
REQUEST FOR QUALIFICATIONS

RFQ # 0734-293

Project Title: Psychological Evaluation Services

Estimated Contract Period: From the Date of Execution to June 30, 2011.
Contracts are issued on a yearly basis and end on June 30 of the year in which they are issued. Contracts may be renewed at the end of each contract period at the discretion of DSHS.

Application Due Date: RFQ applications will be accepted on a continuous basis. SCC must receive all applications via U.S. Mail or hand delivery.
Faxed responses WILL NOT be accepted. E-mailed responses WILL NOT be accepted.

Submit Applications To: **Application Delivered by Mail:**
Bruce Duthie, Ph.D, Forensic Services Manager
Department of Social and Health Services
Special Commitment Center
PO BOX 88450
Steilacoom, WA 98388

Application delivered by Express / Hand Delivery, or Courier:

Bruce Duthie, Ph.D, Forensic Services Manager
Department of Social and Health Services
Special Commitment Center
1715 La Fayette Street
Steilacoom, WA 98388

DSHS Procurement Website: <http://www1.dshs.wa.gov/msa/ccs>
WEBS: <http://www.ga.wa.gov/webs/>

RFQ Table of Contents

Section I. Introduction 1

- A. Purpose of Request for Qualifications
- B. Background
- C. Project Scope
- D. Minimum Qualifications
- E. Definitions

Section II. General Information4

- A. Procurement Contact Information
- B. Procurement Schedule
- C. Contracts
- D. Insurance
- E. Questions and Answers
- F. Retraction of this RFQ
- G. Non-responsive Applications
- H. Exhibit List
- I. Execution of the Contract

Section III. Application Contents7

- A. Application Requirements
- B. Submit Completed Documents
- C. Submit Required Documentation

Section IV. Evaluation.....8

- A. Contract Award
- B. Notification of Applicant Status

Exhibits

- Exhibit A Personal Service SAMPLE Contract for Psychological Evaluation Services Joint Forensic Unit (JFU) Standard Fee Contract
- Exhibit B Experience and Qualification Questionnaire
- Exhibit C Authorization to Release Information
- Exhibit D Contractor Intake Form and Instructions
- Exhibit E DSHS Background Authorization and Instructions
- Exhibit F Federal W-9 Form and Instructions
- Exhibit G Application Checklist

SECTION I. INTRODUCTION

A. PURPOSE OF REQUEST FOR QUALIFICATIONS

The purpose of this RFQ is to contract with licensed, qualified psychologists to evaluate individuals who are under consideration for civil commitment as Sexually Violent Predators (SVPs), pursuant to Chapter 71.09 RCW (<http://slc.leg.wa.gov>). Other duties will include conducting relevant psychological tests and providing depositions or testimony during legal proceedings.

B. BACKGROUND

RCW 72.09.345 mandates the establishment of an "End of Sentence Review Committee" (ESRC) for the purposes of assigning risk levels, reviewing available release plans, and making appropriate referrals for sex offenders. The ESRC assesses the public risk posed by individuals who have been convicted or found not guilty by reason of insanity, or found legally incompetent to stand trial per Chapter 10.77 RCW, of a sex offense or sexually-motivated offense that was committed on or after July 1, 1984 and who are in the custody of or under the supervision of the following:

- Washington State Department of Corrections (DOC),
- Indeterminate Sentence Review Board (ISRB),
- Department of Social and Health Services (DSHS), including the Juvenile Rehabilitation Administration (JRA) and Mental Health Division (MHD) Institutions consisting of Western State Hospital (WSH), Eastern State Hospital (ESH), and Child Study and Treatment Center (CSTC).

The ESRC is comprised of members representing several Washington State agencies that have jurisdiction over the release of sex offenders or are significantly impacted by their release. The ESRC thoroughly reviews each person's offense history, any involvement and progress in sex offender treatment, mental health status, and other relevant information.

For sex offenders who are required to register, the ESRC recommends a risk level classification for community notification purposes in regard to the offender's level of risk (low = Level I, moderate = Level II, high = Level III) to sexually re-offend within the community at large (someone outside of the offender's home or family who does not know the offender or is a casual acquaintance at best).

There are two primary methods by which a sex offender can be referred for civil commitment as a Sexually Violent Predator (SVP) under Chapter 71.09 RCW. The first method involves those offenders who appear to meet criteria who have not yet to been released from state confinement for a sexually motivated offense, defined in [RCW 9.94A.030](#) as "one of the purposes for which the defendant

committed the crime was for the purpose of his or her sexual gratification." If the ESRC SVP Subcommittee concludes that a forensic psychological evaluation should be conducted, the case will be assigned to a contracted licensed psychologist and/or a contracted board-certified psychiatrist from a predetermined group of experts, collectively referred to as the Joint Forensic Unit (JFU), for an initial/pre-trial evaluation. These cases are assigned, reviewed, and processed by the Department of Corrections End of Sentence Review/Civil Commitment/Joint Forensic Unit Manager.

The second primary method of referral for civil commitment involves an offender who has previously committed a sexually violent offense, has since been released from confinement for the offense, and has recently acted out in the community to such a degree that their actions and/or threats place the public at risk. This is known as a recent overt act, which is legally defined as any act or threat that has either caused harm of a sexually violent nature or creates a reasonable apprehension of such harm in the mind of an objective person who knows of the history and mental condition of the person engaging in the act. Any agency with jurisdiction over, or knowledge of, the offender can refer them for civil commitment consideration. If the appropriate prosecutor elects to pursue an evaluation, the case will be assigned to a JFU expert as outlined above.

In addition to the two primary methods of referral, the prosecuting agencies also have the authority to proceed with a "self referral." This means these agencies may elect to obtain an evaluation and/or file probable cause for any case that was not referred via ESRC review or a Recent Overt Act in the community they believe should be considered for civil commitment. While these agencies typically select a JFU expert to conduct the evaluation, the JFU manager does not assign or process these particular cases.

If a JFU evaluator determines that an individual does not meet civil commitment criteria, the offender will eventually be released from confinement to the community. However, if the evaluator determines the individual appears to meet criteria, the agency with jurisdiction over the offender's release submits a written referral to the appropriate prosecutor. The King County Prosecuting Attorney's Office (KCPAO) will process the case if the individual's most recent sexually violent offense was adjudicated in King County. The Washington State Office of the Attorney General (AGO) will process the case on behalf of the remaining counties where the most recent sexually violent offense was adjudicated. If the last sexually violent offense was committed in another state, the case is typically processed in Thurston County.

If the prosecutor elects to file a petition, a state trial judge determines (without a hearing) whether probable cause exists to believe the individual is a SVP. If probable cause is determined to exist, the individual will be released from original confinement (which includes prisons, local jails, juvenile facilities, and state hospitals), taken into immediate custody by county officials, and given an opportunity to appear at a hearing to contest the probable cause. The JFU evaluator may be asked to provide testimony at a contested probable cause hearing. If the judge does not agree that there is probable cause to believe that the individual meets the strict legal requirements for civil commitment, the individual will be released to the community. If the judge determines that there is

probable cause, the court will order the person detained at the DSHS Special Commitment Center (SCC) pending an in-depth evaluation for the County Superior Court and a trial.

The civil commitment trial may be held before the judge or a jury empanelled by the court of commitment, and the evaluator may be asked to provide testimony at the trial. The court or unanimous jury must find beyond a reasonable doubt that the individual meets the definition of an SVP. If so, the individual is committed to the custody of DSHS for placement in the SCC, the total confinement facility for control, care, and treatment of SVPs. Reviews (evaluations of the SVP) are conducted annually and submitted to the Superior Court for consideration of continued confinement at the SCC, or placement in a least restrictive alternative, to include a DSHS Secure Community Transition Facility.

C. PROJECT SCOPE

Contractors will evaluate individuals against whom involuntary civil commitment proceedings or release decisions are being brought. The evaluations will serve to determine whether these individuals meet the criteria for involuntary commitment under Chapter 71.09 RCW. Contractors will also be required to produce a report of findings and may be requested to provide depositions or testimony in support of the reported findings.

The DSHS Special Commitment Center works in tandem with the Department of Corrections regarding sex offender evaluations. Although DSHS will hold the contracts, the Department of Corrections (DOC) will be responsible for placing contractors on a rotation list(s) to provide the services described above. When services are needed, DOC will assign the evaluation to the contractor at the top of the rotation list.

A Personal Service SAMPLE Contract for Psychological Evaluation Services Joint Forensic Unit (JFU) Standard Fee Contract and scope of work are attached to this RFQ as Exhibit A.

DSHS will award contracts to all qualified individuals who agree to accept the fees published in Exhibit A, Special Terms and Conditions, Section 4 - Consideration.

D. MINIMUM QUALIFICATIONS

Applicants must meet each of the following minimum qualifications in order for applicants' responses to this Request for Qualifications to be considered:

- 1) Applicants must possess a Doctorate Degree in psychology and be licensed in the state of Washington as a doctorate-level psychologist or be willing and able to obtain licensure in the state of Washington before a contract is executed.
- 2) Applicants must be able to provide the following:

- a) Documentation they have demonstrated, verifiable experience evaluating sex offenders. This experience shall include diagnosis and assessment of re-offense risk, as well as conducting relevant psychological tests.
 - b) Documentation they have demonstrated, verifiable experience providing expert depositions or testimony during legal proceedings, related to sex offenders or other forensic topics.
 - c) References who are able to verify applicants' assertions of experience described above.
- 3) Applicants must either be licensed to conduct business in the State of Washington or be willing to obtain licensure, if required, prior to the award of a contract.
 - 4) Applicants must either carry professional and commercial general liability insurance that meets DSHS requirements (See Insurance Section of the sample contract in Exhibit A) or be willing to obtain such insurance prior to the award of a contract.

Specific restrictions apply to contracting with current or former state employees pursuant to Chapter 42.52 RCW. Bidders should familiarize themselves with the requirements and obtain any necessary Ethics Board determinations, etc., prior to submitting a response to this RFQ.

Applicants currently suspended, under investigation, or restricted from providing health care or diagnostic services by any government regulatory agency will not qualify.

E. DEFINITIONS

The following terms appear in this RFQ and have the meaning defined below for the purposes of this RFQ:

- Agency – The Department of Social and Health Services is the agency of the State of Washington that is issuing this RFQ.
- Apparently Successful Applicant - Applicant selected by SCC as having submitted all required information, which qualifies him or her to provide psychological evaluation services. The Applicant is considered an "apparently" successful Applicant until DSHS fully executes a contract.
- Applicant - An individual, provider group, or other business entity submitting an application in response to this RFQ.
- Application - All materials prepared and assembled by an Applicant, and which the Applicant submits in response to this RFQ.
- Contractor – Individual, provider group, or other business entity whose application has been approved by SCC and who DSHS awards a fully-executed written contract.
- Department of Corrections (DOC) – the state of Washington Department of Corrections and its employees and authorized agents.

- Department of Social and Health Services (DSHS) – the state of Washington Department of Social and Health Services and its employees and authorized agents and the agency issuing this RFQ and subsequent contracts.
- End of Sentence Review Committee (ESRC) - The committee comprised of representatives of Washington State agencies who have jurisdiction over the release of sex offenders or are significantly impacted by their release.
- ESR Sexually Violent Predator Subcommittee or ESR SVP Subcommittee - The ESRC subcommittee which includes at least one attorney from the King County Prosecutor's Office and one attorney from the Office of the Attorney General. The Subcommittee is responsible for reviewing available documents and determining whether a case appears to meet criteria for civil commitment.
- Forensic Consultation - Services conducted with attorneys or department employees for the purpose of assisting with any legal process, to include filing decisions, preparation for testimony, or other activities related to the legal process not otherwise specified in this Contract, whether conducted in the expert's office or other locations.
- Issue - To mail, post or otherwise release this RFQ for response by interested parties.
- Joint Forensic Unit or JFU - The unit established by the Department of Corrections and the Department of Social and Health Services to create a pre-selected group of nationwide expert Psychologists/Psychiatrists uniquely qualified to conduct sexually violent predator (SVP) evaluations. The primary purpose of the JFU is to facilitate the efficient production of evaluations that provide clear guidance to the trial courts that must decide whether a person meets criteria for indefinite civil commitment under Washington's Community Protection Act. The JFU also enables centralization of processing records and a fair method of assigning forensic psychological evaluations on behalf of various agencies that refer sex offenders for consideration of civil commitment.
- JFU Evaluator or Evaluator - A Psychologist or Psychiatrist contracted by DSHS to conduct sexually violent predator evaluations to determine whether a person meets criteria for indefinite civil commitment at the State of Washington Special Commitment Center pursuant to Chapter 71.09 RCW, Sexually Violent Predators.
- JFU Program Coordinator – A person designated by the JFU to be the primary contact for all pre-filing matters (Respondent is usually in prison), manage the pre-filing evaluation process, serve as a member of the ESR SVP Subcommittee, initiate and assign cases to JFU Evaluators, oversee quality control of evaluation reports, and communicate with prosecutors regarding evaluation and trial deadlines. For the purposes of this Contract, the JFU Program Coordinator shall be a person employed by the State of Washington Department of Corrections.
- Key Personnel – Employees or Subcontractors proposed by the Applicant to do the work under this application.

- Psychiatrist - per WAC 388-880-010, means a person licensed as a physician under chapters 18.71 and 18.57 RCW. In addition the person shall: (a) have completed three years of graduate training in a psychiatry program approved by the American Medical Association or the American Osteopathic Association; and (b) be certified, or eligible to be certified, by the American Board of Psychiatry and Neurology.
- Psychologist - per WAC 388-880-010, means a person licensed as a doctoral-level psychologist in this state, or licensed or certified in another state, in accordance with chapter 18.83.020 RCW.
- Recent Overt Act - per RCW 71.09.020(10), means any act or threat that has either caused harm of a sexually violent nature or creates a reasonable apprehension of such harm in the mind of an objective person who knows of the history and mental condition of the person engaging in the act.
- RFQ - Request for Qualifications (this RFQ document).
- Sexually Violent Predator or SVP - per RCW 71.09.020, any person who has been convicted of or charged with a crime of sexual violence and who suffers from a mental abnormality or personality disorder which makes the person likely to engage in predatory acts of sexual violence if not confined in a secure facility.
- Special Commitment Center or SCC - The secure commitment facility for the care, control and treatment of Sexually Violent Predators, located on McNeil Island in Washington State.
- Special Commitment Center Forensic Services Manager or SCC Forensic Services Manager - The person employed by SCC who serves as the primary facility contact once an individual is detained at SCC, manages post-filing evaluation matters, oversees quality control of evaluation reports, and communicates with prosecutors regarding evaluations and trial deadlines.
- Statement of Work - A statement of the work or services that the Contractor is required to perform under any contract awarded and which is in the sample contract included with this RFQ.
- Submit - To deliver a complete application package for evaluation with the intention of signing a contract with DSHS, if approved. The application package must be sent to the SCC Contracts Specialist at the address identified on the first page of the contract.

SECTION II. GENERAL INFORMATION

A. PROCUREMENT CONTACT INFORMATION

All communications concerning this RFQ must be directed only to the SCC Forensic Services Manager listed below.

Contact: Bruce Duthie, Ph.D, Forensic Services Manager
Department of Social & Health Services
Special Commitment Center

Mailing Address: P.O. Box 88450
Steilacoom, Washington 98388

Physical Address: 1715 La Fayette Street
Steilacoom, Washington 98388

Telephone: (253) 583-5936

FAX: (253) 589-7002

E-mail Address: duthirb@dshs.wa.gov

B. PROCUREMENT SCHEDULE

The RFQ Schedule (Figure 1 below) outlines important action dates and times. DSHS may revise this schedule at any time on the DSHS Internet Website at <http://www1.dshs.wa.gov/msa/ccs/> and on Washington's Electronic Business Solution (WEBS) at <http://www.ga.wa.gov/webs/> .

This procurement shall remain active as long as it is published and available on the DSHS Internet Website and on Washington's Electronic Business Solution (WEBS) at <http://www.ga.wa.gov/webs/> .

The dates in the schedule reflect SCC's need to identify and qualify providers for psychological evaluation services and for contracting with them as quickly as possible.

Applicants should submit complete application packages within 90 days of the time they receive or download the documents for this RFQ. SCC will review the qualifications and award a contract to those who qualify within approximately 90 days of receiving a completed application.

Figure 1. PROCUREMENT SCHEDULE

Item	Action	Date
1.	Issue RFQ	November 1, 2007
2.	Contract execution for new providers	Anticipated within 90 days after application is submitted (provided all RFQ requirements have been met).
3.	Closing RFQ	Open until further notice.

C. CONTRACTS

DSHS will award **multiple contract(s)** to provide the services described in this RFQ.

The Contract term begins on the date of execution by DSHS and ends on June 30 of the fiscal year in which the Contract is issued (The state fiscal year begins on July 1 and ends on June 30). Contracts may be renewed in one-year increments at the discretion of DSHS.

Specific restrictions apply to contracting with current or former state employees pursuant to Chapter 42.52 Revised Code of Washington. Applicants should familiarize themselves with the requirements prior to submitting an Application.

D. INSURANCE

The Apparently Successful Applicant must comply with the insurance requirements identified in the sample contract attached to this RFQ as Exhibit A.

E. QUESTIONS AND ANSWERS

Applicants should fax, e-mail or mail written questions to the SCC Contracts Specialist identified above in this RFQ (See above in Section II. A., Procurement Contact Information).

F. RETRACTION OF THIS RFQ

DSHS and the State of Washington are not obligated to contract for the services specified in this RFQ. DSHS may retract this RFQ in whole, or in part, at any time without penalty.

G. NON-RESPONSIVE APPLICATIONS

SCC will evaluate all applications to determine compliance with the requirements of this RFQ. SCC may reject applications as non-responsive for any of the following reasons:

- Incomplete application.
- Submission of incorrect, misleading, or false information.

H. EXHIBIT LIST

Exhibits to this RFQ are:

- Exhibit A Personal Service SAMPLE Contract for Psychological Evaluation Services Joint Forensic Unit (JFU) Standard Fee Contract
- Exhibit B Experience and Qualification Questionnaire
- Exhibit C Authorization to Release Information
- Exhibit D Contractor Intake Form and Instructions
- Exhibit E DSHS Background Authorization and Instructions
- Exhibit F Federal W-9 Form and Instructions
- Exhibit G Application Checklist

I. EXECUTION OF THE CONTRACT

Applicants that SCC identifies as Apparently Successful Applicants will be expected to sign a contract with DSHS. A personal service SAMPLE contract for Psychological Evaluation Services Joint Forensic Unit (JFU) Standard Fee is attached as Exhibit A.

The terms and conditions of the contract are not negotiable.

Any Subcontractors shall be subject to the prior written approval of SCC.

If, at anytime, any specifically named individuals identified in the Application to work on this engagement are not available, SCC must approve any change in Contractor personnel.

SECTION III. APPLICATION CONTENTS

A. APPLICATION REQUIREMENTS

Applicants wishing to provide services as a provider under the terms and conditions of this RFQ are required to do the following:

- Review all of the enclosed material.
- Complete all documents listed below in Section III. B.
- Submit required completed documents (Section III. B.) and copies of additional required documentation (Section III. C.) to the SCC contact person identified in Section II. A. of this RFQ.

B. SUBMIT THE FOLLOWING COMPLETED DOCUMENTS

Optional:

1. Based on Applicant's experience with psychological evaluation services as described in this RFQ, provide a detailed listing of the Key Personnel or team (if applicable) proposed for this engagement, including the titles of staff and team roles (if applicable).

Required:

2. Experience and Qualification Questionnaire, Exhibit B
3. Authorization to Release Information, Exhibit C
4. Contractor Intake Form, Exhibit D
5. DSHS Background Authorization form, Exhibit E
6. Federal W-9 form, Exhibit F
7. Application Checklist, Exhibit G

C. SUBMIT COPIES OF THE FOLLOWING DOCUMENTATION (REQUIRED):

1. Current copy of the Washington State professional license for each psychologist who will be working under the statement of work as described in this RFQ (**or** a current copy of the license issued by another state along with a statement that the psychologist(s) will obtain and submit a Washington State professional license to SCC prior to contract execution).
2. Current copy of the Washington State business license for each psychologist who will be working under the statement of work as described in this RFQ (**or** a statement that the applicant will obtain and submit a Washington State business license to SCC prior to execution of a contract).
3. Certificate of Insurance (per requirements in Exhibit A, personal service SAMPLE contract for Psychological Evaluation Services Joint Forensic

Unit (JFU) Standard Fee, naming DSHS as additional insured and certificate holder, for each psychologist who will be working under the statement of work as described in this RFQ, (or a statement that the applicant will obtain and submit a certificate for the required insurance prior to execution of a contract).

4. Work sample – A completed SVP evaluation or (if the applicant has not completed an SVP evaluation) an evaluation of a sex offender that includes a risk assessment.

Note: All personal information must be redacted from the work sample, i.e. names, social security numbers, etc.

5. Curriculum Vitae (CV) or Resume for each psychologist who will be working under the statement of work as described in this RFQ. The CV or Resume must detail experience with the required skills listed in Section I. D. 2., under Minimum Qualifications of this RFQ, as well as the dates and locations the experience was acquired.
6. List of at least three professional references that can verify and provide information about the applicant's experience evaluating sex offenders, and conducting relevant psychological tests. Provide names, phone numbers, location and dates of service.
7. List of the last three (3) SVP, other sex offender cases, or other forensic cases in which you provided expert depositions or testimony in court proceedings and include the name and phone number of the attorney involved in each case and the dates upon which testimony was provided.

SECTION IV. EVALUATION

A. CONTRACT AWARD

DSHS shall award a contract to all who qualify and accept the SCC rates as published within this RFQ.

B. NOTIFICATION OF APPLICANT STATUS

DSHS shall notify the Apparently Successful Applicant on or about 90 days after receipt of the properly completed application and all required documents. Notification will be by U.S. Mail and will include a letter and contract for the applicant's signature.