which include the cost of shipping); however, the vendor is responsible for printer ink, gloves, cleaning agents, etc. Once the vendor collects the urine specimens, the vendor will either mail via U.S. Postal Service (postage paid by U.S. Probation Office via special mailing labels) or hand deliver the specimens to the U.S. Probation Office in St. Louis where the in-house laboratory will test the specimens. Please see Statement of Work for additional requirements for urinalysis collection.
- Q: Does the vendor have to maintain a call-in phone system for the urine collection?
A: No. The U.S. Probation Office maintains a phone number and texting system for the urine collection schedule. It is the responsibility of the person under supervision to call the phone line each day to ascertain whether they are required to report to the vendor to submit a urine specimen. If the person under supervision has a valid cell phone number, they will also receive text notification at 7 p.m. on the day prior to the scheduled urine collection.
- Q: Will the vendor know in advance on what days urine collection will occur?
A: Yes. The U.S. Probation Office will consult with the vendor each month in the scheduling of agreeable dates for urinalysis collection. The vendor must have days available in accordance with the local need specified in the Statement of Work. The ultimate discretion for the testing days remains with the U.S. Probation Office. The vendor must communicate a urine collection schedule with the U.S. Probation Office prior to the 23rd of each month.
- Q: What is a sweat patch (project code 1012)?
A: A patch worn on the skin used to detect the presence of drugs excreted through the body. The patch may detect drug use up to two days prior to application and is generally worn for seven to ten days. There is a website (www.pharmchek.com) the vendor can access for sweat patch training and completion of the certification test. Only those with the certification are approved to apply the sweat patch.
- Q: What is the Department of Labor Wage determination?
A: The Department of Labor Wage determination only applies to those BPAs that include project code 1010 or 1012 in Section B. Additional information regarding the wage determination can be found under the Service Contract Act of 1965, as amended June 2012.
- Q: Will an IRS Form 1099 now be provided verifying income at the end of an approved year?
A: The Clerk's Office will send a 1099-MISC to vendors who are eligible to receive them. The expense must fall in the BOC range 2500-2599 (they provide some kind of contract service) and the Clerk's Office is required to send them only to those vendors who were paid \$600 or more. It also depends on the information provided on the W-9 or AO213 forms. If the vendor indicates on the forms that they are a corporation, then they are claiming to be exempt from a 1099 and the Clerk's Office would not send one.
- Q: Is there a location where we can look at past proposals as an example to make sure we are completing correctly?
A: No, there are no examples to post. Section L of the solicitation document sets forth the instructions on completing a proposal.

Q: Are there any specific requirements for what has to be included within substance use counseling?

A: The Statement of Work specifies that all substance use counseling is a clinical interaction between defendant/person under supervision and a trained and certified/credentialed counselor. The interactions are deliberate and based on various clinical modalities, which have demonstrated evidence to change behavior. Treatment shall include the use of cognitive and behavioral techniques, including but not limited to cognitive restructuring, skill building using a structured learning approach (including modeling, role play and feedback), and teaching the skill of problem solving to change defendant/person under supervision thought patterns while teaching pro-social skills. The vendor shall incorporate motivational engagement techniques throughout the counseling process. It should be noted, in some BPAs, there may be a local need included with certain project codes.

Q: Does the vendor receive reimbursement for materials/workbooks provided to defendants/persons under supervision?

A: There is no reimbursement for vendor provided materials/workbooks. The cost of these materials/workbooks should be incorporated into the unit cost.

Q: Will you be posting Rate Details per Unit for past services?

A: No, the *Rate Details per Unit* will not be posted. The vendor is responsible for determining a competitive unit rate in accordance with fair market pricing. The vendor should consult the Statement of Work to understand the work requirements when determining the amount to charge for project codes.

Q: Under Project Code 1202 – Transportation Expenses – in cases where public transportation is not available, is it the vendor’s responsibility to arrange the transportation after getting prior approval?

A: When transportation is authorized by the officer and included on the program plan, it is the vendor’s responsibility to provide the transportation expense. Where there is public transportation available, this often include the purchase of daily or monthly bus passes to provide the approved individuals. If public transportation is unavailable, or as otherwise authorized on the program plan, this may include providing gas cards or reimbursement for mileage (amount specified by the probation officer) to the person under supervision. Through the invoice, the vendor is reimbursed the actual cost for 1202, plus a 5% administrative fee under 1201.

Q: We are a private practice, the majority of our clientele are individuals, not organizations. Who do I list for reference?

A: The offeror shall provide three references (Federal, State, or local government agencies and/or private organizations), using Attachment D, for whom the offeror has provided treatment and other services identified in this RFP within the past 3 years. Provide the name and address for each reference, as well as a contact person and phone number. The government reserves the right to contact any reference and consider the information provided as part of its responsibility determination. The references can include a private individual, anyone having knowledge of your business, or other professional references.

Q: This is my first time submitting a RFP, I am unsure of how to complete attachment C. For example, under education do I only list degrees, or do I list specific training related to the project, or both. I have similar questions about the duties section and the experience section.

A: Refer to Section L for instructions on how to complete your proposal. Attachment C requires the following information for each staff performing services under the resultant contract: PC (this would be the project codes the individual is going to provide services for and meets the qualifications; e.g. 2010); name; title; duties (e.g. providing counseling, clerical, billing, etc.); education (e.g. information you would include on a resume for education, including any degrees obtained); experience (e.g. related to the performance of the duties); and credentials (license and certifications). Specific training does not need to be included unless it is directly related to the project code/services (e.g. Moral Reconciliation Therapy would require training and certification, CBT training, etc).

Q: Do I send copies of staff qualifications (i.e. certificates, diplomas, credentials)?
A: The offeror should provide supporting documentation as evidence of the staff person meeting the necessary Staff Qualifications.

Q: What is the expected start date of the new agreement?
A: October 1, 2022.

Q: What background checks are required for vendor's staff?
A: Pursuant to the Statement of Work: a. After award, persons currently under pretrial services, probation, parole, mandatory release, or supervised release (federal, state or local) shall not perform services under this agreement nor have access to defendant/person under supervision files. b. After award, persons charged with or under investigation for a criminal offense shall not perform services under this agreement nor have access to defendant/person under supervision files unless approved in writing by the Contracting Officer after consultation with PPSO and PMD. c. After award, persons convicted of any sexual offense (including but not limited to, child pornography offenses, child exploitation, sexual abuse, rape or sexual assault) or required under federal, state, or local law to register on the Sexual Offender registry shall not perform services under this agreement or contract nor shall they have access to defendant/person under supervision files unless approved in writing by the Contracting Officer after consultation with PPSO and PMD. d. After award, persons with any restrictions on their licenses, certifications or practice (or those who voluntarily agree to such a restriction) based on negotiations or proceedings with any licensing authority, shall not perform services under this agreement or contract nor shall they have access to defendant/person under supervision files unless approved in writing by the Contracting Officer after consultation with PPSO and PMD. e. The vendors and its employees shall: (1) Avoid compromising relationships with defendants/person under supervision and probation or pretrial services staff, and (2) Not employ, contract with, or pay any defendant/person under supervision or defendant's/person under supervision'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 any investigations, pending charges, arrests and/or convictions related to a criminal offense, any restrictions on staff licenses or certifications, whether imposed or voluntary, involving any staff performing services under this agreement within 48 hours of obtaining knowledge.
The offeror must also complete the Staff Qualification Statement and applicable Certification section of same.

Question received June 1, 2022

Q: For the catchment area of Butler County, that includes services provided to those residing at the halfway house in Neelyville, will there be mileage reimbursement if the vendor provides services at the halfway house?
A: If the offeror is going to use multiple sites within the catchment area for providing services, in accordance with Section L, the offeror should include each site the offeror intends to utilize under that specific BPA/catchment area. There is no reimbursement for the vendor travel/mileage between the locations where the vendor will provide services. The offer should include operational costs within the unit cost.

Question received July 1, 2022

Q: I noticed that the Solicitation for 0865-23-35D has the wrong number shown in the footer on the solicitation. The cover letter shows "0865-23-35D" but the footer on the pages read "BPA-Solicitation Number: 0865-23-34D".
A: We have posted an amendment to this solicitation document to correct the solicitation number noted in the Solicitation/Offer/Acceptance Section 1, as well as the Solicitation Number noted in

the footer of each page. No other changes have been made to 0865-23-35D. As a result, the due date for proposals remains unchanged.