

REQUEST FOR PROPOSALS

**SUPERIOR COURT OF CALIFORNIA COUNTY OF
SANTA CRUZ**

REGARDING:

Mental Health Services, RFP # 01-2017

PROPOSALS DUE:

Friday, November 30, 2017 NO LATER THAN 3:00 P.M. PACIFIC TIME

1.1 BACKGROUND INFORMATION

1.2 The Superior Court of California, County of Santa Cruz (“Court” or “JBE” Judicial Branch Entity) is one of 58 trial courts in California. The Superior Court of California, County of Santa Cruz (“Santa Cruz Court”) is located in Santa Cruz, CA and has 12 Judges and 1 Commissioner, and performs approximately 75 competency evaluations each year.

The Santa Cruz Court requires the services of professional mental health evaluators to conduct mental health evaluations on individuals involved in court proceedings. The Santa Cruz Court desires to establish a list of qualified mental health evaluators to provide such services.

1.3 Competency Evaluations Needed

The Santa Cruz Court is seeking proposals from mental health evaluators that are interested in conducting competency evaluations on individuals involved in court proceedings for the Santa Cruz Court. The Santa Cruz Court will review the submitted proposals and award a Master Agreement to mental health evaluators that are qualified and meet the requirements outlined in this RFP. Unless otherwise specifically set forth, any representations, warranties, or certifications made by a proposer are deemed to be made to the Santa Cruz Court pursuant to this RFP.

The Santa Cruz Court and the Nearby Courts will have the option of using the services of any of the mental health evaluators that have been awarded a Master Agreement under this RFP. Other courts in areas such as Monterey, San Benito, Contra Costa, Alameda, Santa Clara, San Mateo, and San Francisco may also utilize services from the Master Agreement. The Master Agreement will require that each court using the mental health evaluator services enter into a separate Participation Addendum with the mental health evaluator outlining specific requirements for that court. Proposer may, or may not, choose to enter into a Participating Addendum with “Nearby Courts” and/or any other court.

A Master Agreement awarded to a qualified mental health evaluator will have an initial three year term with two one-year options to extend the Master Agreement. Award of a Master Agreement does not guarantee that the Santa Cruz Court nor any of the Nearby Courts will use the mental health evaluator’s services. Award of a Master Agreement means that the mental health evaluator is qualified and is on a qualified list that may be used by the Santa Cruz Court and the Nearby Courts to use their services on an as-needed- basis.

1.4 The RFP and all attachments are posted at:

<http://www.santacruzcourt.org/info/vendors>

2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

The JBE seeks the services of a person or entity with expertise in some or all of the following services:

2.1 1368/1370 PC Exams

Receive PC 1368/1370 referrals from the court for criminal proceedings and interview the defendant, including examining his/her understanding of the charge(s) against him/her and of court procedures, perform an evaluation for psychiatric history, drug usage, and general family history, and conduct appropriate collateral interviews to assess competency. A formal written report assessing competency, and if requested, medications, is required in a timely manner. Testimony may also be required.

“Sell” (involuntary medication) evaluations may also be ordered by the court, in which a formal written report is required and possible testimony.

2.2 1026/1027 PC Exams

Make examinations and investigations and testify whenever summoned in any proceeding in which the sanity of the defendant is in question. Examination and investigation shall include, but not be limited to, the psychological history of the defendant, the facts surrounding the commission of the acts forming the basis for the present charge used by the psychiatrist or psychologist in making his or her examination of the defendant, the present psychological or psychiatric symptoms of the defendant, if any, the substance abuse history of the defendant, the substance use history of the defendant on the day of the offense, a review of the police report for the offense, and any other credible and relevant material reasonably necessary to describe the facts of the offense.

2.3 Competency for juveniles (709 WI)

Receive juvenile competency referrals from the court for juvenile delinquency proceedings and interview the defendant, including examining his/her understanding of the charge(s) against him/her and of court procedures, perform an evaluation for psychiatric history, drug usage, and general family history, and conduct appropriate collateral interviews to assess competency. A formal written report assessing competency, and if requested, medications, is required in a timely matter. Testimony may also be required.

2.4 Psychosexual disorders [288.1 PC] and Abel Assessments

Receive 288.1 referrals from the Court for criminal proceedings and provide in a timely manner a formal written report assessing the mental condition of the defendant. Testimony may also be required.

2.5 Expert Testimony

As necessary, evaluator may need to appear in court to testify regarding the evaluator’s mental health examination of a defendant and/or the evaluator’s report.

2.6 Non In-Person Evaluations

The Court may explore the use of Telepsychiatry to conduct mental health evaluations (whole or in part) during the life of the Master Agreement. Upon approval of the Santa Cruz Court and/or Nearby Court, if an evaluator chooses to utilize this type of evaluation,

RFP Title: Mental Health Services

RFP Number: 01-2017

the evaluator will be required to provide his/her own hardware (laptop, etc.) and agrees to utilize the Santa Cruz Court's or Nearby Court's recommended interface connection method.

2.7 Expectations in all Reports

Evaluators must document the date(s) and length of interview(s) and collateral contacts, the documents reviewed, and mental status or test procedures utilized. The basic requirement for every mental exam includes documentation of results of a formal mental status examination which covers cognitive and psychiatric functioning or the equivalent in

psychological test screening. Reports must always be documented followed by the expert's opinion, conclusions, and responses to any specific questions posed.

Evaluators must be proficient in forensic report writing and have the ability to write clear, high quality, and professional reports to the Court.

Recordation methods used in clinical assessments need to be legible and of sufficient detail such that opposing parties can review and reconstruct the findings.

Reports must be submitted on time and via the required submission process, which may include e-filing reports (at no charge to the filer). Time limits and submission process will vary by each case type. Reports must comply with all applicable legal requirements, including any requirements in the California Rules of Court, Rule 4.130.

2.8 For Psychologists

Perform psychological testing using current and modern testing methodologies.

2.9 For Psychiatrists

Perform psychiatrist evaluations with proficiency in psychiatric structured interview tools.

3.1 QUALIFICATIONS

3.2 General Qualifications

The following qualifications apply to all Evaluators applying for all case types:

Must provide mental health evaluations pursuant to Penal Codes 288.1 and 1368/1370; Welfare & Institutions Code 709; and, California Rules of Court, Rule 4.130. (See Attachment 3.)

Mental health evaluators must comply with all applicable legal requirements, including any guidelines issued by California Department of State Hospitals ("DSH").

All Evaluator types will be required to notify the court in writing of any license changes.

Developmental disorders and mental deficiency (ID): Evaluator must document experience in the evaluation and treatment of children and adults suffering from intellectual deficiency and other developmental disorders.

Substance abuse: Evaluator must document experience in the evaluation and treatment of individuals suffering from a range of substance abuse disorders in acute, withdrawal, chronic, and recovery phases.

Personality functioning: Evaluator must document supervised experience in specialized evaluation of emotional and personality functioning in adults and/or in child and adolescent populations.

3.3 Psychologist Requirements

- 3.3.1 Possess a current California psychology license in good standing with no complaint history within the last three years.
- 3.3.2 Minimum two (2) years of training or experience in forensic evaluation.

3.4 Psychiatrist Requirements

- 3.4.1 Current license as a physician issued by the Medical Board of California. Evaluators will be required to notify the court in writing of any license changes.
- 3.4.2 Four (4) years of medical school.
- 3.4.3 Four (4) years of post-residency psychiatry residency.
- 3.4.4 Residency must have been completed at a psychiatric residency approved by the American Board of Psychiatry and Neurology.

3.5 Requirements for Forensic Psychiatrist and the Involuntary Administration of Medications

- 3.5.1 Board Certified Psychiatrist with demonstrated and specific knowledge and training in forensic psychiatry
- 3.5.2 Demonstrated comprehensive and thorough knowledge of the use of psychotropic medications including potential adverse impacts of short and long term use.
- 3.5.3 Demonstrated experience evaluating individuals within the context of PC 1368/1370.
- 3.5.4 Demonstrated knowledge of legal and ethical issues associated with treating individuals involuntarily who have been found incompetent to stand trial.
- 3.5.5 Demonstrated history of evaluating individuals for the involuntary administration of psychotropic medications within a forensic context
- 3.5.6 Demonstrated history of providing expert testimony regarding the involuntary administration of medications within a criminal justice environment
- 3.5.7 Demonstrated history of having been declared an expert in psychiatry by a court.

4.0 TIMELINE FOR THIS RFP

The Court has developed the following list of key events related to this RFP. All dates are subject to change at the discretion of the Court.

EVENT	DATE
RFP issued	October 27, 2017
Deadline for questions	November 8, 2017

EVENT	DATE
Questions and answers posted	November 10, 2017
Latest date and time proposal may be submitted	November 30, 2017 3:00PM
Anticipated interview dates (<i>estimate only</i>)	Week of December 11, 2017
Evaluation of proposals (<i>estimate only</i>)	Week of December 11, 2017
Notice of Intent to Award (<i>estimate only</i>)	December 18, 2017
Negotiations and execution of contract (<i>estimate only</i>)	December 18, 2017
Contract start date (<i>estimate only</i>)	January 2, 2018
Contract end date (<i>estimate only</i>)	Initial three year term end date of December 31, 2021

5.0 RFP ATTACHMENTS

The following attachments are included as part of this RFP:

ATTACHMENT	DESCRIPTION
Attachment 1: Administrative Rules Governing RFPs (Non-IT Services)	These rules govern this solicitation. This is reference material only.
Attachment 2: Sample JBE Standard Terms and Conditions	If selected, the person or entity submitting a proposal (the "Proposer") must sign a Master Agreement and Participating Addendum with these terms and conditions. This is a sample only.
Attachment 3: Codes	Penal Codes and Welfare & Institutions Codes. This is reference material only.
Attachment 4: Certifications	Documents do not need to be completed and submitted with the proposal. Documents will be required upon contract execution.
Attachment A-1	Costs and Fees. This is a sample of current fees.
Attachment A-2	This document must be completed and included in the submitted proposal. Costs and Fees, Cost Proposal Worksheet.

6.1 RESPONDING TO RFP – STATEMENT OF QUALIFICATIONS (SOQ)

6.2 Technical Proposal. The following information must be included in the technical proposal. A proposal lacking any of the following information may be deemed non-responsive. The proposal should clearly and accurately demonstrate specialized knowledge and experience required for consideration. The Proposal is to include the following items:

- 6.2.1 A cover letter, signed by the service provider including: The Proposer's name, address, telephone and fax numbers, and federal tax identification number. Note that if the Proposer is a sole proprietor using his or her social security number, the social security number will be required before finalizing a contract. Cover letter should also include a statement of agreement to abide by the administrative rules described in Attachment 1.
- 6.2.2 A brief written history of your business and experience and/or resume curriculum vitae in response to Section 3.0 Qualifications. Please include the following:
 - i. Qualifications and experience to provide mental health assessments and reports.
 - ii. Experience providing expert witness testimony.
 - iii. Ability to provide consistently competent and timely assessments and reports.
 - iv. Certifications, licenses, and any other requirements.
 - v. Completeness of sample evaluation report (redacted).
- 6.2.3 Names, addresses, and telephone numbers of a minimum of three (3) personal or business references if available for whom the Proposer has conducted similar services. The Court may check references listed by the Proposer.

6.3 Cost Proposal. The following information must be included in the cost proposal.

- 6.3.1 Complete and submit Attachment A-2, Cost and Fees, Cost Proposal Worksheet. (If desiring to be considered for Nearby Courts, please identify the courts in the Cost Proposal).
- 6.3.2 If needed, please provide additional cost information on a separate sheet titled "Cost Explanation". (See Attachment A-2, Cost Proposal Worksheet).

The Court's current mental health evaluator rates are identified on the attached Cost and Fees page (see Attachment B); however, the Court may recommend a rate adjustment based upon the market; and/or another Nearby Court may have a varying fee schedule.

7.1 SOQ SUBMISSION PROCEDURE

7.2 Submit one (1) electronic copy of the SOQ to Tim Newman, Director of Operations at tim.newman@santacruzcourt.org. Please indicate the RFP number and title in the subject line. **The deadline for submittals is Monday, 11/20/2017, 3:00PM.**

7.2 Prospective service providers interested in responding to this solicitation may submit questions on procedural matters related to the RFP or requests for clarifications via to tim.newman@santacruzcourt.org. **The deadline for questions is Monday, 10/30/2017.**

7.3 All notices, clarifications, and addenda to this RFP will be posted on <http://www.santacruzcourt.org/info/vendors>. Please monitor this website for all information regarding this RFP; the Court is not responsible for sending individual notification of changes or updates. It is the sole responsibility of the prospective service providers to remain apprised of changes to the RFP.

7.4 The Court is not responsible for and accepts no liability for any technical difficulties or failures that result from conducting business electronically. The Court will send an email confirmation upon receipt of a SOQ submittal.

8.0 OFFER PERIOD

A Proposer's proposal is an irrevocable offer for ninety (90) days following the proposal due date. In the event a final contract has not been awarded within this period, the JBE reserves the right to negotiate extensions to this period.

9.0 EVALUATION OF PROPOSALS

The selection process includes an initial review and evaluation of submitted SOQs by the Court to determine responsiveness. Responsive submittals will be referred to the Evaluator Advisory Committee ("Committee") consisting of Court representatives and applicable justice partners.

At the time proposals are opened, each proposal will be checked for the presence or absence of the required proposal contents.

The Committee will evaluate the proposals on a 100 point scale using the criteria set forth in the table below. Multiple awards are to be made to the highest-scored proposals.

If a contract will be awarded, the JBE will post an intent to award notice at <http://www.santacruzcourt.org/info/vendors>

CRITERION	MAXIMUM NUMBER OF POINTS
Completeness of cover letter and responses.	5
Qualifications and experience to provide mental health assessments and reports.	20
Cost	25
Experience providing expert witness testimony.	15
Ability to provide consistently competent and timely assessments and reports.	15
Completeness of sample evaluation report (redacted).	10
References and professional reputation in the field and with the Court.	10

10.0 INTERVIEWS

The JBE may conduct interviews with Proposers to clarify aspects set forth in their proposals or to assist in finalizing the ranking of top-ranked proposals. The interviews may be conducted in person or by phone. If conducted in person, interviews will likely be held at the JBE's offices. The JBE will not reimburse Proposers for any costs incurred in traveling to or from the interview location. The JBE will notify eligible Proposers regarding interview arrangements.

11.0 CONFIDENTIAL OR PROPRIETARY INFORMATION

PROPOSALS ARE SUBJECT TO DISCLOSURE PURSUANT TO APPLICABLE PROVISIONS OF THE CALIFORNIA PUBLIC CONTRACT CODE AND RULE 10.500 OF THE CALIFORNIA RULES OF COURT. The JBE will not disclose (i) social security numbers, or (ii) balance sheets or income statements submitted by a Proposer that is not a publicly-traded corporation. All other information in proposals will be disclosed in response to applicable public records requests. Such disclosure will be made regardless of whether the proposal (or portions thereof) is marked "confidential," "proprietary," or otherwise, and regardless of any statement in the proposal (a) purporting to limit the JBE's right to disclose information in the proposal, or (b) requiring the JBE to inform or obtain the consent of the Proposer prior to the disclosure of the proposal (or portions thereof). Any proposal that is password protected, or contains portions that are password protected, may be rejected. Proposers are accordingly cautioned not to include confidential, proprietary, or privileged information in proposals.

12.0 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE

The JBE has waived the DVBE incentive in this solicitation.

13.0 PROTESTS

Any protests will be handled in accordance with Chapter 7 of the Judicial Branch Contracting Manual (see www.courts.ca.gov/documents/jbcl-manual.pdf). Failure of a Proposer to comply with the protest procedures set forth in that chapter will render a protest inadequate and non-responsive, and will result in rejection of the protest. The deadline for the JBE to receive a solicitation specifications protest is the proposal due date. Protests must be sent to:

James Owen
Director of Finance
Superior Court of Santa Cruz County
701 Ocean Street, Room 238
Santa Cruz, CA 95060

**ATTACHMENT A-1
COSTS AND FEES**

**Superior Court of California
County of Santa Cruz**

Fee Schedule for Psychiatric and Psychological Evaluations, Reports and Testimony

Appointments made under certain code sections are paid by the Santa Cruz Court and others by the County of Santa Cruz, as follows:

CODE SECTION	PAID BY COURT	PAID BY COUNTY	MAXIMUM AMOUNT PAID
P.C. 1368 (including Sell hearings)	X		\$600 flat fee
P.C. 288.1	X		Not specified
W&I Code 709	X		Not specified
P.C. 1026/1027		X	\$250 to \$275 per hour
W&I Code 6600 (SVP cases)		X	Not specified
E.C. 730 (Expert Evidence/Testimony)		X	Not specified
E.C. 1017		X	Not specified
P.C. 1170.9		X	Not specified

Note: Other Nearby Courts may have a varying fee schedule.